

<b>Report to:</b>	Licensing and Regulatory Committee	<b>Date of Meeting:</b>	Monday 25 June 2018
<b>Subject:</b>	Local Licensing: Performance Report 2017/18		
<b>Report of:</b>	Head of Regulation and Compliance	<b>Wards Affected:</b>	(All Wards);
<b>Portfolio:</b>			
<b>Is this a Key Decision:</b>	No	<b>Included in Forward Plan:</b>	No
<b>Exempt / Confidential Report:</b>	No		

### Summary:

To report the progress against the 2017/18 Local Licensing Service Plan.

### Recommendations:

That Licensing and Regulatory Committee:

- i) Notes this report; and
- ii) Requests that similar reports be brought on an annual basis.

### Reasons for the Recommendations:

In order that the Licensing & Regulatory Committee can have an overview of the work carried out by the Local Licensing Unit.

### Alternative Options Considered and Rejected: (including any Risk Implications)

None

### What will it cost and how will it be financed?

#### (A) Revenue Costs

Costs are met from within the existing Local Licensing Budget (BD11).

#### (B) Capital Costs

There are no financial costs associated with the proposals in this report

**Implications of the Proposals:**

<b>Resource Implications (Financial, IT, Staffing and Assets):</b> None
<b>Legal Implications:</b> None
<b>Equality Implications:</b> There are no equality implications.

**Contribution to the Council’s Core Purpose:**

Protect the most vulnerable: Yes
Facilitate confident and resilient communities:
Commission, broker and provide core services: Yes
Place – leadership and influencer:
Drivers of change and reform:
Facilitate sustainable economic prosperity:
Greater income for social investment:
Cleaner Greener

**What consultations have taken place on the proposals and when?**

**(A) Internal Consultations**

The Head of Corporate Resources has been consulted and notes the report indicates no direct financial implications for the Council. (FD 5168/18).

Head of Regulation and Compliance has been consulted and any comments have been incorporated into the report. (LD 4392/18).

**(B) External Consultations**

None.

**Implementation Date for the Decision**

Immediately following the Committee meeting.

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**Appendices:**

None.

**Background Papers:**

There are no background papers available for inspection.

**1. Details of licensing applications accepted for process**

- 1.1 During the period 1 April 2017 to 31 March 2018 1,062 applications were accepted for process under the Licensing Act 2003 ("the LA03"), this representing an 0.66% increase over the 1,055 applications received during the equivalent 12 month period for 2016/2017.
- 1.2 Under the Gambling Act 2005 ("the GA05"), 66 applications were accepted for process, this representing a 120% increase over the 30 applications received during the equivalent 12 month period for 2016/2017.
- 1.3 With respect to general licensing applications (pet shops, animal boarding, scrap metal dealers, personal treatment registrations etc.), 176 applications were received, this representing a 34.33% decrease over the 268 applications received during the equivalent 12 month period for 2016/2017.

**2. Advertisement of certain LA03 applications**

- 2.1 In order to ensure that Grant and Variation applications are brought to residents' / businesses' attention, since 25 April 2012 (via legislation introduced into the LA03 by The Police Reform and Social Responsibility Act 2011) the Licensing Unit has been required to advertise these types of applications on the Council website (this is in addition to the existing provisions which were retained whereby the applicant has to advertise the application in a newspaper and on the premises).
- 2.2 In respect of Sefton these Notices can be found via a dedicated page on the Council website via:  
  
[www.sefton.gov.uk/business/licensing-registration/entertainment,-alcohol-and-late-night-refreshment/licensing-act-public-notices.aspx](http://www.sefton.gov.uk/business/licensing-registration/entertainment,-alcohol-and-late-night-refreshment/licensing-act-public-notices.aspx).
- 2.3 During the relevant period there were 61 applications received which required such advertisement; these comprised of 46 Grant applications and 15 Variation applications, this representing a 4.69% decrease over the 64 applications received during the equivalent 12 month period for 2016/2017.

### **3. Sefton's LA03 leafleting notification scheme**

- 3.1 This scheme was formally adopted by Members at their Meeting on 6 June 2011. The scheme involves the Licensing Unit going over and above the advertising provisions of the LA03 by proactively informing those occupiers and owners of properties with curtilages abutting premises, who have made certain applications under the LA03, of the fact of that application.
- 3.2 During the period 1 April 2017 to 31 March 2018 there were 63 applications received which were caught by the scheme; these comprised 2 Review applications, 46 Grant applications and 15 Variation applications. This representing a 1.56% decrease over the 64 applications received during the equivalent 12 month period for 2016/2017.
- 3.3 As a consequence Licensing Officers sent out a total of 423 notifications to residents / businesses; the average being 6.7 notifications sent per application.
- 3.4 The Licensing Unit received no objections from residents / businesses as a result of this activity.

### **4. Reports submitted to Licensing Sub-Committee**

- 4.1 During the relevant period 11 Reports were submitted by the Unit for consideration by the Licensing Sub-Committee, this representing a 8.33% decrease over the 12 Reports submitted during the equivalent 12 month period for 2016/2017.

### **5. Details of Reviews held**

- 5.1 During the relevant period 2 review applications were received, this representing a 200% increase over the nil accepted during the equivalent 12 month period for 2016/2017.

### **6. Details of LA03 Licences surrendered**

- 6.1 At their Meeting on 19 November 2012 Members RESOLVED that any future Performance Reports should "*provide details of surrendered Licences*".
- 6.2 During the period 1 April 2017 to 31 March 2018 25 Licences were surrendered, this representing a 24.24% decrease over the 33 Licences which were surrendered during the equivalent 12 month period for 2016/2017.

### **7. Programmed inspections**

- 7.1 The guidance issued under Section 182 of the LA03 states that the "*2003 Act does not require inspections to take place save at the discretion of those charged with this role. Principles of risk assessment and targeted inspection (in line with the recommendations of the Hampton review) should prevail*".
- 7.2 The guidance issued under Section 25 of the GA05 states that local authorities "*should adopt a risk-based approach when determining the frequency at which gambling premises are to be inspected*".

- 7.3 In implementing both inspection regimes Sefton has adopted these recommended approaches.
- 7.4 The minimum number of inspections contained within the Departmental Plan for 2017/2018 for the Licensing Unit was 100 inspections.
- 7.5 The following number of inspections were undertaken between 1 April 2017 and 31 March 2018:

<b>Inspection Regime</b>	<b>Number of inspections for year</b>
Licensing Act 2003	55
Gambling Act 2005	6
LGMPA 1982	2

- 7.6 The inspection programme was not completed due to a Licensing Officer vacancy that was not filled until the latter part of the year.
- 7.7 During the inspections themselves, licensing officers carry out a proactive audit of the premise against its licensing conditions reviewing the suitability of the licence conditions against current use as well as reviewing any mandatory conditions imposed by the LA03 or the GA05 as applicable.
- 7.8 Officers also actively promote Council initiatives such as 'Knock Back' as well as the continued usage of the Council Door Supervisor Logbooks, the Designated Premise Supervisor delegation forms as well as publicising the Drink Less Enjoy More initiative.

## **8. Details of Service Requests received**

- 8.1 During the relevant period the Unit received and dealt with 994 service requests. This representing a 29.60% decrease over the 1,412 service requests received during the equivalent 12 month period for 2016/2017. Of these 27 took the form of LA03 complaints, 1 concerned GA05 complaints and 3 concerned general licensing complaints.
- 8.2 With regard to the 'Knock Back' scheme the Unit dealt with 2 queries and/or requests for packs to be sent out; in addition 12 Doorman Logbooks were requested and dispatched.
- 8.3 Of the remaining service requests the following were requests to the section for guidance, advice or information: 655 under the LA03, 41 under the GA05, with 253 under general licensing.
- 8.4 All of the above matters have been attended to within the departmental timescales laid down for such matters.