

PART 1 - PUBLIC

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**Decision Maker:** General Purposes & Licensing Committee

**Date:** 7 April 2010

**Decision Type:** Non-Urgent Non-Executive Non-Key

**Title:** LICENSING SERVICE - WORK PLAN FOR 2010 / 2011

**Contact Officer:** Paul Lehane, Head of Food Safety Occupational Safety & Licesning  
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**Chief Officer:** Nigel Davies Director of Environmental Services

**Ward:** All

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1. Reason for report

To inform Members of major work areas for the Licensing Service for 2010 to 2011 and seek views and suggestions for priorities on other work

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2. **RECOMMENDATION(S)**

Members are asked to

1. **Approve the commitment of the Licensing Service to the following work areas in 2010 / 2011**

- a. Review the Statement of Licensing Policy
- b. Run the Best Bar None Scheme
- c. Introduce an approved therapist scheme for Special Treatment Premises
- d. Development of On-Line Licensing capability

2. **Seek guidance on the priorities of other work streams**

- a. Club Licence Conditions. b. Review of Animal Welfare Licence Conditions
- c. Routine visits to all licensed premises (Licensing Act 2003)
- d. Noise limiter checks
- b. Member suggestions

### Corporate Policy

1. Policy Status: Existing policy. Licensing Policy 2008 to 2011 and Gambling Policy 2010 to 2013
  2. BBB Priority: Safer Bromley. Vibrant Thriving Town Centre
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### Financial

1. Cost of proposal: N/A
  2. Ongoing costs: <please select>.
  3. Budget head/performance centre: Clive Davison - Public Protection
  4. Total current budget for this head: £3.5m
  5. Source of funding: Existing Revenue Budgets
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### Staff

1. Number of staff (current and additional): 62 ( Licensing Service 8)
  2. If from existing staff resources, number of staff hours:
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### Legal

1. Legal Requirement: No statutory requirement or Government guidance.
  2. Call-in: Call-in is not applicable.
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### Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
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### Ward Councillor Views

1. Have Ward Councillors been asked for comments? No.
2. Summary of Ward Councillors comments:

### 3. COMMENTARY

Annual work plans for the Trading Standards, Food Safety and Health and Safety service areas are presented to the Community Safety & Public Protection Portfolio Holder for approval. This is a statutory requirement.

This approach has not been adopted so far for the Licensing Service but it is good practice and enables Members of the Committee to have greater role in determining the targets and priorities of the Service.

Members are most involved in hearings under the Licensing Act 2003 and Gambling Act 2005 but the service covers a much wider remit including -

- a. Animal Welfare (Pets shops, Zoos, Animal boarding, Dog Breeding, Riding Establishments and Dangerous Wild Animals) and through the Corporation of London Veterinary Service animal health and welfare on farms and small holdings.
- b. Special Treatments (Massage, saunas, sun beds, tattooing, body piercing & manicure / pedicure etc).
- c. Occasional Sales ( boot fairs)
- d. Sex Establishments. (sex shops & lap dancing) – Committee have adopted a policy on the number and location of sex establishments and a report will be brought to the next committee on changes in law relating to lap dancing.
- e. Safety at Sports Grounds

Much of the team's work is in response to applications and dealing with routine renewals. Investigating complaints is a significant part of the work but there is an element that can be planned and it is in this area that Members views and suggestions are sought.

A number of work areas have been identified that the service is committed to or are possible in the year ahead (April 2010 to March 2011).

#### **Committed Areas of work**

##### **A. Review of Statement of Licensing Policy. ( Licensing Act 2003)**

The statutory review of the Councils Statement of Licensing Policy is due this summer / autumn ready for adoption by Full Council before 7 January 2011. The new policy comes into effect on 7 January 2011 for the next three year period.

Members will in due course be asked for their comments on the existing policy and for any suggestions for changes. In particular the need to continue with the Cumulative Impact Areas in Bromley and Beckenham.

##### **B. Best Bar None Scheme**

The Service will be running the Best Bar None scheme for the second year following the successful pilot last year. The scheme recognises well run and responsibly licensed businesses who attain the Best Bar None standard. This year the scheme will be operated in Bromley Town Centre and Beckenham. The scheme is promoted as part of the Community Safety Team's initiatives for safer town centres and is funded by the Safer Bromley Partnership.

### **C. Special Treatment Approved Therapist Scheme**

As outlined in the report to this Committee Item No ES 10068 it is proposed to introduce a scheme for the approval of all therapists providing licensable treatments under the Special Treatments provisions of the London Local Authorities Act 1991.

### **D. Development of On-Line Licensing capability.**

It is planned to continue to develop the capability for licence applications to be made On-Line by extending the range of areas available. This is in support of the European Services Directive 2006

### **Suggested Work Areas**

Member's views are invited on the following areas of work. Subject to resources and workload it is suggested that two of the work areas below could be accommodated by the Licensing Service in addition to those listed above.

#### **E. Club Licence Conditions**

A number of Clubs have been found to have altered their club rules and changed their style of operation to the extent that a Premise Licence would be more appropriate. It is planned to visit all clubs to review their club rules and ensure they are compliant with the Licensing Act 2003.

#### **F. Review of Animal Welfare Licence Conditions**

The Animal Welfare Act 2006 will increasingly bring about changes in the scope of the licensing services involvement with animal welfare and licensing. It is proposed to review the licensing conditions for the existing functions to ensure they are suitable for the purposes of the Act and in preparation for the development of work area as new requirements are introduced. This work will result in a Report to this Committee to approve the standard condition

#### **G. Routine visits to all licensed premises ( Licensing Act 2003)**

Over 800 premises are licensed by the Council and many do not have any regular contact with the Licensing Service. This work plan would establish an area based approach in which all businesses were visited in a supportive and advisory capacity

#### **H. Noise limiter checks**

Where premises have a noise limiter device it is essential that it is installed maintained and operated properly to ensure it is effective. It is planned to visit all premises where noise limiters are installed by way of licence conditions and check they are functioning properly.

#### **I. Areas of concern to Members**

Members are invited to suggest any other work areas that they feel should take a higher priority.

## **4. POLICY IMPLICATIONS**

The Council is required to adopt policies under the Licensing Act 2003 and the Gambling Act 2005. Committed work themes A ( Review of Licensing Policy) and B ( Best Bar None Scheme)

E (Club Licence Conditions) G (Routine visits to licence premises and H (Noise limiter checks ) support the aims of the Licensing Act 2003 policy

**5. FINANCIAL IMPLICATIONS**

None. Work will be undertaken within existing resources,

**6. LEGAL IMPLICATIONS**

The Council is responsible for the administration and enforcement of a number of licensing / registration schemes. Our general enforcement policy and the Enforcement Concordat require our approach to enforcement to be

- 1. Targeted
- 2. Proportional
- 3. Transparent
- 4. Consistent

Members consideration of the work Plans will support these principals

<b>Non-Applicable Sections:</b>	[List non-applicable sections here]
Background Documents: (Access via Contact Officer)	[Title of document and date]