

FAREHAM

BOROUGH COUNCIL

AGENDA

LICENSING AND REGULATORY AFFAIRS COMMITTEE

Date: Tuesday, 21 March 2017

Time: 6.00 pm

Venue: Collingwood Room - Civic Offices

Members:

Councillor Mrs P M Bryant (Chairman)

Councillor T M Cartwright, MBE (Vice-Chairman)

Councillors Mrs S M Bayford

Miss S M Bell

F Birkett

Mrs T L Ellis

M J Ford, JP

Mrs C Heneghan

L Keeble

A Mandry

Mrs K Mandry

Ms S Pankhurst

R H Price, JP

Mrs K K Trott



Deputies: K D Evans
S Cunningham

**For further information please contact:
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Tel: 01329 236100
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1. Apologies for Absence

2. Minutes (Pages 5 - 8)

To confirm as a correct record the minutes of the meeting of the Licensing & Regulatory Affairs Committee held on 24 January 2017.

3. Chairman's Announcements

4. Declarations of Interest

To receive any declarations of interest from Members in accordance with Standing Orders and the Council's Code of Conduct.

5. Deputations

To receive any deputations of which notice has been lodged.

6. Update on Fareham and Gosport Environmental Health Partnership

To receive a presentation from the Head of Environmental Health which provides Members with an update on the Fareham and Gosport Environmental Health Partnership.

7. Update on the Alignment of Fees and Charges

To receive a verbal update from the Head of Environmental Health on the alignment of fees and charges in the Fareham and Gosport Boroughs.

8. Final Review of Work Programme 2016/17 and Draft Work Programme 2017/18 (Pages 9 - 24)

To consider a report by the Head of Environmental Health which gives a final review of the 2016/17 Work Programme and proposes a draft Work Programme for 2017/18.

P GRIMWOOD
Chief Executive Officer

Civic Offices
www.fareham.gov.uk
13 March 2017

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FAREHAM

BOROUGH COUNCIL

Minutes of the Licensing and Regulatory Affairs Committee

(to be confirmed at the next meeting)

Date: Tuesday, 24 January 2017

Venue: Collingwood Room - Civic Offices

PRESENT:

Councillor Mrs P M Bryant (Chairman)

Councillor T M Cartwright, MBE (Vice-Chairman)

Councillors: Mrs S M Bayford, Miss S M Bell, F Birkett, Mrs T L Ellis,
M J Ford, JP, L Keeble, A Mandry, Mrs K Mandry,
Ms S Pankhurst, R H Price, JP and Mrs K K Trott

**Also
Present:**



1. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Mrs C Heneghan.

2. MINUTES

RESOLVED that the minutes of the Licensing and Regulatory Affairs Committee held on 27 September 2016 be confirmed and signed as a correct record.

3. CHAIRMAN'S ANNOUNCEMENTS

There were no Chairman's announcements.

4. DECLARATIONS OF INTEREST

In accordance with Standing Orders and the Council's Code of Conduct, the following declarations were made:-

Councillor A Mandry declared a non-pecuniary interest for minute 8 – Polling Station Review as he is a Council appointed Trustee to the Management Board of the Crofton Community Association.

Councillor Mrs K Mandry declared a non-pecuniary interest for minute 8 – Polling Station Review as she is a Council appointed Deputy Trustee to the Management Board of the Crofton Community Association.

Councillor Mrs P Bryant declared a non-pecuniary interest for minute 8 – Polling Station Review as she is a Member of the Rotary Club of Fareham.

5. DEPUTATIONS

There were no deputations made at this meeting.

6. SPENDING PLANS 2017/18

The Committee considered a report by the Director of Finance and Resources on the Committee's Spending Plans for 2017/18.

RESOLVED that the Licensing and Regulatory Affairs Committee:-

- (a) agrees the revised budget for 2016/17;
- (b) agrees the base budgets for 2017/18; and
- (c) recommends the budget to Council for approval.

7. FEES AND CHARGES 2017/18

The Committee received a report by the Director of Finance and Resources on Fees and Charges for 2017/18.

Members discussed the on-going issue of trying to align fees and charges across the Boroughs of Fareham and Gosport. The Head of Environmental Health advised that this will be an item for discussion at the next Environmental Health Partnership meeting.

RESOLVED that the Licensing and Regulatory Affairs Committee:-

- (a) agrees the fees and charges for 2017/18; and
- (b) recommends the fees and charges to Council for approval.

8. POLLING STATION REVIEW

The Committee considered a report by the Head of Democratic Services on an interim Polling Station review.

Councillor A Mandry declared a non-pecuniary interest for this item as he is a Council appointed Trustee to the Management Board of the Crofton Community Association.

Councillor Mrs K Mandry declared a non-pecuniary interest for this item as she is a Council appointed Deputy Trustee to the Management Board of the Crofton Community Association.

Councillor Mrs P Bryant declared a non-pecuniary interest for this item as she is a Member of the Rotary Club of Fareham.

Members enquired whether consideration had been given to the use of the Rotary Club 'Wheel House' premises as an alternative polling station. The Head of Democratic Services advised that it had not been considered as part of the review presented in the report but that use of the hall could be considered in respect of future reviews.

RESOLVED that the Licensing and Regulatory Affairs Committee agrees to the use of Crofton Community Centre as a polling station for polling districts HH3 and HH4 and recommends this to Council for approval.

9. PRELIMINARY REVIEW OF THE LICENSING & REGULATORY AFFAIRS COMMITTEE WORK PROGRAMME FOR 2016/17 & PRELIMINARY REVIEW OF THE COMMITTEE'S WORK PROGRAMME FOR 2017/18

The Committee considered a report by the Head of Environmental Health which gives a preliminary review of the Committee's Work Programme for 2016/17 and the draft Work Programme for 2017/18.

The Chairman advised Members that Licensing training would be added to the 2017/18 Work Programme once Committee membership has been agreed at the Annual Council meeting in May.

At the request of Members, it was agreed that a verbal update report on the progress made in aligning the Fareham & Gosport charging structures would be added to the March meeting of the 2016/17 Work Programme.

RESOLVED that the Committee:-

- (a) note the progress on actions arising from the meeting held on 27 September 2016, attached as Appendix A to the report;
- (b) agree that a verbal update titled 'Fareham and Gosport Charging Structures' be included in the 2016/17 Work Programme for the 21 March 2017 meeting;
- (c) subject to the inclusion of (b) above, agree the Work Programme for 2016/17, attached as Appendix B to the report; and
- (d) gave initial consideration to the draft Work Programme for 2017/18, attached as Appendix C to the report

(The meeting started at 6.00 pm
and ended at 6.45 pm).

FAREHAM

BOROUGH COUNCIL

Report to Licensing and Regulatory Affairs Committee

Date **21 March 2017**

Report of: **Head of Environmental Health**

Subject: **FINAL REVIEW OF WORK PROGRAMME 2016/17 AND DRAFT
WORK PROGRAMME 2017/18**

SUMMARY

At the last meeting of the Committee held on 24 January 2017, Members reviewed the existing Work Programme for 2016/17 and also considered a draft Work Programme for 2017/18. The Committee is now invited to further review the Work Programme for the current year and finalise a draft Work Programme for 2017/18.

RECOMMENDATION

Members are requested to:-

- (a) review the Committee's Work Programme for the current year 2016/17;
- (b) agree a proposed Work Programme for 2017/18; and
- (c) submit the proposed Work Programme for 2017/18 to the Council for endorsement.

INTRODUCTION

1. At the meeting of the Committee on 24 January 2017, Members reviewed the 2016/17 Work Programme and were invited to consider items and review a proposed Work Programme for the next municipal year. This is the last cycle of meetings for this municipal year and the Committee is invited to finalise its review of this year's work and confirm the draft Programme for 2017/18.

THE CURRENT WORK PROGRAMME 2016/17

2. Appendix A to this report sets out details of the current year's Work Programme for review by the Committee.
3. Appendix B contains details of the outcomes from matters considered at Committee meetings during the current municipal year.

REVISIONS TO THE CURRENT WORK PROGRAMME 2016/17

4. Members are asked to note that a new item titled 'Update on alignment of Fees and Charges in the Boroughs of Fareham and Gosport' has been added to the March meeting of the 2016/17 Work Programme. This will be a verbal update from the Head of Environmental Health

DRAFT WORK PROGRAMME FOR 2017/18

5. A draft Work Programme for 2017/18 is attached as Appendix C and Members' views are requested on any issues or items that they would like to consider over the coming year.

RISK ASSESSMENT

6. There are no significant risk considerations in relation to this report.

CONCLUSION

7. To summarise, the Committee is now invited to:-
 - (a) review the Committee's Work Programme for the current year 2016/17;
 - (b) agree a proposed Work Programme for 2017/18; and
 - (c) submit the proposed Work Programme for 2017/18 to Council for endorsement.

APPENDICES:

Appendix A – Current Work Programme for 2016/17

Appendix B – Work Programme 2016/17 – Outcomes

Appendix C – Draft Work Programme for 2017/18

Background Papers:

none

Reference Papers:**Enquiries:**

For further information on this report please contact Ian Rickman. (Ext 4773)

APPENDIX A

LICENSING AND REGULATORY AFFAIRS COMMITTEE WORK PROGRAMME 2016/17

<u>DATE</u>	<u>SUBJECT</u>	<u>TRAINING SESSION/WORKSHOP</u>
31 MAY 2016	Presentation on the Responsibilities of the Licensing and Regulatory Affairs Committee Health & Safety Service Plan Review of Work Programme 2016/17	Training for Members
5 JULY 2016	MEETING CANCELLED	
27 SEPTEMBER 2016	Setting of Taxi Tariff Review of Work Programme 2016/17 Police Update – Jason Pearce Actual Revenue Expenditure 2015/16 Boundary Commission for England Review	Training for Members
22 NOVEMBER 2016	MEETING CANCELLED	
24 JANUARY 2017	Spending Plans 2017/18 Fees and Charges 2017/18 Polling Station Review Preliminary Review of Work Programme 2016/17 and Draft Work Programme 2017/18	
21 MARCH 2017	Update on Fareham & Gosport Environmental Health Partnership – Presentation Final Review of Work Programme 2016/17 and Draft Work Programme 2017/18. Update on alignment of Fareham and Gosport fees and charges	

LICENSING AND REGULATORY AFFAIRS COMMITTEE

Progress on Actions from 2016/17

Date of Meeting	12 May 2016
Subject	Appointment of Licensing Panel
Type of Item	Review
Action by Committee	<p>The Committee was reminded that it had decided to appoint a Licensing Panel with rotating membership to hear and determine various applications under the Licensing Act 2003, applications to drive or operate hackney carriage or private hire vehicles and applications under the Gambling Act 2005. Members were reminded that, under the provisions of the Licensing Act 2003, such a Panel may only comprise three members.</p> <p>RESOLVED that:-</p> <ul style="list-style-type: none"> (a) a Licensing Panel be appointed for 2016/17 with those terms of reference and delegated powers previously determined by the Committee on 1 February 2005, as amended on 23 January 2007 and subsequently confirmed by the Council on 15 February 2007; (b) Councillor Mrs P M Bryant be appointed Chairman of the Licensing Panel for 2016/17, with the exception of any applications which fall into her Ward, whereby another member will be appointed Chairman for that meeting; and (c) members of the Licensing and Regulatory Affairs Committee be appointed to the Licensing Panel, such that it comprises the Chairman and two other members of the Committee, appointed on a rotating basis, subject to their having completed the necessary training.
Outcome	Complete
Link Officer	Ian Rickman
Subject	Appointment of Trading Concessions Panel
Type of Item	Review

Action by Committee	<p>The Committee was reminded that it had decided to appoint a Trading Concessions Panel to deal with occasional issues arising from the grant of concessions in West Street, Fareham. The Committee was invited to appoint the Panel for 2016/17.</p> <p>RESOLVED that:-</p> <p>(a) Councillors Miss S M Bell, Mrs P M Bryant, T M Cartwright, L Keeble and Mrs K Mandry be appointed to the Licensing Trading Concessions Panel for 2016/17; and</p> <p>(b) Councillor Mrs P M Bryant be appointed Chairman of the Licensing Trading Concessions Panel for 2016/17.</p>
Outcome	Complete
Link Officer	Ian Rickman
Date of Meeting	31 May 2016
Subject	Presentation on the Responsibilities of the Licensing and Regulatory Affairs Committee
Type of Item	Presentation
Action by Committee	<p>The Committee received a presentation from the Head of Environmental Health on the Roles, Functions and Responsibilities of the Licensing and Regulatory Affairs Committee. These services included; General Licensing, Taxi Licensing, Health & Safety, and the Safety Advisory Group.</p> <p>The Committee also received a presentation from the Head of Democratic Services on Election Services, as changes to electoral boundaries also falls under the Committee's responsibility.</p> <p>RESOLVED that the Head of Environmental Health and the Head of Democratic Services be thanked for their presentations.</p>
Outcome	Complete
Link Officer	Ian Rickman and Leigh Usher
Subject	Licensing and Regulatory Affairs Committee Work Programme 2016/17
Type of Item	Report
Action by Committee	The Committee considered a report by the Head of Environmental Health on the Committee's work programme for 2016/17.

	<p>Members were advised that an additional report titled 'Actual Revenue Expenditure 2015/16' needs to be added to the work programme and it was suggested that this be included into the September meeting.</p> <p>RESOLVED that the Committee:-</p> <p>(a) note the progress on action since the last meeting, as set out in Appendix A; and</p> <p>(b) subject to the addition of the report titled 'Actual Revenue Expenditure 2015/16' to the September meeting, the work programme for 2016/17 be agreed.</p>
Outcome	Complete
Link Officer	Ian Rickman
Subject	Health & Safety Service Plan
Type of Item	Report
Action by Committee	<p>The Committee considered a report by the Head of Environmental Health on the Health & Safety Service Plan.</p> <p>RESOLVED that the Committee approve the Section 18 Health & Safety Intervention Plan, as set out in Appendix A to the report.</p>
Outcome	Complete.
Link Officer	Ian Rickman
Date of Meeting	05 July 2016
	MEETING CANCELLED

Date of Meeting	27 September 2016
Subject	Police Update
Type of Item	Verbal Update
Action by Committee	<p>The committee received a verbal report from PC Jason Pearce on Police Licensing Arrangements.</p> <p>Councillor Mrs Bryant declared a Non-Pecuniary interest on this item as she is a member of the management board of Dickson House Probation Service bail hostel.</p> <p>Members were advised that the police are continuing to work closely with the local neighbourhood team to identify and tackle emerging issues at an early stage. The Fareham night time economy continues to enjoy low levels of crime following the significant reductions that were achieved 4 years ago as a result of all licenced premises in the town centre closing by 1am.</p> <p>PC Pearce highlighted that the primary issue over the last year has been the increasing number of street drinkers in the town centre. Over a third of all anti-social behaviour crimes and incidents in the town centre are attributable to street drinkers, despite significant resources having been made available across the County to tackle the issue and identify tactics to disperse these groups. In Fareham, the Police Licensing team has had some success with a campaign to encourage premises not to stock high alcohol content drinks that the street drinkers favour. Premises that fail to engage are identified and as a result of consistent lack of co-operation, one has very recently had their premises license revoked.</p> <p>PC Pearce also highlighted disappointing results in test purchases that have been carried out across Fareham this year. Despite the Challenge 25 policy that has been implemented across the borough, 11 out of 40 test purchases resulted in failure. Some test purchases resulted in multiple failures and these have led to police seeking significant sanctions on the premises' licences.</p> <p>In response to Members' enquiries regarding factors contributing to the increase in street drinkers in the town centre, PC Pearce advised that the 101 Shelter in Gosport Road and the Dickson House probation service bail hostel in Trinity Street are having some effect.</p> <p>The Chairman advised that the majority of residents in Dickson House have moved out of prison on licence. Use of alcohol is strictly prohibited and offenders are removed from the premises if they do not comply. Anti-social behaviour issues relating to Dickson House are more to do with offenders remaining in Fareham at the end of their probation period rather than returning to where they lived prior to offending.</p>

	<p>Members commended the Police Licensing Team on the excellent work they are doing under such adverse resourcing conditions but raised concern that resources are being diverted from local areas to deal with Town Centre issues.</p> <p>RESOLVED that PC Pearce be thanked for his verbal report.</p>
Outcome	Complete
Link Officer	Ian Rickman
Subject	Actual Revenue Expenditure 2015/16
Type of Item	Report
Action by Committee	<p>The Committee considered a report by the Head of Environmental Health on Actual Revenue Expenditure 2015/16.</p> <p>In response to questions from Members, the Head of Democratic Services outlined how the Election Services budget is affected by the phasing of funding received via the Electoral Claims Unit. Following a sustained period of change since 2010, it should now be possible for future accounts to be prepared based on an analysis and understanding of election expenditure so that a more stable budget position is created.</p> <p>RESOLVED that the Committee notes the content of the report.</p>
Outcome	Complete
Link Officer	Ian Rickman/Leigh Usher
Subject	Review of Hackney Carriage Fares
Type of Item	Report
Action by Committee	<p>At the agreement of the Chairman, this item was moved before item 7 in order to consider the deputation made in Minute 5.</p> <p>The Committee considered a report by the Head of Environmental Health on the review of Hackney Carriage Fares.</p> <p>The Panel received a deputation referred to in Minute 5 above.</p> <p>RESOLVED that the Committee recommends that the Executive approve the following changes:-</p>

	<p>1) that the fee for 'Passengers picked up at Fareham Station' be increased from 60p to £1; and</p> <p>2) that the statement 'For each dog (except assistance dogs) 10p' be replaced with 'Assistance dogs must be carried free of charge unless the driver has a current exemption in place to do so'.</p>
Outcome	<p>Referred to the Executive at the meeting held on 05 December 2016</p> <p>RESOLVED that the Executive approves:</p> <p>(a) that the fee for 'Passengers picked up at Fareham Station' be increased from 60p to £1; and</p> <p>(b) that the statement 'For each dog (except assistance dogs) 10p' be replaced with the wording: 'Assistance dogs must be carried free of charge unless the driver has a current exemption in place'.</p>
Link Officer	Ian Rickman
Subject	Boundary Commission for England Review
Type of Item	Report
Action by Committee	<p>The Committee received a presentation by the Head of Democratic Services about the Boundary Commission for England's Parliamentary Boundary Review.</p> <p>The presentation highlighted the proposed reduction in constituencies in the South East region from 84 to 83 by incorporating the exiting Meon Valley constituency into Winchester, East Hampshire and Fareham. This will involve the inclusion of the Winchester Whiteley ward into Fareham.</p> <p>The presentation also outlined the remaining stages of the review process, including the opportunity to make representations on the proposals during the 12 week consultation period that will run until 5 December 2016. Legislation specifies that final recommendations must be implemented by September 2018.</p> <p>Fareham Borough Council's formal consultation response will be submitted following the Council meeting on 13 October 2016.</p>

	<p>In discussing the item, the Committee commented that it was largely in support of the Boundary Commission's proposal and agreed with the logic of taking the whole of Whiteley into the Fareham Constituency.</p> <p>The Committee was pleased to note that the 2018 review does not split Fareham (as per previous proposals) but noted concern that the calculations do not take into account plans for future housing developments and therefore a rise in electorate numbers</p> <p>RESOLVED that the Committee thanks the Head of Democratic Services for her informative presentation and refers its comments to Council for consideration.</p>
Outcome	<p>Referred to Council at the meeting held on 13 October 2016.</p> <p>On being put to the vote, it was unanimously RESOLVED that:</p> <p>(1) authority be delegated to the Executive Leader, in consultation with the Chief Executive Officer, to submit a response on behalf of Fareham Borough Council in support of the Boundary Commission for England's proposals on the 2018 Constituency Review; and</p> <p>(2) the Executive Leader and Chief Executive Officer be authorised to attend a Public Hearing (if necessary) to present the Council's response.</p>
Link Officer	Leigh Usher
Subject	Licensing and Regulatory Affairs Committee Work Programme
Type of Item	Report
Action by Committee	<p>The Committee considered a report by the Head of Environmental Health on the Committee's work programme for 2016/17.</p> <p>RESOLVED that the Committee:-</p> <p>(a) notes the progress on actions arising from the meeting of the Committee held on 31 May 2016, as shown in Appendix A to the report; and</p>

	(b) that the Work Programme for 2016/17, attached as Appendix B to the report be approved.
Outcome	Complete
Lead Officer	Ian Rickman
Date of Meeting	22 November 2016
	MEETING CANCELLED
Date of Meeting	24 January 2017
Subject	Spending Plans 2017/18
Type of Item	Report
Action by Committee	<p>The Committee considered a report by the Director of Finance and Resources on the Committee's Spending Plans for 2017/18.</p> <p>RESOLVED that the Licensing and Regulatory Affairs Committee:-</p> <ul style="list-style-type: none"> (a) agrees the revised budget for 2016/17; (b) agrees the base budgets for 2017/18; and (c) recommends the budget to Council for approval.
Outcome	
Lead Officer	Neil Wood

Subject	Fees and Charges 2017/18
Type of Item	Report
Action by Committee	<p>The Committee received a report by the Director of Finance and Resources on Fees and Charges for 2017/18.</p> <p>Members discussed the on-going issue of trying to align fees and charges across the Boroughs of Fareham and Gosport. The Head of Environmental Health advised that this will be an item for discussion at the Environmental Health Partnership meeting due to take place on 26 January 2017.</p> <p>RESOLVED that the Licensing and Regulatory Affairs Committee:-</p> <p>(a) agrees the fees and charges for 2017/18; and</p> <p>(b) recommends the fees and charges to Council for approval.</p>
Outcome	
Lead Officer	Neil Wood
Subject	Polling Station Review
Type of Item	Report
Action by Committee	<p>The Committee considered a report by the Head of Democratic Services on an interim Polling Station review.</p> <p>Members enquired whether consideration had been given to the use of the Rotary Club 'Wheel House' premises as an alternative polling station. The Head of Democratic Services advised that it had not been considered as part of the review presented in the report but that use of the hall could be considered in respect of future reviews.</p> <p>RESOLVED that the Licensing and Regulatory Affairs Committee agrees to the use of Crofton Community Centre as a polling station for polling districts HH3 and HH4 and recommends this to Council for approval.</p>
Outcome	
Lead Officer	Leigh Usher

Subject	Preliminary review of the Licensing & Regulatory Affairs Committee Work Programme for 2016/17 and preliminary review of the Committee's Work Programme for 2017/18
Type of Item	Report
Action by Committee	<p>The Committee considered a report by the Head of Environmental Health which gives a preliminary review of the Committee's Work Programme for 2016/17 and the draft Work Programme for 2017/18.</p> <p>The Chairman advised Members that Licensing training would be added to the 2017/18 Work Programme once Committee membership has been agreed at the Annual Council meeting in May.</p> <p>At the request of Members, it was agreed that a verbal update report on the progress made in aligning the Fareham & Gosport charging structures would be added to the March meeting of the 2016/17 Work Programme.</p> <p>RESOLVED that the Licensing & Regulatory Affairs Committee notes the content of the report.</p>
Outcome	Complete
Lead Officer	Ian Rickman

**LICENSING AND REGULATORY AFFAIRS COMMITTEE – DRAFT WORK PROGRAMME
2017/18**

<u>DATE</u>	<u>SUBJECT</u>	<u>TRAINING SESSION/WORKSHOP</u>
13 June 2017	Presentation on the Responsibilities of the Licensing and Regulatory Affairs Committee Review of Work Programme 2017/18 Update on Taxis and Wheelchair Accessibility	
11 July 2017	Review of Work Programme 2017/18	
19 September 2017	Setting of Taxi Tariff Review of Work Programme 2017/18 Police Update – Jason Pearce Actual Revenue Expenditure 2016/17 Boundary Commission for England Review	
28 November 2017	Review of Work Programme 2017/18	
23 January 2018	Preliminary Review of Work Programme 2017/18 and Draft Work Programme 2018/19 Spending Plans 2018/19 Fees and Charges 2018/19	
27 March 2018	Update on Fareham & Gosport Environmental Health Partnership – Presentation Final Review of Work Programme 2017/18 and Draft Work Programme 2018/19	

Unallocated Item

Schedule of Delegation to Officers

