

FAREHAM

BOROUGH COUNCIL

Report to Licensing and Regulatory Affairs Committee

Date **14 January 2021**

Report of: **Head of Environmental Health**

Subject: **PRELIMINARY REVIEW OF WORK PROGRAMME 2019/21 AND
DRAFT WORK PROGRAMME 2021/22**

SUMMARY

At the Committee meeting on 30 March 2021, members will be asked to review the outcome of the Work Programme for the current municipal year. Also, at that meeting the Panel will need to finalise the draft Work Programme for the 2021/22 municipal year. Members are reminded that, as a result of the Covid-19 pandemic, the 2019/20 municipal year has been extended until May 2021.

This report contains details of the position of the Committee's existing Work Programme for the current year, in order to allow an early assessment of progress. It also gives some background information to assist members in drawing up the Work Programme for 2021/22.

RECOMMENDATION

It is recommended that the Licensing and Regulatory Affairs Committee:-

- (a) notes the progress on actions arising from the meeting of the Committee held on 29 September 2020, attached as Appendix A to this report;
- (b) reviews the Work Programme for 2019/21, attached as Appendix B to this report; and
- (c) gives initial consideration to the draft Work Programme for 2021/22, attached as Appendix C to this report

INTRODUCTION

1. Members are reminded that as a result of the Covid-19 pandemic, the Government has legislated that Councillors' Terms of Office be extended for one year. References to "the remainder of the municipal year" therefore mean the extended year past May 2020 and will last until May 2021.

WORK PROGRAMME FOR THE 2019/21 MUNICIPAL YEAR

2. At the Committee meeting on 29 September 2020, the Work Programme for 2019/21 was reviewed.
3. Details of progress on actions arising from matters considered at that meeting are shown in Appendix A to this report.
4. The Work Programme for 2019/21 agreed at the last meeting is attached as Appendix B to this report.
5. Members are asked to note the addition of an item entitled 'Police Update on Licensing Matters' to the agenda of the meeting scheduled to take place on 30 March 2021.

WORK PROGRAMME – NEXT YEAR 2021/22

6. Members are now invited to consider items for the draft Work Programme for 2021/22. It has previously been suggested that a few items of major significance be chosen
7. At this stage, particular items which are known to be coming before the Committee during the next year are attached as Appendix C.
8. Other general items may arise during the year, such as responding to consultation requests by central Government.

RISK ASSESSMENT

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

CONCLUSION

10. The Licensing and Regulatory Affairs Committee is invited to note the progress on actions arising from the meeting of the Committee held on 29 September 2021, review the Work Programme for the 2019/21 municipal year and give initial consideration to the draft Work Programme for 2021/22 attached as Appendix C to the report.

APPENDICES:

APPENDIX A – Progress on Actions since the last meeting.

APPENDIX B – Licensing and Regulatory Affairs Committee Work Programme 2019/21

APPENDIX C – Draft Licensing and Regulatory Affairs Work Programme for the 2021/22.

Background Papers:

None

Reference Papers:

None

Enquiries:

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

LICENSING AND REGULATORY AFFAIRS COMMITTEE

PROGRESS ON ACTIONS FROM LAST MEETING – 29 September 2020

Subject	PARLIAMENTARY BOUNDARY REVIEW 2018
Type of Item	Verbal Update
Action by Committee	<p>The Head of Democratic Services provided the Committee with a verbal update on the 2018 Parliamentary Review.</p> <p>Members were advised that in March 2020 the Government announced that it would not implement the net reduction in the number of seats in the House of Commons from 650 to 600 and instead would introduce a Bill to amend the Rules of Redistribution. The Parliamentary Constituencies Bill 2019-21 was introduced on 19 May 2020, had its Third Reading in the House of Commons on 14 July 2020 and had its second sitting in the House of Lords on 10 September. If the Bill is passed, the key changes will be as follows:</p> <ul style="list-style-type: none"> • The number of MPs will be fixed at 650 and the 2018 Review will not be implemented. • The next review, due to start in 2021, will have to be completed by the Boundary Commissions by 01 July 2023. It will be based on the number of registered electorates as of 01 March 2020; • The next review after the 2023 Review will have to be completed by 01 October 2031; with subsequent reviews required to report by the 01 October every eight years thereafter; • Recommendations of the Boundary Commissions will be no longer require Parliamentary approval and government ministers will have no power to alter recommendations; • The public consultation phase will be amended to allow for public hearings later in the consultation process. • The Boundary Commissions will be given more flexibility to use local government and ward boundaries that have yet to come into force.

	<ul style="list-style-type: none"> • A new protected island seat in Wales to cover Ynys Môn will be added. <p>Members were also advised that, following the Second Reading debate, the Government issued a written ministerial statement which addressed the concerns about the quality of the data of the 2023 Review if it was to be based on the electoral registers of the 01 December 2020. The written statement allows more time for Electoral Registration Officers to conduct this year's annual canvas in Great Britain. As a result, the Government would introduce an amendment during the committee stages of the Bill to require the 2023 Review to be based on the electoral registers as they stood at 01 March 2020.</p> <p>Members discussed the expected increase in demand for postal votes as a result of the Covid-19 Pandemic and received assurances from the Head of Democratic Services that the Elections team is well placed to deal with the increase in demand and that all requests for postal votes will be met.</p> <p>RESOLVED that the Licensing and Regulatory Affairs Committee notes the content of the verbal update.</p>
Outcome	Complete
Link Officer	Leigh Usher
Subject	STATUTORY REVIEW OF LICENSING POLICY
Type of Item	Report
Action by Committee	<p>The Committee received a report by the Head of Environmental Health that asks Members to consider and approve the draft revised Licencing Policy for consultation.</p> <p>Members discussed the revised arrangements that have had to be implemented to deal with Licensing matters during the Covid-19 pandemic and agreed that a paragraph should be added to the draft policy to explain that in the event of any future need to invoke emergency procedures that affect licensing arrangements, these will be communicated to relevant parties.</p> <p>It was noted that the amendment made at paragraph 4.3 of the draft policy in respect of the operating schedule/licensing application should be clarified and standardised across the rest of the policy.</p>

	<p>Members felt that the example provided at paragraph 4.25 of the draft policy in respect of late temporary event notices was slightly confusing. It was agreed that this needs to be amended to provide greater clarity but does still need to contain an example scenario to help avoid late requests being received.</p> <p>Concern was raised that at paragraph 5.3 of the draft policy, the expectation that a Designated Premises Supervisor be present at the licensed premises on a 'regular' basis could be considered to be ambiguous. It was agreed that this would be investigated to see whether it was possible to clarify expectations.</p> <p>In respect of paragraph 5.15 of the draft Policy, Members enquired whether consideration has been given to making changes to the licensing arrangements for external areas in order to help businesses to increase the capacity of their premises by utilising outside space to help reduce the impact of the Covid-19 pandemic. The Head of Environmental Health agreed this was an option worth pursuing and undertook to ensure that feedback is obtained during the consultation process to determine whether this would be beneficial to businesses.</p> <p>RESOLVED that the Licensing and Regulatory Affairs Committee agrees that:</p> <ul style="list-style-type: none"> (a) subject to the additions and amendments outlined above, the draft revised Licensing Policy, as attached at Appendix A to the report, be approved for consultation; (b) the consultation exercise will commence at this meeting and continue for a period of 12 weeks; (c) a further report on the draft revised Licensing Policy, which details outcomes from the consultation process, be presented to the Licensing and Regulatory Affairs Committee at its meeting in January 2021 for further consideration prior to referral to the Executive for comment; and (d) the final draft revised Licensing Policy then be recommended to Council for adoption at the meeting scheduled to take place in February 2021.
Outcome	Further report for consideration following consultation period
Link Officer	Ian Rickman

Subject	COVID-19 SERVICE IMPACT REPORT
Type of Item	Report
Action by Committee	<p>The Committee considered a report by the Head of Environmental Health which provides members with an update on the impact to the Service as a result of the Covid-19 pandemic.</p> <p>RESOLVED that the Licensing and Regulatory Affairs Committee notes the content of the report and in particular, the financial effect of the Covid-19 pandemic.</p>
Outcome	Complete
Link Officer	Ian Rickman
Subject	LICENSING AND REGULATORY AFFAIRS COMMITTEE WORK PROGRAMME
Type of Item	Report
Action by Committee	<p>Members considered a report by the Head of Environmental Health which provides details of the Committee's Work Programme since the start of the 2019/20 municipal year.</p> <p>The Head of Environmental Health provided a verbal update on the appeal submitted by Ranchos Steakhouse against the Council's decision to refuse their application for a premises licence. Following a change in ownership of the business and the submission of a revised application, which was not contested by the police, the premises licence has now been granted. As a result, the appeal will not now take place.</p> <p>Members discussed the lack of business scheduled for the meeting in November and agreed that, unless additional business comes forward, the meeting will be cancelled.</p> <p>RESOLVED that the Licensing and Regulatory Affairs Committee:</p> <ul style="list-style-type: none"> (a) notes the progress on actions arising from the meeting of the Committee held on 28 January 2020, attached as Appendix A to the report; (b) reviewed the Work Programme for 2019/20, attached as Appendix B to the report;

	<p>(c) agrees that, subject to approval by full Council, the date of the January committee meeting be changed to 14 January 2021, and</p> <p>(d) agrees the Work Programme for the remainder of the current municipal year, as attached as Appendix C of the report.</p>
Outcome	Complete
Link Officer	Ian Rickman

LICENSING AND REGULATORY AFFAIRS COMMITTEE – WORK PROGRAMME 2019/21

<u>DATE</u>	<u>SUBJECT</u>	<u>TRAINING SESSION/WORKSHOP</u>
18 JUNE 2019	<p>Presentation on the Responsibilities of the Licensing and Regulatory Affairs Committee</p> <p>National Register of Taxi Licence Revocations and Refusals Report</p> <p>Adoption of Institute of Licensing Guidance on determining the suitability of Applicants and Licensees in the Hackney and Private Hire Trades Report</p> <p>Draft Polling District and Polling Places Review Report</p> <p>Review of Work Programme 2019/20</p>	
30 JULY 2019	MEETING CANCELLED	
15 OCTOBER 2019	<p>Final Polling District and Polling Places Review Report</p> <p>Air Quality Taxi Incentive Scheme Update</p> <p>Review of Work Programme 2018/19</p>	
19 NOVEMBER 2019	MEETING CANCELLED	
28 JANUARY 2020	<p>Actual Revenue Expenditure 2019/20</p> <p>Spending Plans 2020/21</p> <p>Fees and Charges 2020/21</p> <p>Preliminary Review of Work Programme 2019/20 and Draft Work Programme 2020/21</p>	
31 MARCH 2020 (Meeting cancelled due to Covid-19 Pandemic)	<p>Police Licensing Officer Update</p> <p>Verbal Update on the Ranchos Steakhouse Licence Appeal</p> <p>Verbal Update on the current position in respect of the 2018 Review of Parliamentary Constituency Boundaries</p> <p>Update on Fareham & Gosport Environmental Health Partnership – Presentation</p> <p>Final Review of Work Programme 2019/20 and Draft Work Programme 2020/21</p>	

<u>DATE</u>	<u>SUBJECT</u>	<u>TRAINING SESSION/ WORKSHOP</u>
16 JUNE 2020	Meeting cancelled due to Covid-19 pandemic	
28 JULY 2020	Meeting cancelled due to Covid-19 pandemic	
29 SEPTEMBER 2020	Update on 2018 Parliamentary Boundary Review Approval of Draft Revised Licensing Policy for Consultation Review of current Work Programme	
17 NOVEMBER 2020	Meeting cancelled	
26 JANUARY 2021	Approval of Draft Revised Licensing Policy for recommendation to full Council for adoption. Actual Revenue Expenditure 2020/21 Spending Plans 2021/22 Fees and Charges 2021/22 Preliminary Review of current Work Programme and Draft Work Programme 2021/22	
30 MARCH 2021	Police Update on Licensing Matters Update on Fareham & Gosport Environmental Health Partnership – Presentation Final Review of current Work Programme and Draft Work Programme 2021/22	

**DRAFT LICENSING AND REGULATORY AFFAIRS COMMITTEE – WORK PROGRAMME
2021/22**

<u>DATE</u>	<u>SUBJECT</u>	<u>TRAINING SESSION/ WORKSHOP</u>
08 June 2021	Review of current Work Programme	
20 July 2021	Review of current Work Programme	
28 September 2021	Review of current Work Programme	
23 November 2021	Review of current Work Programme	
25 January 2022	Actual Revenue Expenditure 2021/22 Spending Plans 2022/23 Fees and Charges 2022/23 Preliminary Review of current Work Programme and Draft Work Programme 2022/23	
29 March 2022	Update on Fareham & Gosport Environmental Health Partnership – Presentation Final Review of current Work Programme and Draft Work Programme 2022/23	