

FAREHAM

BOROUGH COUNCIL

Report to Licensing and Regulatory Affairs Committee

Date **18 March 2014**

Report of: **Director of Regulatory and Democratic Services**

Subject: **LICENSING AND REGULATORY AFFAIRS COMMITTEE WORK
PROGRAMME 2013/14 AND DRAFT FOR 2014/15**

SUMMARY

At the last Committee meeting, in November, the Work Programme for 2013/14 was updated. Members are now requested to give consideration to the draft Work Programme for 2014/15 and identify any items the Committee may wish to be added.

RECOMMENDATION

- (a) that the progress report on the Licensing and Regulatory Affairs Committee Work Programme for 2013/14, attached as Appendix A to the report, be noted; and
- (b) that consideration be given to the proposed draft Work Programme for 2014/15, attached as Appendix B to the report.

INTRODUCTION

1. At the Committee meeting on 19 November 2013, the Work Programme for 2013/14 was updated. The Committee meeting scheduled for 21 January 2014 was cancelled, although a members' training session was held on that day.

MONITORING

2. Details of progress on actions arising from matters considered at previous committee meetings in 2013/14 are shown in Appendix A, for members' information

DRAFT WORK PROGRAMME FOR 2014/15

3. A draft work programme for 2014/15 is attached as Appendix B and Members' views are requested on any issues or items that they would like to consider over the coming year.
4. At the Council meeting on 12 December 2013, it was confirmed that the annual meeting of the Council would be held on 29 May 2014 following the introduction of legislation to vary the date of local government elections. As a result, the Committee's first scheduled meeting of the 2014/15 municipal year, 6 May 2014, now falls within the extended 2013/14 municipal year. It has therefore been added to the 2013/14 work programme and items have been assigned to it as shown in Appendix A. The item of business that normally goes to the first meeting in the municipal year, a presentation on the Responsibilities of the Licensing and Regulatory Affairs Committee, has been carried over to the revised first meeting of the 2014/15 municipal year, 8 July 2014.

RISK ASSESSMENT

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

CONCLUSION

The Committee is invited to:-

- (i) note progress on matters considered by the Committee during 2013/14, as shown in Appendix A; and
- (ii) give consideration to formulating a draft Licensing and Regulatory Affairs Committee Work Programme for 2014/15, as set out in Appendix B.

Background Papers: None.

Reference Papers: None.

Enquiries:

For further information on this report please contact Garry White (Ext 4395).

APPENDIX A – Review of 2013/14 Work Programme

APPENDIX B – Draft Work Programme for 2014/15

LICENSING AND REGULATORY AFFAIRS COMMITTEE

Licensing and Regulatory Affairs Committee – 18 March 2014

Progress on Actions from 2013/14 meetings

Date of Meeting	28 May 2013
Subject	Petition
Type of Item	Petition
Action by Committee	<p>The Committee gave consideration to a petition received from Fareham Taxi Hackney Association requesting that the Council re-regulates the issuing of Taxi Hackney and Private Hire Plates in the Borough. The petition contained 141 names. Members' attention was drawn to the deputation referred to in minute 5 above. It was noted that the Government was undertaking a complete review of the law relating to the regulation of taxi and private hire vehicles and that a report and recommendations on the matter were due by the end of 2013.</p> <p>RESOLVED that:-</p> <p>(a) the officers be requested to submit a report to a future meeting of the Committee on the outcome of the Government review of the regulations; and</p> <p>(b) the report include details of the number of licensed hackney and private hire vehicles in Fareham and what work would need to be undertaken in order to consider controlling their number.</p>
Outcome	Item added to the work programme for 18 March 2014.
Link Officer	Ian Rickman
Subject	Presentation on the Responsibilities of the Licensing and Regulatory Affairs Committee
Type of Item	presentation
Action by Committee	The Committee received a presentation from the Director of Regulatory and Democratic Services and the Head of Environmental Health on the responsibilities of the Licensing and Regulatory Affairs Committee. The presentation included the functions of the Committee and the specific functions relating to Health and Safety, Licensing, General Licensing, Taxi Licensing and Elections.

	<p>RESOLVED that:-</p> <p>(a) the officers be thanked for the presentation; and</p> <p>(b) copies of the presentation slides be circulated to members of the Committee and to all other members of the Council through the members' newsletter.</p>
Outcome	Complete.
Link Officer	Garry White
Subject	Licensing and Regulatory Affairs Committee Work Programme
Type of Item	Programming
Action by Committee	<p>The Committee reviewed its work programme for 2013/14 (copy of report lc-130528-r01-gwh circulated with agenda).</p> <p>RESOLVED that:-</p> <p>(a) the report on taxi regulations (minute 6 above refers) be added to the work programme for 18 March 2014;</p> <p>(b) the six monthly monitoring reports received by the Committee be expanded to include some performance information;</p> <p>(c) Review of Hackney Carriage Tariff be removed from the work programme for 17 September 2013 as this would now be an Executive function;</p> <p>(d) Street Trading Concessions be added to the work programme as an unassigned item,</p> <p>(e) subject to (a), (b), (c) and (d) above, the work programme for 2013/14 as shown in Appendix A to the report be confirmed; and</p> <p>(f) the progress on actions since the last meeting of the Committee, as shown in Appendix B to the report, be noted.</p>
Outcome	Work programme amended accordingly.
Link Officer	Garry White

Date of Meeting	9 July 2013
Subject	Actual Revenue Expenditure
Type of Item	Monitoring.
Action by Committee	The Committee considered a report by the Director of Finance and Resources on the Committee's Actual Revenue Expenditure for 2012/13. RESOLVED that the report be noted.
Outcome	Complete.
Link Officer	Neil Wood
Subject	Annual Taxi Vehicle Renewals
Type of Item	Monitoring.
Action by Committee	The Committee considered a report by the Director of Regulatory and Democratic Services on the annual renewal of hackney carriage vehicle licences. RESOLVED that:- (a) the content of the report and the work involved with the annual Hackney Carriage and Private Hire Vehicle Renewals be noted; and (b) the Committee's thanks be conveyed to the Assistant Licensing and Regulatory Support Officer and the Licensing Enforcement and Regulatory Support Manager for their work in connection with the annual renewal of hackney carriage vehicle licences.
Outcome	Complete.
Link Officer	Ian Rickman
Subject	Licensing and Regulatory Affairs Committee Work Programme 2013/14
Type of Item	Programming

Action by Committee	<p>The Committee considered a report by the Director of Regulatory and Democratic Services on the Committee's work programme for 2013/14.</p> <p>RESOLVED that:-</p> <p>(a) the work programme for 2013/14, as shown in Appendix A to the report, be confirmed;</p> <p>(b) the progress on actions since the last meeting of the Committee, as shown in Appendix B to the report, be noted; and</p> <p>(c) the officers be requested to look into the possibility of using the next meeting date, 17 September 2013, for an in-house licensing training session.</p>
Outcome	Complete.
Link Officer	Garry White
Date of Meeting	17 September 2013
Subject	Integrated Inspection Scheme
Type of Item	Monitoring.
Action by Committee	<p>The Chairman welcomed Al Heinrich, Fareham Station Manager, Hampshire Fire and Rescue Service and PC Jason Pearce, Fareham Licensing Officer, Hampshire Constabulary, to the meeting.</p> <p>The Committee considered a report by the Director of Regulatory and Democratic Services on the introduction of joint inspection of licensed premises by the police, environmental health and fire and rescue services.</p> <p>Members received a presentation from the environmental health Food, Health & Safety, & Licensing Team Leader, the Police Licensing Officer for Fareham and the Fareham Station Manager, Hampshire Fire and Rescue Service, on the proposed trial of pre-planned multi-agency visits to high risk licensed premises in order to ensure that Premises Licence Holders are fully aware of the legal obligations placed upon them and to assist in achieving compliance.</p> <p>It was noted that a seminar on the trial scheme was to take place at Ferneham Hall on Wednesday 18 September 2013 and that there had been a very good response to it, with approximately 110 businesses having indicated that they would attend. Feedback from the seminar would be reported to a future meeting of the Committee.</p>

	<p>It was further noted that the pre-planned multi-agency visits would be part of a range of interventions, which would still include unannounced visits and spot checks.</p> <p>RESOLVED that:-</p> <p>(a) the trial, which will assist in ensuring that those higher risk licensed premises within the Borough comply with the legislation and the requirements of their premises licences, be endorsed;</p> <p>(b) the checking of noise limiters and their settings be included on the inspection list; and</p> <p>(c) the officers be thanked for their presentation.</p>
Outcome	In progress.
Link Officer	Juli Treacy
Subject	Six Monthly Report on Applications Received
Type of Item	Monitoring
Action by Committee	<p>The Committee considered a report by the Director of Regulatory and Democratic Services on licensing applications received.</p> <p>Members were advised that the Government had just recently commenced a consultation concerning the future of Personal Licences (paragraph 6 of the report refers).</p> <p>RESOLVED that the report be noted.</p>
Outcome	Complete.
Link Officer	Ian Rickman
Subject	Licensing and Regulatory Affairs Committee Work Programme
Type of Item	Programming
Action by Committee	<p>The Committee considered a report by the Director of Regulatory and Democratic Services on the Committee's work programme for 2013/14.</p> <p>RESOLVED that:-</p>

	<p>(a) the work programme for 2013/14, as shown in Appendix A to the report, be confirmed;</p> <p>(b) the progress on actions since the last meeting of the Committee, as shown in Appendix B to the report, be noted; and</p> <p>(c) it be noted that arrangements were being made for an in-house licensing training session to take place, involving the Head of Environmental Health, the Solicitor to the Council and the Licensing Solicitor; the training session would be tailored to Fareham members' needs and would be in a more two-way format than previous sessions.</p>
Outcome	(c) in progress.
Link Officer	Garry White
Date of Meeting	19 November 2013
Subject	Review of Polling Districts and Polling Places
Type of Item	Policy Review
Action by Committee	<p>Councillors Miss Bell (Portchester Community Centre), Mrs Mandry (Crofton Youth Centre), Ford (Victory Hall), Mrs Ellerton (Priory Park Community Hall), Price (Portchester Community Centre) and Mrs Bayford (Lockwood Community Centre) all declared personal non-pecuniary interests in this item, indicating that they had connections with the management committees of the buildings in which the polling stations shown were located.</p> <p>The Committee considered a report by the Director of Regulatory and Democratic Services on a review of polling districts and polling places.</p> <p>RECOMMENDED that:-</p> <p>(a) the amended scheme, as set out in Appendix A to the report, be approved;</p> <p>(b) the revised register of electors be published at the conclusion of the annual audit to reflect the approved scheme;</p> <p>(c) electors be advised of the changes to the electoral districts and polling stations in advance of the next election; and</p> <p>(d) a comprehensive review of the polling districts and polling places across the Borough be undertaken following the next scheduled elections to ensure a revised scheme is in place before 31 January 2015.</p>
Outcome	Confirmed at the Council meeting on 12 December 2013.

Link Officer	Elaine Wildig
Subject	Street Trading Concessions
Type of Item	Policy Review
Action by Committee	<p>Councillors Mrs Trott and Keeble declared personal non-pecuniary interests in this item, indicating that they were occasional customers of Dunns Catering.</p> <p>The Committee's attention was drawn to the deputation referred to in minute 5 above.</p> <p>At the invitation of the Chairman, Councillor Mrs Trott addressed the Committee during the consideration of this item.</p> <p>The Committee considered a report by the Director of Regulatory and Democratic Services on Street Trading Concessions.</p> <p>RESOLVED that Option 1 as detailed in paragraph 8 of the report be approved, as follows:</p> <p>Subject to continued compliance with the Council's Street Trading Policy and Conditions, the existing trader's consent continue to be renewed annually for a further period of five years; and the three vacant consents be advertised and the Licensing Trading Concessions Panel select the traders it deems to have the most appropriate commercial offer for Fareham Town Centre and offer the three vacant consents to those traders; all consents would be renewed annually for a further five year period subject to compliance with the Council's Street Trading Policy and Conditions.</p>
Outcome	Meeting of Licensing Trading Concessions Panel to be arranged in 2014.
Link Officer	Ian Rickman
Subject	Spending Plans 2014/15
Type of Item	Financial
Action by Committee	<p>The Committee considered a report by the Director of Finance and Resources on spending plans for 2014/15.</p> <p>It was noted that the Licences and Fees shown in Appendix A to the report included several new fees as a result of the Scrap Metal Dealers Act 2013, which came into force on 1 October 2013.</p> <p>RESOLVED that:-</p>

	<p>(a) the revised budget for 2013/14 be approved;</p> <p>(b) the fees and charges for 2014/15 be approved;</p> <p>(c) the base budget for 2014/15 be approved; and</p> <p>(d) the officers be requested to arrange for a press release and an article in Fareham Today to advise residents of the provisions of the Scrap Metal Dealers Act 2013.</p>
Outcome	In progress.
Link Officer	Neil Wood
Subject	Licensing and Regulatory Affairs Committee Work Programme
Type of Item	Programming
Action by Committee	<p>The Committee considered a report by the Director of Regulatory and Democratic Services on the Committee's Work Programme for 2013/14.</p> <p>RESOLVED that:-</p> <p>(a) a members' training session be arranged prior to the scheduled meeting on Tuesday 21 January 2014;</p> <p>(b) subject to the availability of the trainers, the training session be arranged to commence at 4pm and to be of no more than two hours duration;</p> <p>(c) it be noted that the training would be carried out by Peter Savill, of the Legal Chambers used by the Southampton and Fareham Legal Partnership, together with Ben Attrill, a solicitor from the Partnership;</p> <p>(d) it be noted that there were currently no items of business for the meeting on 21 January 2014 and that, if no urgent matters arose in the meantime, the meeting might be cancelled;</p> <p>(e) the unassigned item on Individual Elector Registration (IER) be added to the work programme for 18 March 2014;</p> <p>(f) subject to (a) and (e) above, the work programme for 2013/14, as shown on Appendix A to the report, be confirmed;</p>

	and (g) the progress on actions since the last meeting of the Committee, as shown in Appendix B to the report, be noted.
Outcome	The members' training session took place at 4pm on 21 January 2014. The Committee meeting scheduled for 21 January 2014 was cancelled. Individual Elector Registration was added to the work programme for 18 March 2014.
Link Officer	Garry White
Date of Meeting	21 January 2014
	Meeting Cancelled
Date of Meeting	18 March 2014
Subject	Committee Work Programme 2013/14 and Draft for 2014/15
Type of Item	Programming
Action by Committee	
Outcome	
Link Officer	Garry White
Subject	Monitoring Report on Applications Received
Type of Item	Monitoring
Action by Committee	
Outcome	
Link Officer	Ian Rickman
Subject	Individual Electoral Registration
Type of Item	Policy Review
Action by Committee	
Outcome	
Link Officer	Elaine Wildig

Subject	Notice of Council Resolution Regarding Tattooing, Semi-Permanent Skin-Colouring, Cosmetic Piercing and Electrolysis
Type of Item	Policy Review
Action by Committee	
Outcome	
Link Officer	Mandy Hovey
Date of Meeting	6 May 2014
Subject	Policy Statements Relating to the LGPS 2014 Regulations
Type of Item	
Action by Committee	
Outcome	
Link Officer	Neil Wood
Subject	Work Programmes – 2013/14 and 2014/15
Type of Item	
Action by Committee	
Outcome	
Link Officer	
Subject	Annual Report on Licensed Premises and Community Safety
Type of Item	
Action by Committee	
Outcome	
Link Officer	Garry White

LICENSING AND REGULATORY AFFAIRS COMMITTEE – DRAFT WORK PROGRAMME
2014/15

<u>DATE</u>	<u>SUBJECT</u>	<u>TRAINING SESSION/WORKSHOP</u>
6 MAY 2014		
8 JULY 2014	<p>Presentation on the Responsibilities of the Licensing and Regulatory Affairs Committee</p> <p>Committee work programme 2014/15</p> <p>Annual Taxi Vehicle Renewals</p> <p>Actual Revenue Expenditure 2013/14</p>	
16 SEPTEMBER 2014	<p>Committee work programme 2014/15</p> <p>Six- monthly Monitoring Report on Applications Received</p>	
18 NOVEMBER 2014	<p>Spending Plans 2015/16</p> <p>Committee work programme 2014/15</p>	
20 JANUARY 2015	<p>Committee work programme 2014/15</p>	
17 MARCH 2015	<p>Committee work programme 2014/15 and draft for 2015/16</p> <p>Monitoring Report on Applications Received</p> <p>Annual Report on Licensed Premises and Community Safety</p>	

To be assigned:

Annual Health and Safety Service Plan

In-house Licensing Training Sessions (2)