

Sevenoaks District Council

Licensing

Annual Report

2009-2010

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1. Introduction

The Sevenoaks District Council licensing team was formed in 2004 to process and grant licences, permits and notices under the Licensing Act 2003, which has been in force since November 2005.

The licensing team processes and grant licences and notices for the Licensing Act 2003, the Gambling Act 2005 (including Small Society Registrations), Taxis, Charity Collections, and Sex Establishments.

Sevenoaks District Council's licensing team is responsible for administering some 2,727 licences, with revenue for Licensing in year 2009 – 2010 of £207,023 compared with a budget of £184,353.

Sevenoaks District Council and Tunbridge Wells Borough Council formed a Licensing Partnership in 2006, where one manager looked after two separate teams. From 1st January 2010 Sevenoaks District Council, Tunbridge Wells and Maidstone Borough Councils formed an expanded Licensing Partnership to manage the statutory licensing functions.

The Licensing Partnership has a central administration based at Sevenoaks, with Licensing Officers located at each authority, together with administrative support to deal with customers visiting the Gateways at Tunbridge Wells and Maidstone and the reception at Sevenoaks.

This partnership working arrangement represents an innovative approach to shared service delivery of a licensing service for three councils. The Licensing Partnership initiative is being monitored by the Local Better Regulation Office (LBRO), Institute of Licensing and is attracting interest from other licensing authorities around the country.

The centralisation of a back office challenges the way each council currently works by establishing a central licensing administration team based at Sevenoaks, which offers a flexible, multi-skilled resource (with high levels of knowledge and experience), embracing unified working practices exhibiting best working practice, whilst maintaining a high service delivery with excellent customer service.

Residents / licensing applicants in the three council areas apply to the Licensing Partnership for a licence/permit and any licensing hearing will be heard locally by the Licensing Committee ensuring the sovereignty of each local council.

2. Service Aims

- To meet statutory responsibilities in a cost effective and responsible manner
- To provide a first class customer service delivery
- To support a strong night-time economy whilst ensuring residents have a good night sleep.

3. Licences

Sevenoaks District Council is a Licensing Authority under the Licensing Act 2003 and is responsible for granting Premises Licences, Club Premises Certificates, Temporary Event Notices and Personal Licences in the District with respect to the sale and/or supply of alcohol and the provision of regulated entertainment and late night refreshment.

Under the Gambling Act 2005 the licensing team issues Premises Licences; Gaming Machine Permits; Temporary Usage Notices (TUN's) and Occasional Usage Notices (OUN), as well as administering Small Society Lottery Registrations.

The team process applications for Taxi licences, including Hackney Vehicle Licences and Plates; Private Hire Vehicle Licences and Plates; Hackney Vehicle Driver Licences and Badges; Private Hire Driver Licences and Badges and Private Hire Operators licences.

Other licensing activities include Street Collections and House-to-House Collections.

During the past year there have been changes in the legislation to allow Minor Variations to premises licences, the removal of the Designated Premises Supervisor at Community halls and the appointment of the Management Committee for the sale of alcohol.

Gambling Premises have seen the introduction of category B3A gaming machines in premises such as Club Premises, Adult Gaming Centre, Bingo Premises, Betting Premises and Casinos. Bingo Premises have also been permitted to increase the number of machines to 8.

4. Statement of Licensing Policy

The current Statement of Licensing Policy was passed by Full Council in November 2007. The current policy runs from the 7 January 2008 until the 6 January 2011.

During 2010 Sevenoaks District Council will go out for a consultation on the Statement of Licensing Policy which will replace the current version in January 2011, and will run for three years until 2014.

5. Gambling Policy Statement

The current Gambling Policy Statement was passed by Full Council in November 2009. The current policy in place runs from January 2010 until January 2013.

6. Taxi policy

The current Taxi Policy was passed by Full Council on 5 February 2008. The current policy in place runs from February 2008 until January 2011.

7. Licensing Objectives

The Licensing Act 2003 and The Gambling Act 2005 requires the Council to carry out licensing functions so as to promote the following respective licensing objectives:

The Licensing Act 2003

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance;
- the protection of children from harm.

The Gambling Act 2005

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
- Ensuring that gambling is conducted in a fair and open way;
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

8. Enforcement

319 enforcement visits have been undertaken in the twelve months of the financial year, with a monthly average of 26.58, against a target of 20.

KCAP (Kent Community Alcohol Partnership) – on-going

KCAP is a partnership between KCC Trading Standards, Kent Police, the Retail of Alcohol Standards Group (RASG), local district councils and health authorities. The Assistant Licensing Manager is participating in the pilot project in Edenbridge and one of the Licensing Officers is now the lead Officer from Sevenoaks District Council in the new area of Swanley, Swanley Village and Hextable.

The aims of the partnership are to :

- inform and advise young people on sensible drinking
- support retailers to reduce sales of alcohol to underage drinkers and proxy sales
- promote responsible socialising
- empower local communities to tackle alcohol related issues

9. Night-time economy in the Town Centre

Through partnership working licensing we focus on responsible drinks retailing through the monthly Pub watch meetings. During the last year we have continued to issue fluorescent armbands to all door staff working at the busy pubs, which show up very well on CCTV.

10. Licensing Team Structure

The Licensing team consist of a Licensing Partnership Manager who has an Assistant Licensing Partnership Manager based at Sevenoaks, who is responsible for the Central Administration and day-to-day running of Sevenoaks Licensing. There are two Senior Licensing Officers based at Tunbridge Wells and Maidstone who oversee the day-to-day operation and are supported by a Licensing Officer and part-time admin officer. Organisational structure charts are attached in Appendix A.

During the financial year we have had one Licensing Officer on maternity leave, and have had one of the Administration Assistants acting up as Licensing Officer, whilst engaging a temporary Administration Assistant.

11. Consultative approach

SDC licensing team's consultative approach is to meet with prospective and existing premises holders, to ensure applications are completed right first time. A number of presentations to local Town and Parish councils and community groups have been carried out.

12. Member training

During the year we ran a number of licensing training courses in conjunction with legal to focus on the Licensing Act 2003 and Gambling Act 2005. These courses have been to Officers, Town and Parish Councillors and residents. In June training was provided to the new Councillors on the licensing committee, in addition to refresher training to existing Members of the Committee.

Membership licensing training for 2010 has been booked for the 30 June 2010.

13. Licensing web pages

The licensing team have continued to review all licensing pages during the financial year, refreshing all pages to reflect current up-to-date licensing information. The introduction of the EU Service Directive which allows on-line applications and payment has required a revision of all the pages to ensure they comply with the Directive.

14. Licensing applications

This table shows the number of licences this licensing authority was responsible for during 2008 – 2009, compared with 2007/08

	SDC 2007 - 2008	SDC 2008 - 2009	SDC 2009 - 2010
Personal licences	727	775	848
*Personal – Change of name and address	38	34	22
Premises licences	380	389	374
Club Premises Certificates	45	47	45
*Transfer of premises licence	16	18	41
*Variation of premises licence	24	10	11
*DPS Variations	87	95	83
*Change of Names & Addresses on premises licences	46	41	37
*Number of Street Collections	56	51	45
*Number of House to House Collections	15	11	13
*Gaming Machine permits	13	13	24
GA2005 Premises licences	8	8	7
*Temporary Event Notices	458	457	486
*Driver licences (three year licence)	287	311	348
*Vehicles licences	293	318	283
*Operator licences (three year licence)	45	47	60
Total	2,538	2,625	2,727

* Licences that have been processed during the financial year

15. SDC Licensing Fees

SDC – Licensing revenues 2008-09

Activity	Budget	Actual	+ / -	%
Personal Licences	1,998	2,932	934	146.75%
New Premises Licences	1,800	4,370	2570	242.78%
Variation of Premises licence	3,800	4,005	205	105.38%
Annual Fees	70,000	75,785	5785	108.26%
Temporary Event Notices	7,014	10,206	3192	145.51%
GA 2005 Premises Licences	0	0	0	
GA 2005 Annual Fees	3,589	3,520	-69	98.08%
GA 2005 Gaming Machine Permits	600	1,400	800	233.33%
Lottery Registrations	2,000	3,100	1100	155.00%
Sub total - Total licensing	90,801	105,318	14,517	115.99%

Activity	Budget	Actual	+ / -	%
HC – Vehicle Licences	60,087	60,708	621	101.03%
HC – Driver Licences	8,877	12,000	3,123	135.18%
Private Hire – Vehicle Licences	19,279	24,509	5,230	127.13%
Private Hire – Driver Licences	3,190	1,500	-1,690	47.02%
Private Hire – Operators Licences	2,119	2,988	869	141.01%
Sub total – licensing	93,552	101,705	8,153	108.71%

Total licensing	184,353	207,023	22,670	112%
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16. Licensing Partnership Revenue Fees

	Full Year Budget	YTD Budget	YTD Actual	Variance YTD	Variance Full Year
Sevenoaks District Council	-184,353	-184,353	-207,023	-22,670	-22,670
Tunbridge Wells Borough Council	-163,920	-163,920	-185,516	-21,596	-21,596
Maidstone Borough Council	-283,330	-283,330	-304,673	-21,343	-21,343
Total licensing revenue	-631,603	-631,603	-697,212	-65,609	-65,609

Council	Revenue £			Percentages		
	SDC	TWBC	MBC	SDC	TWBC	MBC
Personal Licences	2,932	3,037	3,804	30.00%	31.08%	38.92%
Premises Licences	8,375	82,438	103,480	4.31%	42.43%	53.26%
TEN's	10,206	8,783	7,437	38.62%	33.24%	28.14%
Lotteries	3100	2180	2360	40.58%	28.53%	30.89%
Taxi Driver Licences	13500	16085	41232	19.06%	22.71%	58.22%
Vehicle / Operator Licences	85,217	66,675	100,515	33.76%	26.42%	39.82%

17. Licensing Hearings

During 2009-2010 we have held 10 Licensing Hearings and 2 Review Hearings under the Licensing Act 2003.

18. Taxi licensing

With the retirement of the of the Taxi Licensing Officer on 31 December 2009, the processing and issuing of Taxi Licences moved to Argyle Road in October 2009 in order to transfer the skills to the rest of the team.

CRB authorised signature form for Taxi applications for SDC was transferred to Anthony Garnett (Counter signatory) and Claire Perry (Lead signatory). In addition Leeann Leeds is in the process of being registered as a Counter signatory. This ensures we have additional authorised officers to deal with CRB correspondence.

19. Number of Hackney Carriage plates

At the Licensing Committee held on 21 January 2008 the limit on Hackney Carriage plates was lifted from the 192 limit that had been controlled. At the time of writing this report there was 206 plates issued.

20. Appendix A

