



## DISTRICT COUNCIL

Despatched: 10.03.14

### **LICENSING COMMITTEE**

**18 March 2014 at 5.30 pm**

**Conference Room, Argyle Road, Sevenoaks**

### **AGENDA**

#### **Membership:**

Chairman: Cllr. Mrs. Morris Vice-Chairman: Cllr. Clark  
Cllrs. Abraham, Ayres, Mrs. Ayres, Cooke, Davison, Mrs. George, Orridge, Mrs. Parkin,  
Piper, Raikes and Walshe

	<b><u>Pages</u></b>	<b><u>Contact</u></b>
<b>Apologies for Absence</b>		
1. <b>Minutes</b> To agree the Minutes of the meeting of the Committee held on 4 February 2014 as a correct record.	(Pages 1 - 4)	
2. <b>Declarations of interest</b> Any interests not already registered		
3. <b>Actions from the previous meeting (if any)</b> None		
4. <b>Hackney Carriage and Private Hire Licensing: License Fees 2014/15</b>	(Pages 5 - 12)	Claire Perry Tel: 01732 227325
5. <b>Adoption of Kent Licensing Compliance and Enforcement Protocol</b>	(Pages 13 - 24)	Richard Wilson Tel: 01732 227262
6. <b>Making a Representation</b>	(Pages 25 - 26)	Richard Wilson Tel: 01732 227262

#### **EXEMPT ITEMS**

(At the time of preparing this agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public.)

To assist in the speedy and efficient despatch of business, Members wishing to obtain factual information on items included on the Agenda are asked to enquire of the appropriate Contact Officer named on a report prior to the day of the meeting.

Should you require a copy of this agenda or any of the reports listed on it in another format please do not hesitate to contact the Democratic Services Team as set out below.

For any other queries concerning this agenda or the meeting please contact:

**The Democratic Services Team (01732 227241)**

**LICENSING COMMITTEE**

Minutes of the meeting held on 4 February 2014 commencing at 5.30 pm

Present: Cllr. Mrs. Morris (Chairman)

Cllr. Clark (Vice-Chairman)

Cllrs. Abraham, Davison, Mrs. George, Orridge, Mrs. Parkin, Piper, Raikes and Walshe

Apologies for absence were received from Cllrs. Ayres and Mrs. Ayres

Cllr. Fittock was also present.

13. Minutes

The Chairman thanked Officers for the time and effort that went into the Sub-Committee meeting held on 28 October 2013.

Resolved: That the Minutes of the meeting of the Committee held on the 16 October 2013 and the Sub-Committees held on 28 October 2013 and 2 December 2013 be approved and signed by the Chairman as a correct record.

14. Declarations of interest

No additional declarations of interest were made.

15. Actions from the previous meeting

There were none.

16. Hackney Carriage and Private Hire Licensing: License Fees 2014/15

The Licensing Partnership Manager presented a report detailing the proposed Hackney Carriage and Private Hire Licensing fees for the year 1 April 2014 to 31 March 2015. The fees had been set to ensure that the 'Taxi Licensing' service remained self-financing. The proposed increase was in line with the 3.5% inflation rate in accordance with the Council's Service and Budget plan. All other increases in cost of providing the service had been absorbed by efficiency savings as a result of the Licensing Partnership.

The Licensing Partnership Manager advised Members that there was an error on page 17 of the report, and that the total for new fees for 2014/15 should be £166 not £213, this was also applied to the total for Private Hire Driver Licence. It was brought to Members attention that previously a charge would apply to the 'Knowledge Test' if the test had been failed twice. A charge would now be applied after one failure.

Members were advised that if the fees were agreed they would then go to consultation. This would be carried out by email, public notice and via the Council's website. The

## Agenda Item 1

### Licensing Committee - Tuesday, 4 February 2014

Licensing Partnership Manager informed Members that the legislation did not set out how consultation needed to take place only that consultation should take place.

In response to questions the Licensing Partnership Manager informed Members that the 'Knowledge Test' involved 10 routes to different locations and the driver had to take the shortest route. She also explained that should anyone challenge the 3.5% increase then figures would be provided as Taxi fees are separate within the Council budget and therefore easy to locate.

It was also brought to Members attention that should an incident take place that they are aware of, then to report it to the Council.

#### Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That the fee levels as set out in paragraph 7 of the report were appropriate for consultation with the Taxi trade.

#### 17. Gambling Act 2005 and Local Government (Miscellaneous Provision) Act 1982: Licence Fees 2014 - 2015

The report set out the proposed fees for the Gambling Act 2005 and Local Government (Miscellaneous Provisions) Act 1982 for the year 1 April 2014 to 31 March 2015. The Licensing Partnership Manger informed Members that the recommendation in the report was also to include the fees set out in Appendix A and paragraph 11 of the report. The fees ensured that the Council complied with its statutory duty and ensured that the Gambling Licensing service remained self-financing in accordance with the Council's Service and Budget Plan which used the 3.5% inflation factor.

The Licensing Partnership Manager reported that in the District there were only Betting premises. She advised Members that there was an error in the fees and that the Betting premises (excluding tracks) application to vary should read 1500 instead of 1530.

The Licensing Partnership Manager reported that the recommended increase for Sexual Entertainment Venue fees had been calculated by examining the 'time' it took to carry out the various tasks and staffing costs, this was also based on experience of the partners within the Licensing Partnership.

#### Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That it be recommended to Full Council that the appropriate fee levels

- (a) for an initial application, a transfer or a renewal application for Sexual Entertainment Venues be £2,960; and
- (b) under the Gambling Act 2005 for the Sevenoaks District, be as set out in Appendix A (as amended) to the report.

THE MEETING WAS CONCLUDED AT 6.09 PM

CHAIRMAN

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## **HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING: LICENCE FEES 2014/2015**

### **Licensing Committee – 18 March 2014**

Report of the: Chief Officer Environmental and Operational Services

Status: For Decision

Also considered by: Full Council – 01 April 2014

Key Decision: No

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**This report supports the Key Aim of** Safe Communities to aid in the reduction of crime within the District.

**Portfolio Holder** Cllr. Ms Lowe (Housing and Community Safety)

**Contact Officer(s)** Claire Perry Ext: 7325 / 07970 731616

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**Recommendation to the Licensing Committee:** That the Licensing Committee recommend to Full Council that from 1 April 2014 the list of fees and associated costs for licences in respect of hackney carriage drivers and vehicles and private hire drivers, vehicles and operators be varied as set out in paragraph 7 to the report.

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**Recommendation to Full Council:** That from 1 April 2014 the list of fees and associated costs for licences in respect of hackney carriage drivers and vehicles and private hire drivers, vehicles and operators be varied as set out in paragraph 7 to the report.

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**Reason for recommendation:** to ensure that the Council complies with its Statutory duty and ensure that the 'Taxi Licensing' service remains self-financing, in accordance with the Council's Service and Budget Plan.

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### **Introduction and background**

1. Following the Licensing Committee meeting on 4 February 2014 communication 1 was sent to Hackney Carriage and Private Hire licensees asking for their views on the proposed increases in fees for the Taxi Licensing service.
2. The taxi licensing service is required to be self-financing and the proposed increases to fees will ensure this is maintained.
3. A Public Notice was also placed in a local paper and information was available on the Council's website.
4. The licence fees and associated costs of 'taxi' licensing are proposed to be increased in line with the 3.5% inflation rate in accordance with the Council's

## Agenda Item 4

Service and Budget Plan. All other increases in cost of providing the service have been absorbed by efficiency savings as a result of the Licensing Partnership.

5. In the report to the Licensing Committee on 4 February 2014 the details of the other charges levied by other agencies were outlined.
6. To date the only response that has been received is attached as Appendix A and is copied below.

'I have viewed the proposed increase in the Taxi Licensing fees for 2014/2015 which are acceptable to me as a current licensed Taxi Driver in Sevenoaks.

Many of my licensed colleagues have discussed these new increase charges and we are content that they are necessary for the purpose of providing the support and licensing for our business.

Hope these comments are helpful.

Mr. John Lewis

H20'

7. The proposed fees are:

	Existing Fees	New Fees for 2014/15
<b>Hackney Carriage Driver Licence</b>		
<b>On initial application</b>	£163 for three years	£169 for three years
Disclosure Barring Service search fee	£44 every three years	£44 every three years or £13 per year if they sign up to the DBS online service
Total (including DBS fee)	£207 for three years	£213 for three years
<b>On renewal</b>	£118 for three years	£122 for three years
Disclosure Barring Service search fee	£44 every three years	£44 every three years or £13 per year if they sign up to the DBS online service
Total (including DBS fee)	£162 for three years	£166 for three years
<b>Hackney Carriage Vehicle Licence</b>	£290 for one year	£300 for one year



<b>Private Hire Operator Licence</b>		
<b>On initial application</b>	£300 for three years	£300 for three years
<b>On renewal</b>	£96 for three years	£100 for three years
<b>Private Hire Driver Licence</b>		
<b>On initial application</b>	£163	£169
Disclosure Barring Service search fee	£44 every three years	£44 every three years or £13 per year if they sign up to the DBS online service
Total (including DBS fee)	£207 for three years	£213 for three years
<b>On renewal</b>	£118 for three years	£122 for three years
Disclosure Barring Service search fee	£44 every three years	£44 every three years or £13 per year if they sign up to the DBS online service
Total (including DBS fee)	£162 for three years	£166 for three years
<b>Private Hire Vehicle Licence</b>	£290 for one year	£300 for one year
<b>Additional Costs</b>		
Change from Hackney Carriage to Private Hire	£68	£70
Change from Private Hire to Hackney Carriage	£90	£90
Replace vehicle plate	£23	£23
Replace driver badge	£9	£9
Vehicle re-test	£54.85	£54.85
Vehicle partial re-test	£27.42	£27.43
Change of ownership of licensed vehicle	£67	£69
Attempting "Knowledge Test" after <b>one</b> failure	£49	£50

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Failure to attend in time for the vehicle test (10 minutes prior to the test start time)	£27.42	£27.43
Failure to attend with correct documentation	£27.42	£27.43
Copy of existing paper licence	£8	£11
Change of address details for a replacement licence	£10.50	£11
Change of name for a vehicle or operator licence	£10.50	£11
Change of name <b>and</b> address for a driver badge	£20	£20
Medical fee for a new and renewal driver licence for Hackney Carriage and Private Hire payable directly to The Cedars Surgery	£50 for three years payable directly to the surgery	£50 for three years payable directly to the surgery
<p><b>Replacement Vehicles</b></p> <p>If a licensed vehicle is replaced during the valid licence period then the cost of licensing the replacement vehicle will be £290. However, if the vehicle is replaced within six months of the issue of the licence then the fee will be reduced by £100 in the first of those six months; £90 in the second; £80 in the third; £70 in the fourth; £60 in the fifth and £50 in the sixth month.</p> <p>If a licensed vehicle is replaced temporarily for up to 2 months because of damage to it then the fee will be £99 to test and licence the replacement vehicle and a further £99 to test and re-licence the original vehicle.</p>		

### Other Options Considered and/or Rejected

8. If the Licensing Committee were minded not to approve these fees the Council would not be able to meet the Council's Service and Budget Plan or ensure the Taxi Licensing Service was self-financing.

### Key Implications

#### Financial

The cost of licence fees takes into account the need to maintain a 'self financing' position for the service. The proposals contained in this report will achieve this.

Legal, Human Rights etc.

Should parts of industry believe the authority’s fees are at a level which is greater than the costs of the statutory functions then it would be open to them to undertake a judicial review proceeding. Should this arise, the authority would need to evidence how it arrived at the fee levels to demonstrate that they have been calculated on a cost recovery basis only.

Equality Impacts

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community?	No	N/A
b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity?	No	
c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?		

**Appendices**

Representation

**Background Papers:**

[Report to Licensing on 4 February 2014](#)

**Mr Richard Wilson**

**Chief Officer Environmental and Operational Services**

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**Leeann Leeds**

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**From:** [REDACTED]  
**Sent:** 26 February 2014 08:33  
**To:** Leeann Leeds  
**Subject:** Re: Proposed increase in Taxi fees

Good morning Leanne, I hope that you are well.

I have viewed the proposed increase in the Taxi licensing fees for 2014/2015 which are acceptable to me as a current licenced Taxi Driver in Sevenoaks.

Many of my licenced colleagues have discussed these new increase charges and we are content that they are necessary for the purpose of providing the support and licensing for our business. Hope these comments are helpful.

Mr John Lewis  
H20

On Monday, 24 February 2014, 16:57, Leeann Leeds <Leeann.Leeds@sevenoaks.gov.uk> wrote:  
Good afternoon,

To date we have received no responses regarding the proposed increase in fees. Please would you be able to provide any feedback before the 5<sup>th</sup> March as this is the deadline date for the committee report. Any information received after this will be fed back to the Councillors but will go as an additional item rather than in the main report.

If you wish to receive a hard copy of the public notice, please do not hesitate to contact the Licensing team.

Kind regards  
Leeann

**Mrs. Leeann Leeds**  
**Licensing Officer for Sevenoaks District Council**

Direct dial: 01732 227270  
Fax: 01732 742339  
Email: [leeann.leeds@sevenoaks.gov.uk](mailto:leeann.leeds@sevenoaks.gov.uk)  
[www.sevenoaks.gov.uk](http://www.sevenoaks.gov.uk)

*Please don't print this e-mail unless you really need to*

**The Licensing Partnership**

*Sevenoaks District Council, Tunbridge Wells Borough Council and Maidstone Borough Council have a Licensing Partnership to process and issue licensing applications.*

*Applications should be sent to the address below where there is a central administration.*

*Licensing Officers are located at each local licensing authority, together with admin support to deal with people visiting the Gateways and Tunbridge Wells Town Hall.*

**Please send all licensing applications to:**



Licensing Partnership

P.O. Box 182

Sevenoaks

Kent TN13 1GP

**email:** [licensing@sevenoaks.gov.uk](mailto:licensing@sevenoaks.gov.uk)

## Agenda Item 4



tel: 01732 227004

**Payments:** For all licensing applications please make cheques payable to: "**Sevenoaks District Council**". Alternatively card payments may be made over the telephone on the number above.

Help us to improve our licensing service to you by completing our online survey [Click here to comment](#)

- We value your feedback, comment online on the service you receive from us: [Click here to comment](#)

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Visit the Council at <http://www.sevenoaks.gov.uk/>

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**From:** Leeann Leeds  
**Sent:** 06 February 2014 10:41  
**Subject:** Proposed taxi fees and charges for 2014/15

Dear licensees,

Please find attached the proposed fees and charges for 2014/15 which the Licensing Committee recommended were appropriate for consultation with the Taxi trade at the Licensing Committee meeting yesterday evening.

The increase that has been made to the fees is that of a 3.5% increase that Council Members have agreed for income in the Council's Service and Budget Plan for the Council. All other increases in costs have been absorbed by efficiencies within the Licensing Partnership.

If you wish to comment on the proposed fees and charges please respond in writing to the Licensing Partnership by 7<sup>th</sup> March 2014. You may either email your comments to [licensing@sevenoaks.gov.uk](mailto:licensing@sevenoaks.gov.uk) or send your responses to The Licensing Partnership, P.O. Box 182, Sevenoaks, Kent TN13 1GP.

Please pass this on to your colleagues who do not have email and hard copies can be provided on request if you telephoned 01732 227004. A public notice will be available on the Council's website, displayed at the Council offices, at the testing centre at Dunbrik and in Swanley Library.

All responses will be presented to the Licensing Committee on 18<sup>th</sup> March 2014.

Kind regards  
Leeann

**Mrs. Leeann Leeds**  
Licensing Officer for Sevenoaks District Council

Direct dial: 01732 227270  
Fax: 01732 742339  
Email: [leeann.leeds@sevenoaks.gov.uk](mailto:leeann.leeds@sevenoaks.gov.uk)  
[www.sevenoaks.gov.uk](http://www.sevenoaks.gov.uk)

## **KENT & MEDWAY COMPLIANCE AND ENFORCEMENT PROTOCOL**

### **Licensing Committee – 18 March 2014**

Report of the: Chief Officer Environmental and Operational Services

Status: For Decision

Also considered by Council – 1 April 2014

Key Decision: No

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**This report supports the Key Aim of** Safe Communities to aid in the reduction of crime within the District.

**Portfolio Holder** Cllr. Ms Lowe (Housing and Community Safety)

**Contact Officer(s)** Claire Perry Ext: 7325 / 07970 731616

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**Recommendation to the Licensing Committee:** That the Licensing Committee recommend to Council the adoption of a revised Kent & Medway Compliance and Enforcement Protocol. The protocol has been produced for use by all agencies who are involved with compliance and enforcement of licensed premises.

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**Recommendation to Full Council:** That the revised Kent & Medway Compliance and Enforcement Protocol be adopted.

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**Reason for recommendation:** to ensure that the Council operates with its partner agencies to seek an agreed and consistent approach with compliance and enforcement of licensed premises within the District.

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### **Introduction and background**

#### **Introduction**

A working group of the Kent and Medway Regulatory Licensing Steering Group recently met to review the existing Kent and Medway Enforcement Protocol. The existing protocol was in excess of 80 pages long and due to the level of detail and size was rarely referred to. The aim of the working group was to produce a protocol that was fit for purpose and would be used by all agencies involved in the compliance and enforcement of licensed premises.

The revised protocol is now 3 pages long and consultation has been carried out with agencies who attend the Kent and Medway Regulatory Licensing Steering Group.

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### Other Options Considered and/or Rejected

1. If the Licensing Committee were minded not to approve adoption of this protocol we would be left with a document that is not fit for purpose.

2. **Key Implications**

Financial

There are none.

Legal, Human Rights etc.

There are none as this protocol sets out how each business will be treated in a fair manner.

Equality Impacts

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community?	No	N/A
b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity?	No	
c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?		

**Appendices**

Kent and Medway Licensing Compliance and Enforcement Protocol

**Background Papers:**

None

**Mr Richard Wilson**

**Chief Officer Environmental and Operational Services**



# Kent and Medway Licensing Compliance and Enforcement Protocol

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Appendix B	Information Sharing Agreement	

## **1. INTRODUCTION**

1.1 This joint Licensing Compliance and Enforcement Protocol seeks to cover all relevant licensing functions and all related topics, in as much as it applies to each individual organisation in Kent and Medway.

1.2 These include but are not exclusive to the following organisations:

Kent Police

Kent Fire and Rescue Service

Kent County Council Trading Standards

Gambling Commission

Securities Industry Authority

Public Health

Social Services

Licensing Operations at the Local Authorities in Kent and Medway

## **2. AIM OF THIS PROTOCOL**

2.1 This protocol is intended to reinforce the aims of the published guidance to all relevant legislation (as shown in appendix A) by promoting effective practice, and the Regulators Code ensuring proportionate, consistent and targeted regulator activity, whilst developing a transparent and effective dialogue and understanding between regulators and those we regulate.

## **3. PRINCIPLES OF OPERATION**

3.1 In adopting this document the parties agree to:

- Continue to promote the spirit of co-operation that exists between the relevant agencies;
- Recognise the benefits to be derived from developing close working relationships;
- Seek to enhance the understanding of the advantages and opportunities which joint activity can bring to effective enforcement and community safety;
- Promote the legitimate exchange of information and operational co-operation in support of shared objectives.

3.2 Each party to this protocol undertakes:

- To regularly consult with each other upon matters of policy and strategy;
- To ensure that the information it holds is accurate and up to date;
- That information disclosed by any party will be kept secure by the partner to whom it has been provided.

3.3 All parties to this protocol agree when handling the media:

- To be fair to other organisations and maintain their integrity;
- When providing information to do so honestly and fairly;
- Statements must reflect the multi-agency decision process or, clearly identify the statement as the independent position of an individual organisation;
- Consent of the data owner will be sought prior to releases of information to all third parties.

#### 4. LIAISON ARRANGEMENTS

4.1 There will be regular contact and liaison between the parties to:

- Provide access to appropriate sources of information;
- Provide a consistent approach to communication, operations and investigations;
- Encourage early contact and liaison in specific cases;
- Allow for advice or guidance to be given in relation to a specific case;
- Ensure that any national or regional campaigns or investigations are considered;
- Enable relevant officers to be kept informed of the progress of cases that are being investigated;
- Ensure that information and intelligence being passed between the agencies is in accordance with the Kent and Medway Information Sharing Agreement (see Appendix B) and data protection legislation.

4.2 To this end, officers from parties will seek to:

- Ensure the effective exchange of information between the agencies;
- Consider the need for joint visits;
- Implement co-ordinated actions as necessary;
- Co-ordinate the supply of evidence and information to any other agency taking formal action;
- Work together where practicable, to promote stated objectives;
- Discuss and liaise in the event of uncertainty over lead roles.

## **5. EFFECTIVE PRACTICE**

- 5.1 The parties to this agreement will ensure that they will carry out the work undertaken in accordance with the legislation, government guidance and all reasonable aspects of effective practice. In doing so each party will:
- Focus primarily on premises/activities that are determined by consultation between the parties to be a high risk of contravening the legislation and the objectives of the legislation;
  - Ensure all guidance and information is in a clear, accessible and concise format, using media appropriate to the business;
  - Ensure that service delivery is provided in a non-discriminatory manner;
  - Highlight those matters that are legal requirements to separate them from matters that are recommendations or good practice;
  - Provide information in a timely manner and where required, advise recipients of their legal rights in such matters;
  - Ensure, wherever possible, that responsible persons do not undertake work that is unnecessary in terms of duplication with other legislation and has regard to cost/benefit; available technology; consistency in application with enforcement action proportionate to risk in each case;
  - Deal with the public, licensees and businesses in a fair and honest way;
  - Provide a courteous, efficient responsive and helpful service, responding promptly and appropriately to service requests and complaints;
  - Attend court in support of partner agencies where it is agreed that evidence/information will be of mutual assistance having due regard to liability.

## **6. RISK RATING OF LICENSED PREMISES**

- 6.1 The Licensing Authority will assess the risk rating of licensed premises and will base their regulatory activity on risk, prioritising high risk premises and activities.

## **7. COMPLIANCE**

- 7.1 Parties will regularly discuss applications, reviews, complaints and intelligence that have been received concerning licensed premises and other matters.
- 7.2 Routine visits/inspections may be made on the basis of risk assessments, as well as intelligence led operations.

- 7.3 The parties when inspecting premises will draw the appropriate authority's attention to any contraventions of any relevant legislation which are found to exist.
- 7.4 Non compliance with the relevant legislation may lead to the appropriate proportionate enforcement action.

## **8 ENFORCEMENT**

8.1 Enforcement action may include the following:

- No further action
- Verbal warning
- Written warning
- Prosecution
- Other legal action

8.2 The relevant organisation considering enforcement action will:

- Give an early indication to all relevant parties of their intended course of action.
- Liaise with those parties as necessary to ensure a co-ordinated and thorough approach.
- Have considered that alternative approaches to dealing with the situation have been previously attempted and/or deemed to be inappropriate.

## **9. REVIEW OF THIS PROTOCOL**

9.1 The parties shall periodically review this Protocol, at least once every five years, to ensure that it maintains a suitably responsive and practical arrangement for all licensing functions.

## **Appendix A**

### **Relevant legislation**

The following list, though not exhaustive, details the legislation under which organisations issue licences, permits and registrations and enforce the same. The protocol used by Sevenoaks District Council will only apply to the legislation below which is dealt with by the Licensing Partnership.

#### **For alcohol, regulated entertainment and late night refreshment**

Licensing Act 2003

Criminal Justice and Police Act 2001

Policing and Crime Act 2009

Crime and Security Act 2010

Police Reform and Social Responsibility Act 2011

Live Music Act 2012

#### **For gambling**

Gambling Act 2005 (as amended)

#### **For sex establishments and sexual entertainment venues**

Local Government (Miscellaneous Provisions) Act 1982

Policing and Crime Act 2009

#### **For scrap metal dealers and motor salvage operators**

Scrap Metal Act 2013

#### **For taxi licensing**

Town Police Clauses Act 1847

Local Government (Miscellaneous Provisions) act 1976

Road Safety Act 2006

Transport Act 1985

Road Vehicles (Construction and Use) Regulations 1986

Various Road Traffic Acts

#### **For street collections**

Police, Factories etc. (Miscellaneous Provisions) Act 1916

#### **For house to house collections**

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House to House Collection Act 1939

House to House Regulations 1947

### **For street trading, market stall licences and car boot sales**

Local Government (Miscellaneous Provisions) Act 1982

### **For caravans and mobile homes**

Public Health Act 1936

Caravan Sites and Control of Development Act 1960

Mobile Homes Act 2013

### **Pleasure Boats**

Public Health Acts Amendment Act 1907

### **Animal Boarding**

Animal Boarding Establishments Act 1963

### **Pet shops**

Pet Animals Act 1951

### **Riding Establishments**

Riding Establishments Act 1964

### **Zoo licence**

Zoo Licensing Act 1981

### **Performing Animals registration**

Performing Animals (Regulation) Act 1925

### **Food Premises registration**

EC Regulations 852/2004 (Food Premises)

### **Tattooists, piercing and electrolysis licence**

Local Government (Miscellaneous Provisions) 1982

### **Massage and special treatment premises licensing**

Byelaw under the Local Government (Miscellaneous Provisions) act 1982

### **Hypnotism permit**

Hypnotism Act 1952

### **Environmental permitting**



Environment Permitting (England and Wales) Regulations 2007

**Safety certificates for regulated stands at sports grounds**

Part III of the Fire Safety and Safety of Places Sport Act 1987

**Ability to place tables and chairs in the road, to use the street or pavement space for displays, licences and consents for structures over, along and under the highway and skip licences**

Highways Act 1980

**Other legislation and codes of practice to which organisations must have due regard when making licensing and enforcement decisions. Locally set byelaws may also apply.**

Crime and Disorder Act 198

Human Rights Act 1998

The Anti-Social Behaviour Act 2003

The Equalities Act 2010

Environmental Protection Act 1990

Health Act 2006 and Smoke-free Regulations 2006/7

Legislative and Regulatory Reform Act 2006

Health and Safety (First Aid) Regulations 1981

Regulatory Reform (Fire Safety) Order 2006

Security Industry Act 2001

European Service Directive 2006/123/EC (Services in the Internal Market) and the Provision of Services Regulations 2009

Data Protection Act 1998

Freedom of Information Act 2000

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## **MAKING A REPRESENTATION**

### **Licensing Committee – 18 March 2014**

Report of the: Chief Officer, Environmental and Operational Services

Status: For Information

Key Decision: No

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#### **Executive Summary:**

This report informs the Members of a leaflet that has been produced for their benefit and that of their constituents.

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**This report supports the Key Aim of safe communities and effective management of Council Resources.**

**Portfolio Holder** Cllr. Ms Lowe (Housing and Community Safety)

**Contact Officer** Licensing Partnership Manager – Claire Perry

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#### **Introduction**

Following a query from a Member of the Licensing Committee the Licensing Partnership Manager was asked to ensure matters regarding 'making a representation' with respect to a premises licence application were clarified.

A leaflet has therefore been produced which succinctly outlines the steps that are required for someone, including a Member, to make a representation either for or against an application for a new or varied Premises Licence.

A copy of the leaflet has been provided to each member of the Licensing Committee and will in turn be provided to every Member of the District Council.

#### **Key Implications**

##### Financial

The report is for information only.

##### Community Impact and Outcomes

The report is for information only.

##### Legal, Human Rights etc.

The report is for information only.

## Agenda Item 6

### Equality Impacts

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community?	No	This is a report for information only to inform Members of a leaflet that is now available.
Does the decision being made or recommended through this paper have the potential to promote equality of opportunity?	N/A	Not applicable
What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?		Not applicable

### **Risk Assessment Statement**

N/A

**Appendices** None

**Background Papers:** None

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