



Report to: Licensing Committee: 12 December 2024

Portfolio Holder: Councillor Paul Taylor, Public Protection and Community Relations

Director Lead: Matthew Finch, Director – Communities and Environment

Lead Officer: Damian Wilkins, Environmental Health and Licensing Manager

Report Summary	
Type of Report	Open Report
Report Title	Revision of Committee Reports
Purpose of Report	To present to members with an update and rationale behind the need for the reports presented to be revised.
Recommendations	<ul style="list-style-type: none"> • To note the rationale for the report changes • To approve the new format and information provided
Alternative Options Considered	Revert to the original format and data inclusion – this poses a risk to the Council on the level of data provided and increases the workload of officer generating the reports.
Reason for Recommendations	To ensure legal compliance alongside the provision of relevant and necessary information.

1.0 Background

- 1.1 At the last meeting of the Licensing and General Purposes Committee on 12 September 2024, a new format of reports were presented for the first time. The rationale and discussion for changing these reports was held with officers from Licensing and Chair and Vice Chair of the committee.
- 1.2 However, it was recognised that the changes made to the reports presented some concern by the committee members and without a report detailing the rationale, the committee felt the need for clarity to be provided. This report sets out the reasons for making these changes.
- 1.3 As members will be aware, the Licensing Team is made up of a Senior Licensing Officer, Licensing Enforcement Officers and a Licensing Support Officer who are managed by the Environmental Health and Licensing Manager. This is a very small team who administer a large number and variety of licensing applications. This team is also new with both members of the Licensing Team having been in place for 12 months.

- 1.4 Whenever there is a whole team change it is important to understand and review the team, how it works, how licensing applications are dealt with and to ensure that the new team members have the knowledge, skills and capacity to deliver the service effectively. As part of this consideration, an additional Licensing Support Officer post has been approved and recruited to. This role is currently for a two-year fixed term period and will be subject to review.
- 1.5 The Licensing Team are also undergoing a transformation review in order to understand where there are issues in processing and managing licences and to seek to make improvements to benefit the team and the customer. The current review is seeking to:
- Upgrade the licensing system used to enable an integrated process for licensing applications to be made online when Gov.uk service ends
 - To install and set up the Public Access system for Licensing – This will enable anyone to search the public register online, view applications, view decisions, view licences issued and their conditions. This is the same set up as the planning public access system
 - Move away from paper-based licence applications wherever possible to enable the system to automatically send the relevant application in advance of any licence renewal
 - Continue to develop the payment system to allow customer to self-serve their application fees online or for more complicated payments be sent a clear payment link rather than trying to submit payments over the phone.
- 1.6 These projects are complex and require significant officer time to deliver them, with the outcomes providing a better service for the team and all service users. We are aware that members may have received complaints from licensees or applicants regarding the service and we are working hard to make the necessary improvements for the benefit of our community.

2.0 Proposal/Details of Options Considered

2.1 Complaints/Enforcement information

2.2 The previous report template provided details of all complaints/enforcement activities that had been received or undertaken by the team over the previous period. Having reviewed the information provided within those reports, concern was raised relating to the level of information shared. The reports provided the name of the premises or vehicle, nature of the complaint alongside the action that was taken.

2.3 In no other committee is such detail provided and certainly not in the public domain. As an authority, when complaints are made to us, they are confidential and should not be reported anywhere.

2.4 TENS information

2.5 Within the report to the licensing committee an appendix is provided with details of every Temporary Event Notice that has been applied for alongside details of the venue, the hours and what it is for.

- 2.6 Should a review of the TENs information be necessary it is important that this is accessed in a timely manner. If there are any concerns relating to a premises and any TENs that have been applied for events planned, these should be raised with the team as soon as possible.
- 2.7 The Licensing Committee is currently scheduled for 4 meetings per year, however there are occasions where the meetings are cancelled, at the permission of the Leader, as the only reports for tabling are the Licensing Activity reports. Therefore, the relevance and timeliness of providing this information at such a detailed level is questionable.
- 2.8 As mentioned above, the Licensing Team is a small team who are also seeking to make significant improvements. The work required to research and develop the level of data previously supplied is resulting in additional pressure and service delays due to the ongoing work outlined in paragraph 1.5, above.
- 2.9 It is proposed that the revised reports remain in place to ensure that as a Licensing Service we are legally compliant and to ensure the most appropriate use of resources.

3.0 Implications

- 3.1 In writing this report and in putting forward recommendations officers have considered the following implications; Data Protection, Digital and Cyber Security, Equality and Diversity, Financial, Human Resources, Human Rights, Legal, Safeguarding, Sustainability, and Crime and Disorder and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

3.2 Financial Implication Number FIN24-25/6623

There are no direct financial implications arising from this report.

3.3 Legal Implications

There is no irrationality in the recommendations, nor would they offend the Access to Information Procedure Rules. There is no legal impediment to ceasing to provide in reports to the committee, details of the name of the premises or vehicles, and the nature of the complaint against either, alongside the action that was taken, nor the details of every Temporary Event Notice that has been applied for alongside details of the venue, the hours and what it is for.

Members should always have regard to the need to balance a person's Article 8 ECHR rights with the legitimate aims of the committee notwithstanding the powers to exclude information from public consumption because it is either confidential or exempt under S.100A of the Local Government Act 1972. Nor would the recommendation impinge upon the requirement under Paragraph 14.72 of the statutory guidance issued under S.182 of the Licensing Act 2003 for Licensing Committees to receive regular reports on decisions made by officers so that they maintain an overview of the general situation. The guidance is nonprescriptive as to what those reports should contain.

3.4 Information Governance Implications

It is important that information sharing is compliant with article 5, and article 6 of the UK GDPR. We must only process data necessary for the purpose it was collected. It is vital that any internal sharing and reporting is achieved in line with the principles stated in article 5 of the UK GDPR and is limited to what is necessary. I am satisfied that the revised reporting to committee, which in turn is publicly available, satisfies the requirements of necessary and proportionate under the UK data privacy legislation.

Background Papers and Published Documents

Section 182 Statutory Licensing Guidance