

# TEWKESBURY BOROUGH COUNCIL

<b>Report to:</b>	Licensing Committee
<b>Date of Meeting:</b>	15 July 2021
<b>Subject:</b>	General Update on the Licensing Function and Progress on the Service Review
<b>Report of:</b>	Interim Environmental Health Manager
<b>Corporate Lead:</b>	Head of Community Services
<b>Lead Member:</b>	Lead Member for Clean and Green Environment
<b>Number of Appendices:</b>	None

## **Executive Summary:**

This report updates the Committee on the progress of the service review to deliver an effective and responsive licensing service, both as part of the recovery from the impacts of the COVID-19 pandemic and over a longer term.

The Interim Environmental Health Manager has a broad remit which includes the day-to-day management of the Environmental Health, Licensing and Community Safety Teams as well as their response to the COVID-19 pandemic which has increased workload considerably. It has become obvious that the Interim Environmental Health Manager does not have the capacity to carry out a full review of the licensing service on top of their day-to-day responsibilities.

There are capacity issues within the team which needs to be resourced so that it is delivering an effective service. The processes that the Licensing Team work with also need to be reviewed as they are historic and mainly paper-based which is inefficient.

This report sets out the way forward for dealing with these issues to ensure that the team is effective and efficient for the longer term. A number of options will be considered.

## **Recommendation:**

**To CONSIDER the general update on the licensing function and progress on the service review.**

## **Reasons for Recommendation:**

COVID-19 has had an impact on service delivery and the service requires review to improve efficiency and delivery.

## **Resource Implications:**

The Council has received £425,000 of tranche 5 COVID-19 funding from central government. A proportion of this funding will be allocated to the licensing review and support.

## **Legal Implications:**

None directly arising from this report

**Risk Management Implications:**

There is a risk that online applications are delayed.

There is a risk that the impacts of COVID-19 will mean that the service is unable to deliver and meet targets.

**Performance Management Follow-up:**

The outcomes of the service review will be reported to the Licensing Committee.

**Environmental Implications:**

Online applications will have a direct impact on environmental considerations by reducing the use of paper

**1.0 INTRODUCTION/BACKGROUND**

- 1.1 This report considers the progress of the service review to deliver an effective and efficient licensing service, both as part of the recovery from the impacts of the COVID-19 pandemic and over the longer term.
- 1.2 The Interim Environmental Health Manager has started a review of the licensing service but does not have the capacity to undertake an effective thorough review on top of their day-to-day duties.
- 1.3 The licensing processes are heavily paper-based; this is inefficient and needs to modernise to enable the team to undertake the full range of tasks necessary for an effective licensing service, including inspections and enforcement.
- 1.4 Historically, when the Licensing Team go through very busy periods, Officers from the Environmental Health Team would support the service. The global pandemic has not only seen additional responsibilities placed onto the Environmental Health Team but also a significant increase in the team's normal day-to-day business meaning it is less able to support the Licensing Team.

**2.0 ISSUES**

- 2.1 The licensing service has continued to be seriously impacted due to COVID-19 with long term sickness which continues to affect one Officer. Therefore, some additional resource has been brought in to support the team in its day-to-day work and ensure that some of the backlog that built up due to the various lockdowns is caught up with; however, the workload of the team remains high.
- 2.2 Of the two replacement contract Officers who commenced in January 2021, one has now left the Council but is in the process of being replaced. The team has progressed the backlog of taxi applications and those areas currently with an outstanding backlog are animal licensing and caravan site licensing which need to be progressed as a priority.
- 2.3 Since the easing of lockdown, the number of applications for Temporary Event Notices (TENs) has increased significantly and, with the good summer we are having, this is not likely to subside. We are also seeing a high number of larger events planned which each need to be considered by the Safety Advisory Group (SAG) which requires input from the Licensing Team.

- 2.4** The service has had limited capacity to carry out enforcement or proactive inspections of premises. This has a direct impact on the government road map for recovery and potential implications post 19 July 2021 when it is anticipated that COVID-19 restrictions will cease. If this happens, we will need to use existing legislation to control the potential ongoing impacts of COVID-19. This is likely to need, or lead to, potential reviews of licenses as well as action by Environmental Health under the Health and Safety at Work Act.
- 2.5** As these things are as a direct result of the lockdown and subsequent easing of restrictions, a funding application has been made to the Covid Outbreak Management Fund held by the County Council. This funding is for two additional Officers for remainder of 2021/22 to work within the team to support the licensing work. We have received verbal agreement from the Director of Public Health and we are awaiting formal confirmation of this.
- 2.6** The Head of Community Services has discussed the situation with the Corporate Leadership Team and highlighted the day-to-day workload and the need for some additional support to carry out the licensing review. An allocation from the unallocated fifth tranche of COVID-19 funding from central government will be allocated to this.

### **3.0 GENERAL UPDATE**

#### **3.1 Applications**

- 3.1.1** Online applications have been prioritised by the Business Transformation Team and work on these is due to commence shortly. The Team has commenced reviewing the procedures for all applications in order to facilitate this.
- 3.1.2** Applications for new private hire drivers are being dealt with by appointment within the Council Offices.

#### **3.2 Policy Consultation**

- 3.2.1** Consultation has commenced on the Taxi and Private Hire and Countywide Convictions Policy (Common Standards Policy) and is due to end on 6 July 2021.
- 3.2.2** There has been a delay in consultation on the Mobile Homes and Caravan Sites Licensing Policy as it was identified that new regulations have now been put in place relating to the assessment of the site owner as a fit and proper person. These requirements are being incorporated and consultation will commence in July 2021.

#### **3.3 Public Health as a Licensing Objective**

- 3.3.1** Public Health is not included under the Licensing Act 2003 priorities which are:
- The Prevention of Crime and Disorder
  - Public Safety
  - The Prevention of Public Nuisance
  - The Protection of Children from Harm
- 3.3.2** This can create an issue when dealing with infectious diseases such as COVID-19 within licensed premises which are deemed to be a cause of transmission of the disease; however, The Police Reform and Social Responsibility Act 2011 made provision for the inclusion of health bodies as responsible authorities which means they can ask for a review of a licence and also form part of the Safety Advisory Group Process to advise on large events.

**3.3.3** Formal inclusion of Public Health as a fifth priority has been considered by government but it has chosen not to incorporate public health as a licensing objective.

#### **4.0 OTHER OPTIONS CONSIDERED**

**4.1** None

#### **5.0 CONSULTATION**

**5.1** Contained within the body of the report.

#### **6.0 RELEVANT COUNCIL POLICIES/STRATEGIES**

**6.1** The Council's Corporate Plan  
The Council's Statement of Licensing Policy

#### **7.0 RELEVANT GOVERNMENT POLICIES**

**7.1** Government COVID-19 Road Map and related guidance.

#### **8.0 RESOURCE IMPLICATIONS (Human/Property)**

**8.1** Additional temporary resources for licensing enforcement are being sought from the Control Outbreak Management Fund.

Resource implications will be considered as part of the licensing review.

#### **9.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)**

**9.1** None

#### **10.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)**

**10.1** Will form part of the licensing review.

#### **11..0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**

**11.1** None

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**Background Papers:** None

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**Appendices:** None