

SHEFFIELD CITY COUNCIL

Licensing Committee

Meeting held 29 October 2015

PRESENT: Councillors David Barker (Chair), Neale Gibson, Josie Paszek, Denise Reaney, Geoff Smith and Cliff Woodcraft

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1. APOLOGIES FOR ABSENCE

1.1 Apologies for absence were received from Councillors Nikki Bond, Dianne Hurst, Roy Munn, Anne Murphy, Vickie Priestley and Zoe Sykes.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where resolutions may be moved to exclude the public and press.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. MINUTES OF PREVIOUS MEETINGS

4.1 The minutes of meetings of (a) the Licensing Sub-Committee held on 14th July, 8th and 29th September and 1st October 2015, and (b) the Licensing Committee held on 17th September 2015, were approved as correct records.

5. ENFORCEMENT AND STAFFING REPORT

5.1 The Chief Licensing Officer submitted a report containing a detailed background as to the role, duties and vision of the Licensing Service in relation to enforcement and staffing.

5.2 The report set out information on the Licensing Service Plan 2015-2017, the Service's Five-year Business Plan, the present staffing structure, the statutory role, aims and objectives of the Service, the current position in terms of inspection and enforcement work, and proposals in terms of future provision. The report also contained, as appendices, a list of the licensing systems administered and enforced by the Service, and the Service's staffing structure as at 1st April 2014, following the Achieving Change/Managing Employee Reductions (AC/MER) process undertaken in respect of the Service.

5.3 Steve Lonnia, Chief Licensing Officer, made reference to the Service's ambition to move from its current administrative-based operation, to delivering a strategic and proactive service, which continued to strive to be the best, developing a strengthened focus on customers and ensuring that policy development was joined up with other Council

services and partners to deliver successful outcomes for the City. He highlighted the fact that the Service was responsible for administering and enforcing over 50 individual licensing systems, 27 pieces of legislation and over 15,000 applications for licenses annually, and that the 22 staff employed in the Service were coming under increasing pressure dealing with this increasing workload. He stated that staffing levels were low in comparison to other similar cities, such as Leeds, Manchester and Birmingham, and that such Authorities were not responsible for administering as many specific pieces of licensing legislation. Mr Lonnia focused on three areas as the key aims and objectives of the Service moving forward – Enabling, Education and Enforcement – and referred to the breakdown, in percentages, of where officer time was spent when out of the office undertaking inspections, visits and enforcement in terms of the different licensing functions.

- 5.4 Hafeas Rehman, Sheffield Taxi Trade Association (STTA), commented on the report, referring to a reduction in the quality of work undertaken by the Service, specifically relating to the administration and enforcement regarding taxis. He referred specifically to the lack of enforcement in connection with illegal plying for hire, which activity was increasing in the City and having an adverse effect on licensed Hackney Carriage drivers, a number of whom were struggling financially. Mr Rehman stated that the STTA had generally supported the Licensing Service but, in the light of the lack of adequate enforcement and an increasing number of errors being made by staff in the Service, there were now tensions between the two parties. He concluded by stating that drivers would not welcome any further increase in license fees if that was the Service's aim in order to provide more income to allow for more enforcement work.
- 5.5 In response to questions from Members of the Committee, Mr Lonnia stated that a large proportion of the 35% of officer time spent out of the office undertaking inspections, visits or enforcement, relating to taxis, involved reactive work, rather than proactive. Due to a lack of resources, the Service generally only tended to react, in terms of enforcement action, when problems had reached a certain level. Although work dealing with taxis took up the majority of staff time, there was also a high proportion of issues relating to licensed premises and, to a lesser extent, other licensable activities, and there were generally only four enforcement staff on duty on any one night. There was a need to identify those activities where more enforcement action was required, as well as identifying what additional resources were required. The Service was currently liaising with colleagues in Barnsley, Doncaster and Rotherham in connection with the formulation of shared policies with regard to various licensable activities, as well as discussing the issue regarding powers which would enable respective Heads of Licensing to take enforcement action against taxi drivers registered by the other Authorities in terms of offences made within other Authorities' boundaries. The

establishment of a consultative/advisory service, comprising specialists in licensing law, would be a major step forward. There was a potential for a Sheffield City Region Licensing Service, similar to joint arrangements presently in place with regard to other Council services. The Chief Licensing Officer was to meet with Councillor Ian Saunders (Cabinet Adviser for Business, Skills and Development) and Maria Duffy (Interim Head of Planning) to discuss how the working relationship between the Licensing and Planning Services could be improved, and how they could improve and accelerate working practices in terms of the processes involved in connection with licensed premises and other relevant licensable activities. One issue that had been identified was the need for more and/or bigger taxi ranks as part of major planning developments. There was a lack of ranking spaces in the City, as compared to other core cities. In terms of plans to develop larger taxi ranks, particularly close to entertainment venues, drivers would only use them if they were strictly enforced. In terms of targets for protecting the public from being detrimentally affected by those individuals/groups the Service licensed, with regard to public safety, public nuisance, crime and disorder, and the protection of children and the vulnerable, the Service achieved success rates of approximately 75%, 60%, 30% and 80%, respectively. It was accepted that some residents would be adversely affected by the extension of opening hours in terms of licensed premises in the City Centre, but the Council had to strike a balance between this and providing a varied and attractive night-time economy. Other comparable cities were able to employ more staff in their respective licensing services as some cities had more licensed premises, thereby attracting more fees income. It was also known that Leeds City Council provided funding for its Licensing Service from a central budget. Due to current workloads, the Service was not in a position to undertake all tasks in terms of its role as a responsible Authority at the present time. In terms of enforcement, the Service varied the days and nights on which staff would go out on enforcement duty. Whilst the Licensing Service was responsible for dealing with all the Council's licensing systems, in other comparable cities, other services would be responsible for some of the systems. If additional resources were allocated to the Service, it could be targeted towards one of its key aims and objectives, such as education, as this would have the potential for savings to be made with regard to enforcement in the longer-term. It was accepted that a high number of taxi drivers were not aware of all the relevant rules, regulations and licence conditions, but improved education would help to reduce the levels of enforcement required. Also, if there was a dedicated officer dealing with complaints of noise nuisance, who could do more proactive work on this, as well as providing technical expertise within the Service, this would be a huge benefit. Arrangements could be made for Members of the Committee to accompany staff from the Licensing Service on enforcement duties, to give them an idea as to what was required and what they had to encounter, in their role.

5.6 RESOLVED: That the Committee:-

- (a) notes the contents of the report now submitted, together with the comments now made and the responses provided to the questions raised; and
- (b) requests the Chief Licensing Officer to submit a report to a meeting to be held in January 2016, (i) detailing a five-year enforcement plan, with a proposal to increase resources if necessary, (ii) providing a detailed financial implications plan regarding the costs/impact on individual licence fees and (iii) setting out brief details of the feasibility in terms of having an arms-length, paid for service, to provide specialist advice on the Service's key aims and objectives, including enabling, education and enforcement.