

# Licensing and Regulatory Committee



Forest Heath

District Council

<b>Title of Report:</b>	<b>Work Programme Update - Current and Future Work Activities</b>	
<b>Report No:</b>	<b>LIC/FH/18/001</b>	
<b>Report to and date:</b>	<b>Licensing &amp; Regulatory Committee</b>	<b>22 January 2018</b>
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<b>Purpose of report:</b>	To update the Committee on the current status of the work and set out future development areas falling within the scope of the Licensing and Regulatory Committee.	
<b>Recommendation:</b>	<b>It is recommended that Members <u>note</u> the contents of the report.</b>	
<b>Key Decision:</b>	<i>Is this a Key Decision and, if so, under which definition?</i> No, it is not a Key Decision - <input checked="" type="checkbox"/>	

<p><b>Background papers: (all background papers are to be published on the website and a link included)</b></p>	<p>Work Programme June 2017 (Report No LIC/FH/17/007)  Work Programme November 2017 (Report No LIC/FH/17/012)</p> <p>Street Trading  Guidance, Requirements and Standard Conditions - <a href="https://www.westsuffolk.gov.uk/Business/Regulation_and_Licensing/Licensing/Street_trading/upload/FHDC-Street-Trading-Standard-Conditions-28-02-2012-v3-2.pdf">https://www.westsuffolk.gov.uk/Business/Regulation_and_Licensing/Licensing/Street_trading/upload/FHDC-Street-Trading-Standard-Conditions-28-02-2012-v3-2.pdf</a></p> <p>Gambling Act 2005 Statement of Principles - <a href="https://www.westsuffolk.gov.uk/Business/Regulation_and_Licensing/Licensing/Gambling_and_lotteries/upload/Final-West-Suffolk-Gambling-Act-2005-Statement-of-Policy-for-2016-to-2019-2.pdf">https://www.westsuffolk.gov.uk/Business/Regulation_and_Licensing/Licensing/Gambling_and_lotteries/upload/Final-West-Suffolk-Gambling-Act-2005-Statement-of-Policy-for-2016-to-2019-2.pdf</a></p> <p>Statement of Licensing Policy – <a href="https://www.westsuffolk.gov.uk/Business/Regulation_and_Licensing/Licensing/Alcohol_and_entertainment/upload/Licensing-Act-Statement-of-Policy-2014-to-2019-4th-Edition.pdf">https://www.westsuffolk.gov.uk/Business/Regulation_and_Licensing/Licensing/Alcohol_and_entertainment/upload/Licensing-Act-Statement-of-Policy-2014-to-2019-4th-Edition.pdf</a></p>
<p><b>Documents attached:</b></p>	<p>None</p>

## **1. Current position**

- 1.1 This Committee received in June 2017 for the first time a rolling work programme which set out future development areas falling within the responsibilities of the Licensing and Regulatory Committee. (Report LIC/FH/17/007 refers). Routes through which the Committee could engage in the work areas may include participating in the development of proposals as they are being developed, sitting on task and finish groups and discussing draft proposals prior to their consideration by the appropriate decision-making committees.
- 1.2 The work set out in the Work Programme presented in November (Report LIC/ FH/17/012 refers) has been reviewed and this report provides an update to reflect the status of current work and identify future work. An update on current work areas is set out in Section 2. This report also considers in Section 3 the impact on this area of work as a result of proposals to establish a Single Council for West Suffolk.

## **2. Current work**

- 2.1 **Proposals for reviewing Hackney fares**  
As mentioned in the November 2017 Work Programme, work is underway with the longer term intention to align fares across West Suffolk. This process is intended to be undertaken in order to avoid financial detriment on any specific stakeholder group. Given the minded-to decision of the Secretary of State (see Section 3) the timetable for developing proposals has been amended with transitional arrangements planned for consideration by

this and the equivalent St Edmundsbury Committee in April 2018.

## 2.2 **Proposed West Suffolk Licensing Policy Framework**

Having taken further legal advice, the Constitution already sets out which route which policy development decisions follow and as a result no formal overarching policy framework for licensing is considered necessary. Some Licensing policies, such as the Statement of Licensing Policy and the Gambling Statement of Licensing Principles, are required under statute to be adopted by Full Council. Any revisions to these policies will therefore be considered for approval by full Council approval rather than Cabinet only.

## 2.3 **Street vending and trading policy**

Preparatory work is underway to develop a revised policy covering West Suffolk. This work will take account of the current regulatory and policy regime that applies and the impending need to align policies across West Suffolk as the two councils work towards a Single Council, the wider implications of which are set out in more detail in Section 3 below.

2.4 At this time, the proposals are envisaged to include the following:

- "A" Boards
- pricing structures and where trading can take place;
- interaction with any masterplan and growth options for our town centres.

2.5 The approach to developing and consulting on the proposals will be formulated taking account of any views received in order to develop the proposals prior to being considered by Cabinet later in 2018. Members are welcome to provide any initial views or comments at this time and as this work proceeds.

## 3. **Impact of Single Council**

3.1 In December, the Secretary of State for Communities and Local Government published his decision that he is minded to approve the formation of a single council for West Suffolk. Publication of the formal order is anticipated early in 2018 which will trigger a series of actions intended to lead to a new council coming into effect from April 2019.

3.2 In the short term, the Work Programme has been updated to reflect progress made to date as set out in Section 2. The impact will be wide and deep for both Forest Heath District Council and St Edmundsbury Borough Council licensing functions. Single Council will require the formation of a new Licensing Authority covering West Suffolk, under a new West Suffolk Constitution. Likely areas of change will include:

- New structure for licensing committees and sub-committees covering West Suffolk
- New governance arrangements for those committees and sub-committees
- New membership of the committees and sub-committees comprising a membership to reflect the political make-up of the new council
- Changes to adopt single local conditions and practices under any policy to ensure uniformity across West Suffolk.

3.3 In anticipation, a work programme is being prepared to cover policies which have not already been adopted in a unified form for West Suffolk as well as policies that are coming up for review as well as other areas that will need to change. This will include:

- Adoption of a Licensing & Regulatory Committee/Sub-Committee Members' Code of Conduct – This work is being led by the Joint Constitution Work Group and will be brought forward for members to consider during Spring 2018
- Restructuring of taxi fares - as referred to below, these are currently being worked on to bring in a unified fare structure in stages so as not adversely impact the licensed trade or customers
- Adoption of uniform conditions in the Taxi/Private Hire Vehicle Drivers' Handbook as policy – including agreement on issues such as taxi livery and vehicle age/condition on issuing a vehicle licence
- Adoption of a single Taxi/Private Hire Vehicle plate system
- Gambling Policy – this policy has already been adopted in a West Suffolk format. However, it will need to undergo a refresh for consideration by Cabinet before December 2018.
- Statement of Licensing Policy – this policy will need to undergo revision to form a West Suffolk policy for consideration by Cabinet/Full Council before December 2018.

3.4 Although much work has already been undertaken to align policy and practice across West Suffolk since establishing a shared service in 2012, it is anticipated that preparing for a Single Council during the shadow period leading to Spring 2019 and beyond, will create significant demands on both the democratic and service provision as the two Licensing Authorities become a single entity. The abovementioned work programme will form part of a wider set of plans both at Corporate and Licensing Authority level, on which members will be kept informed of progress and be requested to participate as appropriate. As previously stated, members are welcome to provide any initial views or comments as this work proceeds.