

# Licensing Business Plan, 2019-2023



# Vision

- The key aim of the Licensing Service is to raise standards of people, vehicles and premises licensed in Birmingham. Everything that we do is done with reference to this objective. Our overarching priority is to protect the safety of people using licensed premises or vehicles and to ensure that the licensed trade operates fairly.

# Priorities

What are the key priorities for your your directorate / service for 2019-23?

Priority	Why is this important?
Administer licensing functions efficiently and effectively	To ensure licence applications and associated tasks are dealt with in a timely and accurate manner. Moving to an online system will allow people to make payments and upload documents at a time suitable for them, which will also afford greater flexibility in our resourcing needs.
Ensuring compliance with licensing requirements	To protect the safety of people using licensed premises or vehicles and to ensure the licensed trade operates fairly
Responding to customer enquiries and complaints	To ensure the licensed trade operates fairly and safely.
All Policies, Conditions byelaws and processes are revised and up to date	To ensure the work we do remains relevant and legally compliant, reacting to changes in legislation and the wider economy.

# Objectives

Objective	Description
To provide effective administration on all licensing applications	Applications will be dealt with in a timely manner and will be processed accurately, with all statutory deadlines and service standards complied with.
To deliver a programme of inspections of premises, people and vehicles	Annual inspection schedules to be prepared, we will prioritise premises under the Licensing Act 2003 that have not paid their annual licence renewal fee, as the Act now places a duty upon us to suspend the licences of premises that have not paid. We will continue to carry out stop checking exercises for vehicle/driver compliance.
To deliver effective enforcement action against those contravening licensing requirements	In accordance with the enforcement policy, we will take appropriate enforcement action against those found to be in breach of regulatory requirements. This could be prosecution or referral to Committee or both.
To provide an efficient and expedient service for dealing with customer enquiries and complaints	Complaints will be dealt with in a timely manner in accordance with our service standards.
Identify and take appropriate enforcement action against drivers illegally plying for hire	We will continue to carry out stop checking exercises and pro active enforcement exercises and test purchases.
High profile deterrent & advisory presence: "Yellow Coating"	Officers will be deployed in areas of high demand in order to act as a deterrent against illegal plying for hire and illegal ranking.
To review Policies, procedures Conditions etc.	All relevant policies legally compliant and up to date All controlled legislation .

# What will success look like in 2022-23?

Objective	Outcomes
To provide effective administration on all licensing applications	Channel shift All applications processed in accordance with service standards
To deliver a programme of inspections of premises, people and vehicles	Inspection programme delivered. Improved compliance levels.
To deliver effective enforcement action against those contravening licensing requirements	Prosecution success rates within acceptable limits.
To provide an efficient and expedient service for dealing with customer enquiries and complaints	Complaints dealt with in accordance with service standards.
Identify and take appropriate enforcement action against drivers illegally plying for hire	All planned exercises completed.
High profile deterrent & advisory presence: "Yellow Coating"	All planned exercises completed. Deterrent effect achieved.
To review Policies, procedures Conditions etc.	All relevant policies legally compliant and up to date.

# KEY WORK PROGRAMMES & PROJECTS



# Summary of Key Initiatives

Improving systems and processes	Compliance exercises	Inspection Programme	Review of Policies and other regulatory controls		
<ul style="list-style-type: none"> <li>• Replacement licensing system will improve efficiency</li> <li>• Training of staff will reduce likelihood of error and improve confidence</li> <li>• Channel shift</li> <li>• Greater flexibility for service users.</li> </ul>	<ul style="list-style-type: none"> <li>• Identify problems</li> <li>• Encourage compliance</li> </ul>	<ul style="list-style-type: none"> <li>• Identify problems</li> <li>• Encourage compliance</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory reviews required of :               <ul style="list-style-type: none"> <li>• Statement of Licensing Policy</li> <li>• Cumulative Impact Zones</li> <li>• Statement of Gambling Principles</li> <li>• Scrap Dealers Policy</li> </ul> </li> <li>• Taxi &amp; PH Policies</li> <li>• Review of Birmingham City Council Act</li> </ul>		

## Improving systems and processes





# Improving systems and processes:

## Key Programmes & Projects

Project	Description	2019-20	2020-21	2021-22	2022-23	Outcomes
		<div>Replacement of Licensing Software System</div> <div>Staff training: PLPQ or similar</div> <div>New operating model – reflecting changes brought about by channel shift</div> <div>Review office accommodation</div> <div> <ul style="list-style-type: none"> <li>IT capability</li> <li>Other BCC departments will be on same system</li> </ul> </div>				<p>Channel shift Greater flexibility for service users Replacement licensing system will improve efficiency</p> <p>Training of staff will reduce likelihood of error and improve confidence</p> <p>Online transactions will change the ways in which we interact with service users.</p>

# Compliance exercises



# Compliance exercises:

## Key Programmes & Projects

Project	Description	2019-20	2020-21	2021-22	2022-23	Outcomes
		<div>Stop check exercises (HCPH Vehicle &amp; driver compliance) (Scrap metal collector compliance)</div> <div>Plying for hire exercises</div> <div>'Yellow Coating' exercises</div>				<ul style="list-style-type: none"> <li>• Identify problems</li> <li>• Encourage compliance</li> <li>• Take appropriate enforcement action against those not compliant</li> <li>• Deterrent effect</li> </ul>

# Inspection Programme



# Inspection Programme:

## Key Programmes & Projects

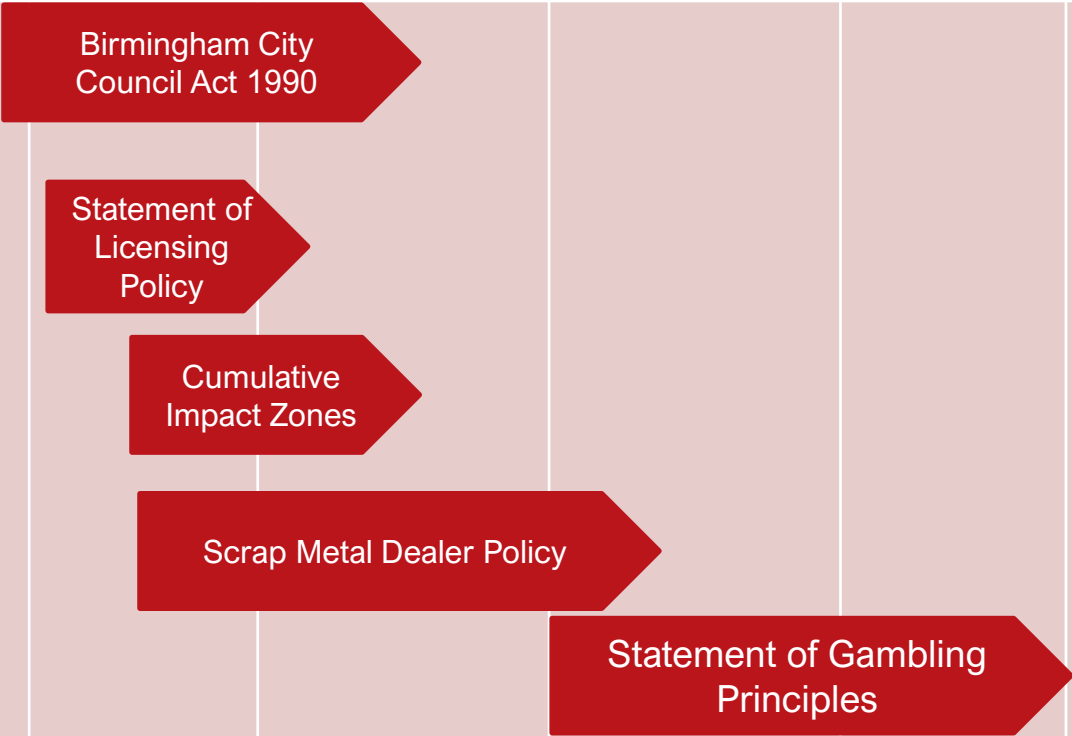
Project	Description	2019-20	2020-21	2021-22	2022-23	Outcomes
		Targeted inspections on various service areas including: Operators, licensed premises, gambling premises, scrap metal etc				<ul style="list-style-type: none"> <li>• Identify problems</li> <li>• Encourage compliance</li> <li>• Take appropriate enforcement action against those not compliant</li> </ul>

## Review of Policies and other regulatory controls



# Review of Policies and other regulatory controls:

## Key Programmes & Projects

Project	Description	2019-20	2020-21	2021-22	2022-23	Outcomes
		 <p>Birmingham City Council Act 1990</p> <p>Statement of Licensing Policy</p> <p>Cumulative Impact Zones</p> <p>Scrap Metal Dealer Policy</p> <p>Statement of Gambling Principles</p>				All relevant policies legally compliant and up to date.

# Risks

What are the major risks to the delivery of this initiative?

What mitigations are being put in place?

Risk Title	Category	Description	Score	Mitigating Actions



# SUMMARY OF SAVINGS



# Summary of savings

- The Licensing Service receives no corporate funding for its budget which is ring-fenced.
- Other than those specified by statute, fees are set in order to ensure full cost recovery. They are set according to known previous year expenditure. Carry forward balances are legally required to remain ring-fenced to the budget area.
- The Licensing Act 2003 fees are set centrally by Government and remain unchanged since first implemented in 2005. These fees do not reflect the true cost of delivering the service. Technically the service should run in deficit due to the fact that it is required to administer House to House collection permits and Charitable Street Collection permits, for which it cannot charge a fee. The costs therefore have to be absorbed by other licence fees. This is not a permitted use of resources and is open to challenge. The administration of these permits should be funded by the City Council.
- The fee setting process and the management of income/carry forward balances is subject to significant scrutiny by the trade, particularly following the high profile case of R (Hemming (t/a Simply Pleasure Ltd) & Ors) v Westminster City Council [2017] UKSC 50
- Any surplus income must be carried forward as a ring fenced budget and used when calculating the next year's fees. Income cannot be used to subsidise other areas of the service.