
Licensing Annual Report

Committee considering report:	Licensing Committee on 24 June 2019
Portfolio Member:	Economic Development and Planning
Date Portfolio Member agreed report:	
Report Author:	Suzanne McLaughlin
Forward Plan Ref:	N/a

1. Purpose of the Report

- 1.1 To set out the work of the Licensing Committee in 2018/19 as well as the work of the Licensing Service as delivered through the Public Protection Partnership.

2. Recommendation

- 2.1 That the Committee **NOTES** the content of this report and licensing Committee and Service related activity for 2018/19.

3. Implications

- 3.1 **Financial:** The Licensing Service operates on a cost recovery basis except where statutory fees are set. The Committee considers discretionary fees before they are considered by Full Council as part of the budget setting process.
- 3.2 **Policy:** The Licensing Committee is responsible for setting the policy direction that sets the basis of licensing activity. Over the 2018/19 period the Licensing Committee considered a number of matters (including the Statements of Licensing Policy and Gambling Principles) and adopted a number of other matters and .
- 3.3 **Personnel:** None
- 3.4 **Legal:** Under the Licensing Act 2003 and the Gambling Act 2005 there is a legal obligation for the Council to set key policies. In other areas the Council has a range of powers to set licence conditions and adopt sector specific policy positions.
- 3.5 **Risk Management:** The Public Protection Partnership has moved to a more risk based approach for their inspection programme.
- 3.6 **Property:** None
- 3.7 **Other:** None

4. Other options considered

- 4.1 N/A

Executive Summary

5. Introduction / Background

- 5.1 The Licensing Service considers and issues a range of licences and permits required by businesses in order that they can deliver a range of services and goods to residents and visitors to West Berkshire. Legislation requiring a licence/permit for a business activity is generally enacted on health and/or safety grounds to protect users of a service or those that might be affected due to their proximity to the licensed premises or their interaction with a licensed person.
- 5.2 It is acknowledged by the trade that an effective licensing regime, effectively administered and founded on sensible and effective policies can be good for the license holder in that it creates confidence. The service is aware that the licensing function, whilst offering protection, can also act as a barrier to others who wish to deliver services or supply goods and every effort is made to assist businesses to understand and progress rapidly through the licensing process. The service therefore has a number of functions including business advice, processing of applications, monitoring compliance and where necessary taking enforcement action.
- 5.3 The role played by the Committee is key to sound decision making in day to day delivery. The Committee also have a crucial role in overseeing the effectiveness of the licensing regime through the setting of key policy directions and delivery related policies.
- 5.4 This report sets out the work of the Licensing Committee and Sub-Committee and the Licensing Service in 2018/19.

6. Appendices

- 6.1 Appendix A – Data Protection Impact Assessment
- 6.2 Appendix B – Equalities Impact Assessment
- 6.3 Appendix C – Supporting Information
- 6.4 Appendix D – Number of applications received by year and comparison with Wokingham Borough and Bracknell Forest.

Appendix A

Data Protection Impact Assessment – Stage One

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via dp@westberks.gov.uk

Directorate:	Public Protection and Culture
Service:	Public Protection Partnership
Team:	Case Management and Governance
Lead Officer:	Julia O'Brien
Title of Project/System:	Annual Report
Date of Assessment:	24 April 2019

Do you need to do a Data Protection Impact Assessment (DPIA)?

	Yes	No
<p>Will you be processing SENSITIVE or “special category” personal data?</p> <p><i>Note – sensitive personal data is described as “data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation”</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will you be processing data on a large scale?</p> <p><i>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will your project or system have a “social media” dimension?</p> <p><i>Note – will it have an interactive element which allows users to communicate directly with one another?</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will any decisions be automated?</p> <p><i>Note – does your system or process involve circumstances where an individual’s input is “scored” or assessed without intervention/review/checking by a human being? Will there be any “profiling” of data subjects?</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will your project/system involve CCTV or monitoring of an area accessible to the public?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will you be using the data you collect to match or cross-reference against another existing set of data?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will you be using any novel, or technologically advanced systems or processes?</p> <p><i>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If you answer “Yes” to any of the above, you will probably need to complete [Data Protection Impact Assessment - Stage Two](#). If you are unsure, please consult with the Information Management Officer before proceeding.

Appendix B

Equality Impact Assessment - Stage One

What is the proposed decision that you are asking the Executive to make:	Note contents only
Summary of relevant legislation:	Various
Does the proposed decision conflict with any of the Council's key strategy priorities?	No
Name of assessor:	Suzanne McLaughlin
Date of assessment:	11 June 2019

Is this a:		Is this:	
Policy	No	New or proposed	N/A
Strategy	No	Already exists and is being reviewed	N/A
Function	No	Is changing	N/A
Service	Yes		

1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	To advise the Committee on the work of the department
Objectives:	To advise the Committee on the work of the department
Outcomes:	Understanding of the work conducted
Benefits:	Understanding of the work conducted

2 Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.		
(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)		
Group Affected	What might be the effect?	Information to support this
Age	No impact	
Disability	No impact	

Gender Reassignment	No impact	
Marriage and Civil Partnership	No impact	
Pregnancy and Maternity	No impact	
Race	No impact	
Religion or Belief	No impact	
Sex	No impact	
Sexual Orientation	No impact	
Further Comments relating to the item:		
No further comments		

3 Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer: No evident contribution on inequality	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	No
Please provide an explanation for your answer: No impact.	

4 Identify next steps as appropriate:	
Stage Two required	No
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	

Name: Suzanne McLaughlin

Date: 11 June 2019