

PROPOSED PRE-APPLICATION ADVICE SERVICE – PILOT SCHEME**LICENSING COMMITTEE****17 OCTOBER 2018****CLASSIFICATION:****Open****If exempt, the reason will be listed in the main body of this report.****WARD(S) AFFECTED****All Wards****GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING****KIM WRIGHT**

1. INTRODUCTION

- 1.1 This report has been prepared to provide the Licensing Committee with information on the proposed pilot pre-application advice service for persons/businesses engaging with the Licensing Service on some key licence application/notice types.

2. RECOMMENDATION(S)

2.1 The Licensing Committee is asked:

- (i) to note the contents of the report**
- (ii) to comment on the proposed pilot pre-application advice service**

3. BACKGROUND

- 3.1 Officers in the Council's Licensing Service have been working with colleagues in the Chief Executive's Directorate for a number of months to develop a licensing pre-application advice facility. This is one part of a series of Council-wide activities aimed at improving the experience of new and existing businesses, allowing much more streamlined and straightforward interaction.

4. PROPOSED PRE-APPLICATION ADVICE SERVICE

- 4.1 The Service plans to offer a paid pre-application advice service for certain types of licence applications. Similar to pre-application advice for Planning, this would see an applicant or agent meet with an administrative support officer or licensing officer (dependent on the application type) to go through the process, application form and prepare documents for submission.
- 4.2 Applicants would benefit from the service as officers will be able to ensure the application is submitted correctly. They may also save money in the long run by reducing the need for costly agents or by avoiding issues that may arise where their proposed activity may cause concern in a given area.
- 4.3 The Licensing Service would likely benefit from reduced administration as a result of invalid applications, whilst also enabling some cost recovery. Other benefits may include service areas, such as Environmental Health officers, being able to discuss policy implications as well as suggest conditions that may satisfy the responsible authorities where relevant.
- 4.4 Officers will initially operate an unpaid pilot to test the workings of the service and gather feedback from applicants as well as other

stakeholders for assessment. It would be made clear to applicants that the use of the service does not guarantee an application will be granted. It will also be made clear that the advice and guidance will end once the application is formally submitted for consideration.

- 4.5 Officers would also maintain a line of separation by ensuring that the officer who gave pre-application advice would not be the officer that is responsible for making any representation.

5. HOW WOULD THE SERVICE WORK?

- 5.1 An applicant would contact the Licensing Service and agree the level of service that they require to proceed dependent on the type of application they wish to make. The table below details the levels of service that will be available:

Type	Details	Relevant application type(s)
Check and Send (A)	Up to 15 minutes officer time to confirm validity of application before submission.	<p>Licensing Act 2003</p> <ul style="list-style-type: none"> • Personal licence • Transfer premises licence • Vary licence to specify DPS • Temporary Event Notice • Interim Authority Notice <p>London Local Authorities Act 1991</p> <ul style="list-style-type: none"> • MST Practitioner registration • Modify licence to specify new MST practitioner
Check and Send (B)	Up to 30 minutes officer time to confirm validity of application before submission.	<p>Licensing Act 2003</p> <ul style="list-style-type: none"> • New premises licence • Full variation of existing premises licence • Minor variation of premises licence <p>London Local Authorities Act 1991</p> <ul style="list-style-type: none"> • New MST premises licence • Variation of MST premises licence
Pre-application advice given at Hackney Service Centre	Up to 2 hours officer time. Structured discussion around proposed application and policy implications, conditions	<p>Licensing Act 2003</p> <ul style="list-style-type: none"> • New premises licence • Full variation of existing premises licence

Type	Details	Relevant application type(s)
	suggested, signposting to other relevant considerations, confirm validity of application before submission.	
Pre-application advice given on applicant site	Up to 4.5 hours officer time. Structured discussion around proposed application and policy implications, conditions suggested based on characteristics of the site, signposting to other relevant considerations, confirm validity of application before submission.	Licensing Act 2003 <ul style="list-style-type: none"> • New premises licence • Full variation of existing premises licence

6. NEXT STEPS

- 6.1 Officers intend to run the pilot from the beginning of November 2018 to early December 2018. The findings of the pilot will then be assessed and reported to the Licensing Committee in January 2019. This would also allow fee levels to be finalised.
- 6.2 If the feedback from the pilot is positive and the service is formally introduced, it would commence from 1 April 2019.

7 COMMENTS OF THE GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES

- 7.1 This report seeks the Licensing Committee to note the plan to run a pilot pre-application advice service for certain types of licence applications.
- 7.2 Officers will initially operate an unpaid pilot to test the workings of the service and gather feedback from applicants and other stakeholders. The cost of operating the pilot will be met from the Licensing service revenue budget.

- 7.3 Fees for the pre-application advice, once fully operational will be determined by the level of service offered. Fees will also be benchmarked against charges for similar services are offered in other local authority areas.
- 7.4 The Licensing service will ensure that fees are at proposed at a level that fully recovers the cost of officer time and other support services utilised in delivering pre-application advice.
- 7.5 The total income generated from pre-application advice will depend on the fee level and the volume of pre-application advice requests.

8. COMMENTS OF THE DIRECTOR OF LEGAL SERVICES

- 8.1 There is nothing in either the Licensing Act 2003 or London Local Authorities Act 1991 that prohibits such a service being provided. There is also no conflict of interest for the Council as this pre-application assistance/guidance takes place before the application is submitted.
- 8.2 There are no other legal or propriety issues that require consideration at this stage, particularly as no fee is being charged during this pilot stage.

APPENDICES

None.

EXEMPT

Not applicable.

BACKGROUND PAPERS

None.

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