



Report for:	Licensing, Health & Safety and Enforcement Committee
Date of meeting:	25 June 2019
PART:	I
If Part II, reason:	

Title of report:	Pre-Application Advice Policy
Contact:	Nathan March – Licensing Team Leader, Corporate and Contracted Services
Purpose of report:	To introduce a proposed policy for a procedure for a pre-application advice service for some licensing regimes.
Recommendations	1. That the Committee consider the proposed policy and whether to adopt it, with or without any amendment.
Corporate objectives:	<ul style="list-style-type: none"> • Building strong and vibrant communities • Ensuring economic growth and prosperity • Delivering an efficient and modern council
Implications:	<p><u>Equalities Implications</u> None identified – service is optional, and a relatively small additional cost to any existing required fees.</p> <p><u>Financial / Value for Money / Risk / Health And Safety Implications</u></p> <p>Potential small increase in income in terms of recovering the costs of providing advice.</p> <p>As the Council can only charge a fee to recover the costs of its functions, rather than to make a profit, the cost of the advice represents good value for money for users of the service.</p>

Consultees:	As the Council has previously set a fee for the provision of pre-application advice, and this policy simply provides detail as to how such advice is given, it is not considered necessary to carry out a consultation.
Background papers:	Licensing Pre-Application Advice Policy <i>Attached as Appendix 1</i>
Glossary of acronyms and any other abbreviations used in this report:	

1. BACKGROUND

- 1.1. Pre-application advice is a term used to describe information given to applicants (or potential applicants) in order to assist them to make a good quality application to the Council.
- 1.2. Currently, although there is a fee set for pre-application advice being given, there is no policy in place, and therefore it is not possible for officers, or potential applicants to have a clear understanding of how and when such charges will apply. Applicants have no way to understand what they can expect for this.
- 1.3. Currently, it is common for applicants who need more than what would be considered to be 'basic' advice on applications, to either contact the Council informally to discuss their application, or to use agents or solicitors to assist them. In many ways applicants contacting the Licensing team directly get the most accurate and helpful advice as they speak to an officer who both knows the area well, and understands the approach that the Council currently takes in determining such applications. However, providing this advice takes officers away from other duties. The standard of advice that is given by agents and solicitors is varied and this has an impact on the standard of applications received, which can increase the chances of objections being made, and as a result hearings being required, which are costly to the Council.
- 1.4. The aim of the fee and the policy is to recover some of the cost of advice that is given to applicants, to encourage the use of officers' experience and knowledge to improve the standard of applications made, and to reduce the time that officers spend dealing with extensive enquiries from applicants, by adding more structure to the enquiries, and potentially reducing some of the contact that is made by applicants.

2. PROPOSALS

- 2.1. The draft policy is attached as Appendix 1. In broad terms, the policy lists the types of licence which applicants may wish to use the service for, how they request the use of the service and the structure of the service.

2.2. The policy also makes it clear via a disclaimer that although the advice will be provided by an experienced member of the team, obtaining such advice prior to applying does not guarantee that a licence will be granted. Any officer giving advice will not be involved in the processing of the application to avoid any potential conflict.

2.3. If the policy is agreed, it will be the first time that Licensing has charged for advice in this way. The Licensing Team Leader will monitor the success of the policy in several ways:

- Income generated from future advice
- Feedback from customers using the service
- Feedback from customers aware of the service, but choosing not to use it, if this is available.
- Feedback from team members involved with the service

2.4. The Impact of the policy will be best measured at the end of each financial year, and at this time consideration will be given as to whether amendments should be proposed to improve the service.

3. RECOMMENDATIONS

3.1. That the Committee consider the proposed policy and whether to adopt it, with or without any amendment.