

Appendix 2 - Licensing

Requirement	Cross Cutting	Specific	Proposals
<p>Regulators should carry out their activities in a way that supports those they regulate to comply and grow</p>	<p>We have published an Enforcement Policy, which was approved by Members and provides the guiding principles which enforcement officers are expected to follow when applying the laws they are empowered to enforce on behalf of the Council.</p> <p>The grades of officers who are authorised by SDDC under all of the legislation covered by the Code is specified in a Scheme of Delegation. This Scheme of Delegation is signed by the relevant Director.</p> <p>We have developed an enforcement decision process which forces officers to consider all of the criteria in the enforcement policy before proposing a case for prosecution.</p> <p>The decision to instigate a prosecution can only be</p>	<p>SDDC are playing an active role in supporting the Local Strategic Partnership to deliver a ‘Better Business for All’ project across the Derbyshire and Nottinghamshire region. See our website</p> <p>South Derbyshire District Council have signed up to the Derby and Derbyshire Licensing Enforcement Protocol. The Protocol is signed by all Derbyshire Licensing Authorities, Derbyshire Constabulary, Derbyshire Trading Standards and Derbyshire Fire and Rescue Service. The aim of the Protocol is to establish the roles played by each enforcement agency to avoid duplication for premises and aims to promote good joint-working partnerships.</p> <p>The Licensing Department are signed up to the local VAL meeting. The VAL is attended by all relevant enforcement agencies. The VAL identifies problem premises and produces an action plan to tackle the problem premises. This targets the available resources to the premises that require action.</p> <p>The Licensing Department endeavours to work with businesses to ensure compliance with the relevant piece of legislation. Enforcement action is the last resort if compliance actions do not work for problem premises or unlicensed premises.</p>	<p>The Enforcement Policy to be reviewed and updated. Joint enforcement Policy with Environmental Health to be put in place.</p> <p>The LEP are working to deliver a programme of training for regulatory officers to enable them to ‘walk in the shoes’ of business operators. The Licensing Department will participate in any relevant training.</p>

	approved by both the Chief Executive <u>and</u> by the Legal and Democratic Services Manager.		
Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views		<p>Applications for various licences can be made online via gov.uk</p> <p>A Driver's Forum is held every 6 months for licensed private hire drivers and operators to attend to discuss relevant private hire matters.</p> <p>The complaint process and form is available on the website.</p> <p>Decision notices detail the appeal procedure.</p>	<p>Further work is required to ensure that all licence applications can be made and paid online.</p> <p>Develop ways to regularly invite, receive and take on board feedback.</p>
Regulators should base their regulatory activities on risk		<p>Proactive inspections of businesses <u>only</u> take place after the relative risk of the business has been assessed based on a local risk assessment method. Proactive inspections will also be led by intelligence received by other agencies.</p> <p>Priority risks are identified based on evidence and an enforcement plan is produced based on the priority risks.</p> <p>Reactive inspections of businesses <u>only</u> occur where there are reasonable grounds to suspect that an offence may have occurred.</p>	

<p>Regulators should share information about compliance and risk</p>		<p>The Licensing Department have excellent relationships with Derbyshire Police. Joint inspections are carried out based on information received.</p> <p>Business can sometimes get different advice from different regulators. To avoid this we support the Primary Authority national scheme. Where we disagree with another regulator we will reach an agreement with the other regulator and not leave it up to the business operator to find the solution.</p> <p>The Licensing Department regularly engage with private hire operators via email to keep them up to date with issues within the Licensing Department.</p>	<p>Further work is necessary to improve information sharing between the Licensing Department and between other professional groups (e.g. Environmental Health / Trading Standards / Fire Safety).</p> <p>The website pages to add a news section for private hire drivers and operators.</p> <p>Explore the possibility of using more social media to keep licensees updated with relevant information.</p> <p>Private hire drivers fall under the definition of a notifiable occupation. Work is required to ensure that the Police have the correct contact details in order to notify the Licensing Department if any licensed drivers receive any convictions.</p>
<p>Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply</p>		<p>Business operators are given clear, unambiguous written feedback following an inspection.</p> <p>All written advice to business clearly differentiates between legal compliance, advice and best practice.</p> <p>Website pages have been updated to ensure that all information is correct.</p> <p>Guidance notes in place to assist applicants in</p>	<p>Have a plan in place to regularly revise the webpages to ensure that the information and links are kept up to date.</p> <p>Update the website to provide quick links to other external websites which offer regulatory advice (e.g. Home Office, DCMS).</p>

		submitting application.	<p>More work to be done to promote the regulatory work within the local press.</p> <p>Review guidance notes for all areas of legislation</p>
Regulators should ensure that their approach to their regulatory activities is transparent		Business operators are given immediate reports following licensing inspection. The report requires the officer to discuss the findings with the business owner and to obtain their signed agreement of the findings.	<p>Service standards to be produced and published online. Officers' performance will be monitored against the service standards.</p> <p>The performance against the service standards will be published in reports to E&DS.</p> <p>We need to improve the on-line publication of feedback received from those we regulate (such as customer satisfaction surveys, data relating to complaints and appeals against our decisions)</p>