



# Agenda

Meeting: **Overview and Scrutiny Committee**  
Date: **30 March 2021**  
Time: **7.00 pm**  
Place: **Remote meeting**

To: **All members of the Overview and Scrutiny Committee**

The committee will consider the matters, listed below, at the date and time shown above. The meeting will be open to the press and public and streamed live at [bit.ly/YouTubeMeetings](https://bit.ly/YouTubeMeetings).

Members of the committee, who wish to have information on any matter arising on the agenda, which is not fully covered in these papers, are requested to give notice, prior to the meeting, to the Chairman or appropriate officer.

1. **Apologies for Absence**
2. **Declarations of Interest (Pages 3 - 4)**

Members of the committee should declare any interests which fall under the following categories:

- a) disclosable pecuniary interests (DPI);
- b) other significant interests (OSI);
- c) voluntary announcements of other interests.

3. **Minutes (Pages 5 - 8)**

To consider and approve, as a correct record, the minutes of the meeting held on 16 February 2021.

4. **Annual report of the Overview and Scrutiny Committee 2020/21 and proposed amendment to the Committee's terms of reference (Pages 9 - 14)**

This report sets out the work that the Overview and Scrutiny Committee and the Finance and Performance Sub-Committee have completed during

## **Queries about the agenda? Need a different format?**

Contact Kate Clark – Tel: 01303 853267  
Email: [committee@folkestone-hythe.gov.uk](mailto:committee@folkestone-hythe.gov.uk) or download from our  
website [www.folkestone-hythe.gov.uk](http://www.folkestone-hythe.gov.uk)

2020/2021. The report also seeks approval to revise the terms of reference of the Committee, to bring them up to date and reflect the new way of working.

5. **Overview and Scrutiny Work Programme 2021/22 (Pages 15 - 26)**

This report sets out a proposed work programme for Overview and Scrutiny work for the municipal year 21/22.

6. **Licensing Policy Review (Pages 27 - 68)**

This reports presents an outline of the review of the Council's Licensing Policy. The report sets out the context for this, the timetable for review and consultation and an overview of the key issues that will considered in the review.

7. **Tenant Engagement Strategy and Action Plan (Pages 69 - 94)**

This report brings the draft Tenant Engagement Strategy for the Housing Service back to Members, following a period of consultation with our tenants.

## **Declarations of Interest**

### **Disclosable Pecuniary Interest (DPI)**

Where a Member has a new or registered DPI in a matter under consideration they must disclose that they have an interest and, unless the Monitoring Officer has agreed in advance that the DPI is a 'Sensitive Interest', explain the nature of that interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a DPI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation permitting them to do so. If during the consideration of any item a Member becomes aware that they have a DPI in the matter they should declare the interest immediately and, subject to any dispensations, withdraw from the meeting.

### **Other Significant Interest (OSI)**

Where a Member is declaring an OSI they must also disclose the interest and explain the nature of the interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a OSI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation to do so or the meeting is one at which members of the public are permitted to speak for the purpose of making representations, answering questions or giving evidence relating to the matter. In the latter case, the Member may only participate on the same basis as a member of the public and cannot participate in any discussion of, or vote taken on, the matter and must withdraw from the meeting in accordance with the Council's procedure rules.

### **Voluntary Announcement of Other Interests (VAOI)**

Where a Member does not have either a DPI or OSI but is of the opinion that for transparency reasons alone s/he should make an announcement in respect of a matter under consideration, they can make a VAOI. A Member declaring a VAOI may still remain at the meeting and vote on the matter under consideration.

#### **Note to the Code:**

Situations in which a Member may wish to make a VAOI include membership of outside bodies that have made representations on agenda items; where a Member knows a person involved, but does not have a close association with that person; or where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position. It should be emphasised that an effect on the financial position of a Member, relative, close associate, employer, etc OR an application made by a Member, relative, close associate, employer, etc would both probably constitute either an OSI or in some cases a DPI.

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## Minutes

### Overview and Scrutiny Committee

Held at:	Remote meeting
Date	Tuesday, 16 February 2021
Present	Councillors Miss Susan Carey, Peter Gane, Connor McConville, Terence Mullard, Patricia Rolfe, Rebecca Shoob (Chairman) and John Wing
Apologies for Absence	Councillor Danny Brook, Councillor Gary Fuller and Councillor Michelle Keutenius
Officers Present:	Andy Blaszkowicz (Director of Housing and Operations), Kate Clark (Case Officer - Committee Services), Holly Godwin (Case Officer - Corporate Services), Ewan Green (Director of Place), John Holman (Assistant Director of Housing), Susan Priest (Chief Executive), Lorraine Smith (Economic Development Senior Specialist) and Helen Sudbury (Housing Operations Lead Specialist)
Others Present:	Councillors David Monk, David Godfrey and David Wimble

#### 34. **Declarations of Interest**

Councillor Patricia Rolfe made a voluntary announcement in respect of Agenda item 5 (Folkestone Town Centre Regeneration) as she owns a business in New Romney High Street.

Councillor Peter Gane made a voluntary announcement, also in respect of Agenda item 5, as he is a member of Folkestone Town Council.

Both Councillors remained in the meeting taking part in discussions.

#### 35. **Minutes**

The minutes of the meeting held on 1 December 2020 were submitted and agreed. The Chairman requested that her electronic signature to be added showing approval.

#### 36. **Minutes of the Finance & Performance Scrutiny Sub Committee**

The minutes of the meeting held on 12 January 2021 were submitted and agreed. The Chairman's electronic signature will be added showing approval.

### 37. **Folkestone Town Centre Regeneration**

Report OS/20/11 provided an overview of the work that is underway to develop a Place Plan for Folkestone Town Centre. The report presented a draft Folkestone Ambition which was intended to set an overall context for the town centre plan. The report then presented both the objectives of the Place Plan and the related engagement strategy which is a key part of the process to develop the final plan.

Portfolio holder and Cabinet member, Councillor David Wimble introduced the report, initially advising members that the document for scrutiny is part of the Corporate Plan 2021-2030. He pointed out the importance of working with key stakeholders in creating a Place Plan to encompass sustainable change; retail; residential and traffic management, as well as the importance of connectivity, entertainment and the culture and history of Folkestone. Incorporated within this scope there would also be a review of the Council's Licensing Policy.

Councillor Wimble invited members of the committee to comment on the content of the document.

Members' comments and highlights included:

- Excellent chance to look at and encourage sustainable travel in the town and surrounding areas, ie cycle paths, 'Click to Cycle' and land train idea.
- Leas Lift – members to be updated on timeline
- Encourage retail, including independent and niche market shops.
- Mixed use of Town Centre to include sustainable exemplar housing, retail, leisure and entertainment, eg development of Folca.
- Attractive areas within Folkestone such as The Leas/Harbour Arm coupled with a fantastic coastline.
- Folkestone proximity to Europe and the advantages of this geographical link – 'Golden Gateway'.
- New ideas for connectivity between Folkestone town and the beach/harbour areas.
- The Council's Destination Marketing Plan produced a few years ago still relevant, concentrating on the key theme of tourism.
- Folkestone to be seen as the 'Capital' of the District.

Turning to the consultation members were advised this is to be an all-inclusive consultation, providing digital and paper copy access. Members were concerned that some groups could be missed, however assurance was given that all forms of communication would be used to promote the consultation and encourage responses, including public engagements and workshops.

School participation was an idea given by members, maybe arranging workshops with pupils to glean their ideas for the future of Folkestone town centre.

An important aspect of the Place Plan development will be a review of the current Licensing Policy, this will inform the development of the new License Policy which is subject to public consultation with a finalised policy planned to be in place for Autumn 2021.

Members then concentrated on the Infographic 'Draft Ambition for Folkestone', commenting as follows:

- Music and Arts – possibly add in Leas Pavilion.
- Heritage – expand; a broader reflection needed, maybe add in St Eanswythe history.
- Food and Drink – Promote new business incubators, encourage street food.
- Protect our Community – a suggestion to add in health and wellbeing.
- It was noted that the graphic at the top of the page contained two vehicles, members asked if this design could be relooked at.

The Director of Place thanked members for their comments on the infographic, he said that the one page design should not be too prescriptive and to remain flexible.

Proposed by Councillor Rebecca Shoob  
Seconded by Councillor Patricia Rolfe; and

**RESOLVED:**  
**That Report OS/20/11 is received and noted.**

### **38. Tenant Engagement Strategy and Action Plan**

Report OS/20/10 outlined the draft Tenant Engagement Strategy and Action Plan for the Housing Service. The purpose of bringing the Strategy to this committee was to seek members' views and comments at an early stage of development.

Portfolio holder and Cabinet member, Councillor David Godfrey, introduced the report, advising members that the plan is for Strategy consultation, results presentation to Overview & Scrutiny Committee and then to Cabinet for approval.

Councillor Godfrey went on to say that the tenants are the main focus of this strategy, working closely with the Shepway Tenants and Leaseholders Board and officers is paramount.

Councillor Godfrey also drew members' attention to the Tenant Engagement Structure and the flowchart relating to this within the strategy.

Members' comments included:

- Performance indicators – these are to be shared on a regular basis with tenants and leaseholders.
- Important to encourage participation in the consultation from individual tenants as well as groups of tenants.
- Consideration to be given to barriers to engagement, however it may be that some tenants want little involvement, whereas others may want more.
- The Shepway Tenants & Leaseholders Board (STLB) to be seen as a key conduit for tenants and F&HDC. The STLB could be seen as an outside body providing a continuous flow of information.
- An excellent relationship with tenants is crucial. By asking the right questions, it is hoped more people will take part in the consultation.
- A hope that tenants have a genuine voice, however all tenants' demands to be carefully considered.

Members thanked officers for an excellent report and strategy document. They were complimentary of the Housing Team and appreciated all the work that had been carried out so far.

Councillor Godfrey thanked all members for their input – he advised a consultation will now take place and results to come back to this Committee.

The Director of Housing and Operations also thanked members for their input, with further thanks going to the Housing Operations Lead Specialist and Councillor Godfrey.

Proposed by Councillor Rebecca Shoob  
Seconded by Councillor Peter Gane; and

**RESOLVED:**  
**That Report OS/20/10 is received and noted.**

Prior to the closure of the meeting, the Chairman, Councillor Shoob, gave thanks to all officers involved in the preparation and production of both reports presented this evening.



This report will be made public  
on 22 March 2021



Report number

## OS/20/12

**To:** Overview & Scrutiny Committee  
**Date:** 30 March 2021  
**Status:** Non-executive decision  
**Responsible Officer:** Amandeep Khroud, Assistant Director – Governance,  
Law and Regulatory Services

**Subject:** Annual report of the Overview and Scrutiny Committee 2020/21 and proposed amendment to the Committee's terms of reference

**SUMMARY:** This report sets out the work that the Overview and Scrutiny Committee and the Finance and Performance Sub-Committee have completed during 2020/2021. The report also seeks approval to revise the terms of reference of the Committee, to bring them up to date and reflect the new way of working.

**RECOMMENDATIONS:**

1. To receive and note report OS/20/12.
2. To recommend to full Council that the revised terms of reference be adopted.

## **1. INTRODUCTION**

- 1.1 This report sets out the work that the Overview and Scrutiny Committee have completed during the municipal year 2020/21 and proposes changes to its terms of reference to bring them up to date, and more in line with the work carried out by the Committee following the changes to its ways of working, which were agreed by the Committee at its meeting on 6 October of 2020 (minute 23).

## **2. WORK OF THE COMMITTEE FOR THE MUNICIPAL YEAR 2020/21**

- 2.1 During the 2020-21 municipal year, all meetings have been held remotely, using Zoom.
- 2.2 On 19 May 2020, the Overview and Scrutiny Committee received a presentation setting out proposals to change the way in which the Committee operated. With the broad agreement of the Committee, a subsequent report was then brought before the Committee on 6 October 2020, and the following changes were agreed:

- The creation of a Finance and Performance Scrutiny Sub-Committee;
- The reduction in the number of meetings from 11 meetings to 6 meetings of the Overview and Scrutiny Committee, and 4 meetings of the Finance and Performance Scrutiny Sub-Committee.
- The adoption of a Cabinet and Overview and Scrutiny Member Protocol.

In addition, the work programme for the remainder of the municipal year was recommended to Council for adoption, and subsequently approved on 21 October 2020 (minute 8).

- 2.3 Prior to these changes being agreed, the Overview and Scrutiny Committee met 4 times and considered the following items:
- Play Area Strategy 2020-2030 – Consultation Responses and outcome;
  - Community Infrastructure Levy (CIL) Governance Framework;
  - Discussion on the development of the New Corporate Plan 21-31;
  - COVID-19 response to date and recovery Plan Framework;
  - Customer Access Strategy;
  - Revised Hackney Carriage and Private Hire (Taxi) Licensing Policy;
  - Vision for the Housing Management Service
  - Draft Homelessness Prevention Strategy 2020/25;
  - Otterpool Park Business Plan – Initial Presentation;
  - Oportunitas Limited – Progress report and Business Plan 2020-2022;
  - Private Sector Housing Enforcement and Civil Penalties Policy.
- 2.4 Since the changes were agreed, a number of topics have been scrutinised by the Overview and Scrutiny Committee, including:

- On 6 October 2020, the Committee fulfilled its duty in respect of acting as the Council's Crime and Disorder Committee to review crime and disorder reports, and received an update on the Community Safety Partnership and PREVENT. At the same meeting, the Committee also considered the District Council's Potential Office relocation and the Government Consultation on the Planning White paper – 'Planning for the Future'.
- On 1 December 2020, the Committee considered the Draft Homelessness Prevention Strategy 20/25 Consultation responses, and the Draft Business Plan – Otterpool Park LLP. In respect of the Otterpool Park LLP Draft Business Plan, it was agreed that a task and finish group be created to work alongside members and officers to get the Business Plan to its best possible version prior to consideration by Cabinet in January 2021. The Task and Finish Group met on 14 December 2020 and recommended that a summary of the Business Plan be provided as part of the report to Cabinet.
- On 16 February 2021, the Committee considered received a report on the Folkestone Town Centre Regeneration, and the Tenant Engagement Strategy and Action Plan.
- The Committee will meet on 30 March 2021 and consider the Draft Licensing Policy, and the Tenant Engagement Strategy (consultation results), as well as agreeing their Scrutiny Work programme for 21/22.

2.5 Since its creation, the Finance and Performance Scrutiny Sub-Committee has met twice, and considered the following reports:

- Key performance indicators review 20/21 and half year performance report;
- Update to the 2020/21 General Fund Budget;
- Update to the General Fund Medium Term Capital Programme;
- Briefing on the Medium Term Financial Plan.
- Draft General Fund Budget 2021/22;
- Housing Revenue Account Revenue and Capital Original Budget 2021/22;
- Update to the General Fund Medium Term Capital Programme and Budget Monitoring 2020/21;
- Treasury Management Strategy Statement and Treasury Management Monitoring Report 2021/22;
- General Fund Revenue Budget Monitoring 3<sup>rd</sup> quarter 2020/21;
- HRA budget monitoring – 3<sup>rd</sup> quarter 2020/21.

### **3. CHANGES TO THE OVERVIEW AND SCRUTINY TERMS OF REFERENCE**

3.1 In light of the changes referred to above, the terms of reference have been refreshed to reflect the way that the Committee now operates. The changes mainly involve the removal of the points which are no longer relevant, and the

inclusion of points relating to task and finish groups. Members are asked to recommend the revised Terms of Reference for adoption at the Annual meeting of the Council on 5 May 2021.

- 3.2 The revised terms of reference, showing ‘tracked changes’ are set out at Appendix 1 to this report.

#### **4. LEGAL AND FINANCE COMMENTS**

##### **4.1 Legal officer’s comments**

There are no legal comments.

##### **4.2 Finance officer’s comments**

There are no financial implications arising from this report.

##### **4.3 Diversities and equalities implications**

There are no diversity or equality implications arising directly from this report.

#### **5. CONTACT OFFICERS AND BACKGROUND DOCUMENTS**

Councillors with any questions arising out of this report should contact the following officers prior to the meeting:

Jemma West Committee Services Specialist  
Telephone: 01303 853369  
E-mail: [jemma.west@folkestone-hythe.gov.uk](mailto:jemma.west@folkestone-hythe.gov.uk)

The following background documents have been relied upon in the preparation of this report:

None

Appendix 1 – Draft revised terms of reference

- a) ~~a) — To consult on the Overview and Scrutiny work programme and agree its contents. The work programme to be a rolling programme.~~
- b) ~~To respond to requests from the Cabinet and /or Council to undertake overview and scrutiny reviews as it sees fit. To examine how the Council engages with the community, including reviewing and monitoring the effectiveness of the Council's communication and consultation strategy, and other strategies that have an impact on relationships with the public.~~
- b) ~~To consider how the Council develops relationships with its partners and review the effectiveness of those partnerships in contributing to the Council's vision and objectives.~~
- c) ~~To scrutinise the work and decisions of the partnerships that the Council is involved in.~~
- d) ~~To prepare responses to consultation, for consideration by the Executive, on any matter that affects community services in the District, including education and health.~~
- ec) To act as the Council's Crime and Disorder Committee and to meet for that purpose at least once a year.
- df) When acting as the Crime & Disorder Committee, To be able to co-opt members and determine whether they are entitled to vote on any matter, in accordance with the Crime and Disorder (Overview and Scrutiny) Regulations 2009.
- eg) To review and scrutinise the executive's decisions, including prior scrutiny of proposed executive decisions, and decisions made by committees and officers.
- fh) To contribute to the development of the Budget and other financial strategies, and review the performance of the executive against the Budget and other financial targets.
- gi) To contribute to, and review, the development of the Council's corporate management policies, including risk management and corporate governance policies and strategies, and to review the performance against targets, and review the effectiveness of the policies and strategies over time.
- j) ~~To contribute to, and review, the Council's performance plan and performance management system.~~
- hk) To exercise the right, set out in the 'Call-in' Rules of Procedure, contained in Part 6 and 7 of this Constitution, to call-in for review, and recommend for re-consideration, any decisions made by the executive but not implemented.
- i) Agree the scope of task and finish group overview and scrutiny reviews and appoint members to task groups. [Numbers of task groups will be dependent upon resources and the availability of members and officer support, and groups cannot be simultaneous or concurrent].
- j) When agreeing an overview and scrutiny topic for task group investigation the committee will follow the set of criteria set out below to ensure its suitability for an overview scrutiny review. In order to qualify for consideration, submissions for topics to review must conform to at least one of the following:
- affect a group or community of people (overview and scrutiny will not normally look at service complaints) that either live or work in the district,
  - be an issue of significant public concern,
  - relate to a service, event or issue in which the Council has a significant stake,
  - not be an issue which scrutiny has considered during the past 24 months,
  - not be an issue dealt with by another Council committee (excluding cabinet).

- k) Manage and co-ordinate task group work by checking that progress is according to timetable and testing the soundness of recommendations against scopes.
- l) Together with the task group chairs, formally present task group reports to Cabinet or Council or other appropriate groups and organisations.

This Report will be made  
public on 22 March 2021



Report Number **OS/20/14**

**To:** Overview and Scrutiny Committee  
**Date:** 30 March 2021  
**Status:** Non executive decision  
**Responsible Officer:** Susan Priest, Chief Executive

**SUBJECT:** OVERVIEW AND SCRUTINY WORK PROGRAMME  
21-22

**SUMMARY:** This report sets out a proposed work programme for Overview and Scrutiny work for the municipal year 21/22.

**RECOMMENDATIONS:**

1. To receive and note report OS/20/14.
2. To adopt and implement the Scrutiny work programme, set out in paragraph 1.3 of the report, for the municipal year 21/22.

## 1. INTRODUCTION

- 1.1 In January 2021, suggestions for Scrutiny topics were sought from various sources, with the criteria that only issues which affected residents across the whole district would be considered.

In addition, the following topics would not be considered:

- Individual service complaints
- Topics outside of the remit of the council, where the council has no powers or influence.
- Issues where Scrutiny has considered in the last 12 months
- Areas relating to quasi-judicial functions, ie Planning and Licensing.

The final list of topics included Member and officer suggestions, community concerns, policies which were due for renewal, and topics rolled over from the previous year's Scrutiny work plan.

- 1.2 These suggestions were then circulated to Members of the Overview and Scrutiny Committee, who were invited to score each item from 1-5 (5 highest, 1 lowest), based on each of the following criteria:

- High general public concern,
- Critical to council priorities and plans,
- High financial value,
- Risks in successful delivery.

- 1.3 Based on this, the nine highest scoring items were selected for the Scrutiny workplan. Nine items would make up the main workplan, with an additional three in 'reserve' for the Committee. These 'reserve' items will allow for some flexibility in the workplan, in the event that the Committee is required to consider other urgent matters.

The selections are shown in the table below.

Item no	Topic	High general public concern	Critical to council priorities and plans	High financial value	Risks to the council in successful delivery	Total
1	Otterpool Park Business Plan (annual review)	20	20	19	19	78
2	Folkestone Place Plan	19	16	14	17	66
3	Budget Strategy 22/23	11	18	18	16	63
4	HRA Asset Management Framework	12	17	18	14	61
5	Treasury Management Strategy 22/23	8	17	18	17	60



6	HRA Business Plan	12	16	15	15	58
7	Civic Centre and Access Point (relocation and business case)	20	12	13	12	57
8	Debt management and write off policy framework	13	11	16	16	56
9	Performance Management Framework and KPI's – reform of framework	11	12	16	16	55
<b>The items below will be held in reserve:</b>						
10	Licensing Policy (Consultation responses)	14	14	12	14	54
11	Safeguarding policy	15	15	10	14	54
12	Review progress of climate emergency action plan	15	13	12	14	54

Appendix one to the document shows the scores for all topics that were put to the Committee.

- 1.4 In addition to the items selected, the Overview and Scrutiny Committee has a statutory requirement to act as the Council's Crime and Disorder Committee and to meet for that purpose at least once a year.
- 1.5 It is the intention that the Committee would consider two items per meeting (with only six meetings per year). In addition, the work plan must allow some flexibility, allowing for Members to make suggestions for topics throughout the course of the year, and to enable any other urgent items to be considered.
- 1.6 The Overview and Scrutiny Committee are asked to endorse the Scrutiny Workplan, prior to its consideration and endorsement at the Annual meeting of the Council on 5 May 2021.

## **2. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS**

### **2.1 Legal Officer's Comments (AK)**

It is important for Overview and Scrutiny Committee to establish and agree a work programme. This will enable the Overview and Scrutiny committee to fulfil its constitutional and legal function.

### **2.2 Finance Officer's Comments (RH)**

There are no financial implications to this report.

### **2.3 Diversities and Equalities Implications (GE)**

There are no equalities implications directly arising from this report.

### **3. CONTACT OFFICERS AND BACKGROUND DOCUMENTS**

Councillors with any questions arising out of this report should contact the following officer prior to the meeting

Jemma West – Committee Services Specialist

Telephone: 01303 853369

Email: [Jemma.west@folkestone-hythe.gov.uk](mailto:Jemma.west@folkestone-hythe.gov.uk)

#### **Appendices:**

Appendix 1 – scores for all items.

Appendix 2 - summary of each item

The following background documents have been relied upon in the preparation of this report:

None.

Item no	Topic	High general public concern	Critical to council priorities and plans	High financial value	Risks to the council in successful delivery	Total
1	Otterpool Park Business Plan (annual review)	20	20	19	19	78
2	Folkestone Place Plan	19	16	14	17	66
3	Budget Strategy 22/23	11	18	18	16	63
4	HRA Asset Management Framework	12	17	18	14	61
5	Treasury Management Strategy 22/23	8	17	18	17	60
6	HRA Business Plan	12	16	15	15	58
7	Civic Centre and Access Point (relocation and business case)	20	12	13	12	57
8	Debt management and write off policy framework	13	11	16	16	56
9	Performance Management Framework and KPI's – reform of framework	11	12	16	16	55
10	Licensing Policy (Consultation responses)	14	14	12	14	54
11	Safeguarding policy	15	15	10	14	54
12	Review progress of climate emergency action plan	15	13	12	14	54
	Housing Allocations Policy	15	12	11	13	51
	East Cliff – masterplanning and next steps	14	11	14	12	51
	Community hubs – value for money, KPI's and best practise review	16	9	11	13	49

	Harbour Line – potential acquisition/project	13	10	13	12	48
	S106 decision making, prioritisation and processes	9	12	14	10	45
	Food Safety Enforcement Policy (Aug 21)	12	11	9	13	45
	Street cleansing	16	10	9	10	45
	New Beach Hut programme	12	9	10	13	44
	Review of the effectiveness of the 'Air Quality' monitoring programme	14	10	10	10	44
	Assessment of Conservation Areas	13	11	10	10	44
	Adoption of Heritage Strategy	14	9	10	10	43
	Review of the Covid Vaccination roll-out in the District	17	9	8	8	42
	Napier Barracks enquiry session	19	10	7	6	42
	Unauthorised encampments – community impacts	16	8	6	10	40
	Terracycle recycling points	12	8	9	8	37
	Relevant Site Fees Protection Policy (in relation to Caravan sites) (Sep 21)	9	8	7	8	32
	Street naming policy	6	5	5	4	20

## APPENDIX 2 – summary of each item

HRA Business Plan	The council is required to produce a comprehensive Business Plan for its housing stock. This item would provide an overview of the council's updated Housing Revenue Account Business Plan for the next 30 years.
Housing – HRA Asset Management Framework	The Council housing stock will be returning from EKH's control with effect from 1 October 2020. The HRA asset management framework will provide a strategic direction to the management of the physical assets of the council housing stock of the HRA and this document will consider our proposed approach.
Updates from the Working Groups	An update on the work completed by the Working Groups since their creation in 2019.
S106 decision making, prioritisation and processes	A Town Council has asked the committee to consider reviewing how S-106 projects are identified, prioritised and reported?
Unauthorised encampments – policy shaping	Residents have identified they would welcome the committee exploring the impact of unauthorised encampments and considering what further actions can be taken. They have highlighted issues with crime and rubbish/sanitation
Food Safety Enforcement Policy (Aug 21)	Folkestone and Hythe District Council have a statutory responsibility for ensuring that food and drink intended for sale for human consumption, which is produced, stored, distributed, handled or consumed within the district is safe. The Food Safety Enforcement Policy sets out the principles and decision making processes that are followed when non-compliances with food law are identified. The policy is written using the principles of The Regulators' Code which came into statutory effect on 6 April 2014 under the Legislative and Regulatory Reform Act 2006 .
Relevant site fees protection Policy (Sep 21)	The Mobile Homes Act 2013 (The Act), which came into force on 1st April 2014, introduced a new site licensing regime, which gave local authorities more effective control of conditions on Static Residential caravan sites (also known as Park Homes and Relevant Protected Sites). This Act also gave powers to local authorities to enforce site licence compliance and charge fees for licensing these types of sites.

	<p>Before a local authority can charge a fee The Act requires it to prepare and publish a fees policy and it is the 'Policy for Relevant Protected Sites' that does this. This policy sets out:</p> <ul style="list-style-type: none"> <li>• What the Council can charge for</li> <li>• Factors that cannot be included in licensing fees</li> <li>• How and when the Council will charge fees</li> </ul>
Treasury Management Strategy 22/23	The Treasury Management Strategy sets out the proposed strategy for 2022/23 including Treasury Management Indicators. The Council's Financial Procedure Rules require an annual plan and strategy for treasury management to be approved in advance of the financial year.
Budget Strategy 22/23	The Budget Strategy sets out the guidelines for preparing the 2022/23 budget. It supports the Corporate Plan and aligns with the direction and objectives of the MTFS. The Council's constitution requires approval of such a strategy at least two months in advance of final budget approval.
Housing Allocations Policy	The Council's Housing Allocations Policy sets out how the Council awards priority to applicants on the Housing List and the types of accommodation they can expect to be offered. This report will provide details of the Housing Allocations Policy review process due to commence in 2022/23.
Licensing Policy	To further consider the consultation responses in advance of Cabinet, followed by Council adoption.
Street naming policy	The Street Naming policy considers the councils approach and process regarding the naming / numbering of new street and building names/numbers. It seeks to ensure a consistent approach is applied the facilitate the effective delivery of council services, the efficient delivery of mail and ensuring that emergency service vehicles are able to quickly locate a property.
Safeguarding policy	The Safeguarding Policy aims to outline the responsibilities of the Council, and how they dovetail with

	other agencies, to safeguard children and adults with care and support needs from harm and abuse.
Debt management and write off policy framework	The council has a duty to ensure that all revenue due to the council is collected efficiently and effectively for the benefit of all the council taxpayers. It is essential to the council that a standardised system is in place for both financial stewardship and audit purposes. But the council also must consider its approach to financial inclusion and the impact of hardship on resident's ability to pay, the policy will therefore endeavour to balance this against its duty to collect.
Civic Centre and Access Point	An update of the work being undertaken to develop a Customer Access Point in Folkestone and the potential for a relocation of the Civic Offices
Folkestone Place Plan	To receive and consider the draft Place Plan for Folkestone Town Centre.
New Beach Hut programme	Report detailing new beach hut programme – to include location and financial analysis
Harbour Line	To receive and consider a report on the proposed council acquisition of the Harbour Line.
East Cliff	Presentation to show Members the plans for a new Priority Park and upgraded leisure facilities at East Cliff.
Review progress of climate emergency action plan	The Council declared a climate emergency in July 2019. Since then a cross part working group has been established to explore the issues and consider appropriate actions. The Carbon Action Plan was adopted by Cabinet in February 2021. This session would be an opportunity to consider the work of the working group and review progress made towards the council's ambitions.
Otterpool Park Business Plan (annual review)	To receive and consider a report on progress in relation to delivery of the Business Plan and any suggested updates for the next year.
Performance Management Framework and KPI's – Scrutiny oversight of reform of framework before adopted	The Council adopted a new Corporate Plan – Creating Tomorrow Together 2021-2030 in February. Development of an action plan outlining the focus of activities in 2021 & 2022 is underway and this will inform the shape of future KPI reporting within the Council. This session would be an opportunity to provide input into the new performance management framework.

Review of the Covid Vaccination roll-out in the District	To review the Covid Vaccination roll-out in the District, to understand why Folkestone and the Marsh were so much later seeing vaccination starting compared to Hythe, and the lessons we should learn for future emergency situations. Understand from the NHS, Council and other relevant partners the vaccination rollout in the district, and the large time differences in doing so in different parts of the district. By understanding those differences, it can feed into the emergency plans for the district to try to "level up" response times in future.
<p>Napier Barracks - To hold an enquiry session with representatives of the home office, ClearSprings Ready Homes, local charities, local residents and residents of Napier barracks.</p> <p><b>This item was submitted by a Member, and also submitted as part of the Opposition business at Council on 24 February 2021.</b></p>	<p>The issues and decisions surrounding the implementation of the asylum centre at Napier Barracks. The conditions of which Asylum Seekers have been living, impacts on neighbouring communities and social cohesion within the whole District.</p> <p>To ensure we have upheld our responsibility to the safety of those housed at Napier Barracks. To encourage a greater understanding of the Asylum Process and impacts on Users and wider community. Transparency as to why Napier Barracks was chosen and offer more information to the local community who still have many unanswered questions.</p>
Community hubs - ensure the running of the hubs has produced the best value for money across the District and to look at Key performance and best practice across the three sites.	To ensure the running of the hubs has produced the best value for money across the District. To look at Key performance and best practice across the three sites. To recognised the work being carried out to support residents shielding, self-isolated and the wider community.
Street cleansing	<p>Two members of the public put this issue forward:</p> <ul style="list-style-type: none"> <li>• Investigate how Folkestone &amp; Hythe District Council ensures that resources are applied proportionately across the district in the cleansing of streets and pavements.</li> <li>• More pavement cleaning and sterilising. Tougher fines for cigarette dropping, chewing gum and dog fouling as in some counties. Bring back a sense of pride in the community and help lower crime rates. Give a</li> </ul>



	boost to the local economy. Cleaner pavements would also be less likely to spread germs (spitting and dog fouling is a big issue).
Review of the effectiveness of the 'Air Quality' monitoring programme	Review the effectiveness of the 'Air Quality' monitoring programme in the district and provide feedback to Local Councils of the programme output.
Adoption of Heritage Strategy	The district's heritage is hugely important but was at risk this past year with several planning applications threatening sites on the Kent HER. The Heritage Strategy is still in draft with no timetable for adoption, despite informing the PPLP and Core Strategy, both of which have different versions in their evidence base. We have no local list of non-designated heritage assets, which could be worked on by local groups and amenity societies to relieve much of the burden of site selection and drafting if a style guide existed. Heritage tourism is very popular and it is thought heritage tourists stay longer and spend more. We should be advertising our heritage proudly.
Assessment of Conservation Areas	It would appear our Conservation Areas have not been assessed for some time. Around 2006-09, 14 of our 21 Conservation Areas had appraisals commissioned. Only 8 were adopted, leaving 6 in draft for at least 11 years, and 7 seemingly without having ever been appraised since their inceptions in 1971, 1973 and 1990. Furthermore, there are areas with no Conservation Area whatsoever, including Westenhanger (with exceptional features at the castle), Old Hawkinge, Lyminge and anywhere north of Elham, such as Stelling Minnis. Folkestone's remains in draft since 2009 and is woefully incomplete.
Terracycle recycling points	Many manufacturers use Terracycle to recycle their waste packaging. However, they have usually met their quota of recycling points, leaving few throughout the district and often at difficult to reach locations. For example, you can only drop off Hovis bread bags at Selsted school and Carex liquid soup bottles at someone's house in Capel! There are no locations to drop off Walkers crisps packets or Colgate toothbrushes in the district – you'd have to go to Hamstreet football field for either. Could the council liaise with Terracycle, manufacturers and local businesses to ensure convenient drop-

	off points, are available for these difficult to recycle items, or seek an alternative method of recycling them?
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This Report will be made public on 22 March 2021



Report Number **OS/20/15**

**To:** Overview and Scrutiny Committee  
**Date:** 30 March 2021  
**Status:** Non Key  
**Responsible Officer:** Ewan Green, Director of Place  
**Cabinet Member:** Cllr David Monk, Leader of the Council

**SUBJECT:** LICENSING POLICY REVIEW

**SUMMARY:** This reports presents an outline of the review of the Council's Statement of Licensing Policy. The report sets out the context for this, the timetable for review and consultation and an overview of the key issues that will be considered in the review.

**RECOMMENDATIONS:**

1. To receive and note report C/20/15.
2. Overview and Scrutiny Committee are invited to comment on the report and to provide initial feedback on key issues outlined in order to inform the review of the licensing policy.

## 1. BACKGROUND

- 1.1 Section 5 of the Licensing Act 2003 places a statutory duty on the Council, as Licensing Authority, to produce a Statement of Licensing Policy and that this should be reviewed every 5 years
- 1.2 The Statement of Licensing Policy (hereafter the 'policy') sets out the Licensing Authority's policy, which guides the Council when considering applications under the Act. The policy provides guidance on the general approach the Council, as the Licensing Authority within the meaning of the Act, will take in terms of licensing.
- 1.3 The current policy was adopted in 2016 and therefore requires to be reviewed in 2021. A copy of the current policy is attached as the Appendix.
- 1.4 The new Corporate Plan 2021-30: *Creating Together Tomorrow* is based on 4 key 'place shaping' principles:
- Positive Community Leadership
  - A Thriving Environment
  - A Vibrant Economy
  - Quality Homes and Infrastructure

The updated Licensing Policy will be an enabler to support the Council achieve the ambitions set within the plan.

- 1.5 The Council is working with partners and stakeholders to develop a Folkestone Town Centre Place Plan which will set out a vision and direction for Folkestone town centre including necessary infrastructure investment required to achieve sustainable change. Alongside physical interventions the plan will also consider future management and animation of the town centre. The work to develop the Place Plan will include consideration of the way in future licensing policy can be shaped to support a vibrant and sustainable future for the town centre.

## 2. REVIEW TIMETABLE AND PROCESS

- 2.1 The updated policy will be required to be considered by Full Council following a series of reviews and a period of statutory public consultation.

The timetable for this is set-out below:

March	Overview & Scrutiny Committee
April	Draft Policy Prepared
May	Draft Policy considered by Planning & Licensing Committee and Overview & Scrutiny Committee
June / July	Public and Statutory Partners Consultation
August	Review and Development of Final Draft Policy
September	Planning & Licensing Committee
October	Full Council

- 2.2 Committee is asked to note the review timetable and process.

### **3. KEY ISSUES**

- 3.1 The review will include consideration of a number of key issues including:
  - 3.1.1 how the policy meets the four main statutory Licensing Objectives (Prevention of Crime and Disorder, Public Safety, Prevention of Nuisance and Protection of Children from Harm).
  - 3.1.2 the way in which license applications are determined, the guidelines used and how representations are considered.
  - 3.1.3 reviewing how the policy can support the council's ambitions in the Corporate Plan and Place Plan for Folkestone Town Centre.
  - 3.1.4 updating the policy in line with the latest national guidance.
  - 3.1.5 how the policy is presented so that it is clear and consistent.
- 3.2 Committee is asked to comment on the above and to identify any other issues that should be included in the review.

### **4. RISK MANAGEMENT ISSUES**

- 4.1 There is a requirement for the Council to review its policy every 5 years. The timetable outlined in this report has been developed to ensure that this requirement is met.

### **5. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS**

#### **5.1 Legal Officer's Comments**

There are no legal implications in this report.

#### **5.2 Finance Officer's Comments**

There are no financial implications in this report.

#### **5.3 Diversities and Equalities Implications**

The Statement of Licensing Policy will consider the needs of all residents regardless of whether or not they have a protected characteristic. The differing needs of people, including those with different protected characteristics, will be considered during the review as it progresses.

The final draft Policy will be the subject of an Equalities Impact Assessment Screening.

## **6 CONTACT OFFICERS AND BACKGROUND DOCUMENTS**

Councillors with any questions arising out of this report should contact the following officer prior to the meeting

Ewan Green, Director of Place

Telephone: 07783659864

Email: [ewan.green@folkestone-hythe.gov.uk](mailto:ewan.green@folkestone-hythe.gov.uk)

The following background documents have been relied upon in the preparation of this report:

***(Note: only documents that have not been published are to be listed here)***

**Appendix: Statement of Licensing Policy (2016)**

# Shepway District Council

## Licensing Policy Statement

### Licensing Act 2003

October 2016



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## Foreword

The Licensing Act 2003 (henceforth known as the Act) requires that each licensing authority publishes a “Statement of Licensing Policy” that sets out the policies the authority will apply in the exercise of its licensing functions under the Act. Each licensing authority is obliged by the Act to review this policy every five years.

This policy has been prepared in accordance with the provisions of the Act and having regard to the statutory (amended March 2015) guidance issued under Section 182 of the Act (“the Guidance”). This policy will take effect on 27<sup>th</sup> October 2016 and will remain in force for a period of not more than 5 years, during which time it will be kept under review.

Dr Sarah Robson  
Head of Communities  
Shepway District Council  
October 2016

## Consultation

This policy has been consulted on by members of the public, community stakeholders, specific groups and individuals as listed in section 5(3) of the 2003 Act. These are:

- The Chief Officer of Police for the area;
- The Fire and Rescue Authority for the area;
- Each Local Authority's Director of Public Health in England;
- Persons/bodies representative of local premises licence holders;
- Persons/bodies representative of local club premises certificate holders;
- Persons/bodies representative of local personal licence holders;
- Persons/bodies representative of businesses and residents in its area;
- The Child Protection Agency, and
- Advertised on Shepway District Council's website.

The views of all these bodies, and evidence presented, were given due weight in the determination of this policy.

This policy was put before Council for approval in October 2016.

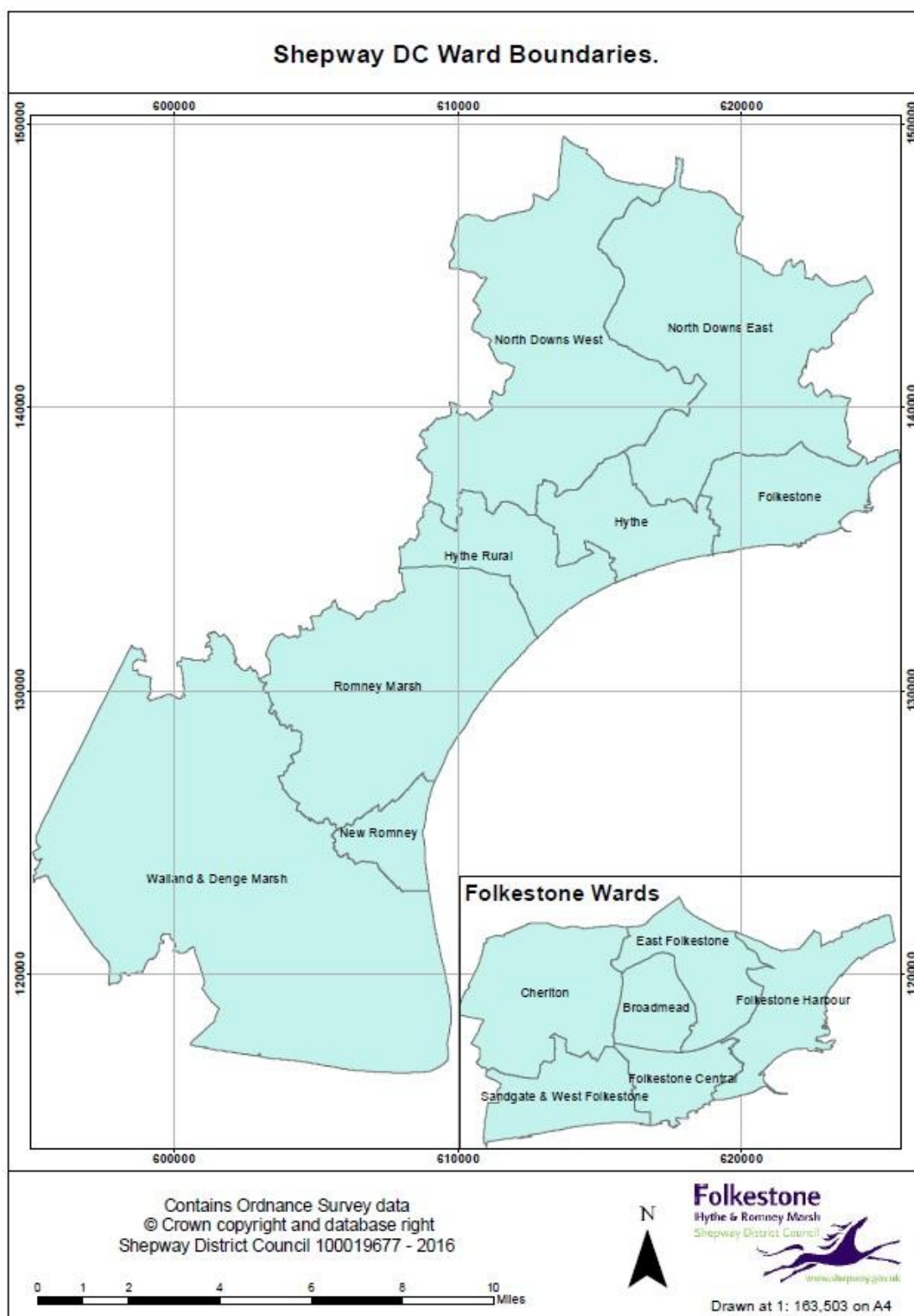
Further details on the requirements that need to be met can be obtained from the licensing authority.

## About Shepway District

Shepway District covers an area of 35,670 hectares (140 sq. miles) on the east Kent coast about 75 miles from London. It has a population of around 109,500 (2014) most of whom live in the Folkestone and Hythe Urban area, but there are also settlements at Lydd and New Romney and along the coastal strip.

The District occupies a key strategic position between the United Kingdom and mainland Europe at the end of the M20 motorway and with the Channel Tunnel, the port of Folkestone and Lydd Airport providing gateways to continental Europe. The location of the District is set out in the map below.

Shepway District Council is situated in the County of Kent, which contains 12 District Councils and 1 Unitary Authority in total. Each is represented on the Kent & Medway Regulatory Licensing Steering Group (K&MRLStGp) whose role includes the identification of issues on which a consistent countywide approach is considered essential and the formulation of recommended policy that establishes a minimum standard on these identified issues.



There are approximately 550 licensed premises in the District, of which 500 hold premises licences and 50 hold club premises certificates. Premises licensed include shops, village and community halls, pubs, bars, nightclubs, restaurants, open spaces, takeaways, barns, vineyards, hotels and private member clubs. In addition the licensing authority has granted over 1450 personal licences.

## Part A – Introduction

Shepway District Council, the licensing authority for the District of Shepway, makes this Statement of Licensing Policy in accordance with Section 5(1) Licensing Act 2003.

The Act requires that the licensing authority carry out its various licensing functions so as to promote the following four licensing objectives:-

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

Each objective is of equal importance and there are no other licensing objectives. These four objectives are of paramount consideration at all times. These four licensing objectives are considered in more detail in Part B.

## Licensable Activity

The policy relates to all those licensing activities identified as falling within the provisions of the Act, namely:-

- Retail sale of alcohol
- Supply of alcohol to club members
- Provision of 'regulated entertainment' – to the public, to club members or with a view to profit
- A performance of a play
- An exhibition of a film
- An indoor sporting event before 08.00 or after 23.00 or to more than 1000 spectators
- Boxing or wrestling entertainment
- Performance of live music on an unlicensed premise or on a licensed premise before 08.00 or after 23.00 or to more than 500 people
- Any playing of recorded music on an unlicensed premise or on a licensed premise before 08.00 or after 23.00 or to more than 500 people
- A performance of dance before 08.00 or after 23.00 or to more than 500 people
- Provision of facilities for making music
- Provision of facilities for dancing
- The supply of hot food and/or drink from any premises between 23.00 to 05.00 hours (late night refreshments)

## Applications

The scope of the policy covers new licence applications, transfers and variation of operating schedules and temporary events.

Due to the similarity between the application processes for both premises licences and club premises certificates, a reference to a premises licence in this section will also be a reference to an application for a club premises certificate.

All applications for new premises licences and variations must be accompanied by an operating schedule. The schedule should specify (amongst other things) the steps which the applicant proposes to promote each of the four licensing objectives.

If no responsible authority or 'other person' lodges an objection (known as a 'relevant representation') to the application, the licensing authority must grant the application as set out in the operating schedule, subject only to mandatory conditions under the Act. The steps proposed by the applicant will become interpreted in to legally enforceable licence conditions. The licensing authority will have no discretion to refuse the application or to alter or add to the conditions arising from the operating schedule.

Where, however, there are relevant representations, then a hearing of the opposed application before a licensing sub-committee will normally follow. At the hearing the sub-committee will, having regard to the representations, take such steps as it considers appropriate to promote the four licensing objectives. These may include granting or refusing the application or adding to or modifying the conditions proposed in the operating schedule.

In exercising its discretion, the licensing sub-committee will have regard (amongst other things) to this Policy. Therefore, in drawing up their operating schedule, applicants would be well advised to read this Policy carefully. Where an operating schedule complies with this Policy, it is generally less likely that any 'other person' or responsible authority will object to it, or that an objection will succeed. Therefore, compliance with this Policy is likely to assist the applicant to avoid the delay and expense of a contested licensing hearing, and the risk of a refusal or the addition of unwanted conditions.

This is not to say that an opposed application which complies with this Policy will necessarily be granted or that an opposed application which does not comply with it will necessarily be refused. Where there have been relevant representations, the licensing authority will always consider the individual merits of the case, and interfere with the operating schedule only when, and to the extent, appropriate to promote the four licensing objectives. Blanket or standard conditions will not be applied without regard to the merits of the individual case. So, for example, the licensing authority will not interfere with an operating schedule which does not comply with this Policy where the steps proposed are sufficient to meet the four licensing objectives in the individual circumstances of the case.

However, this Policy represents the licensing authority's view of the best means of securing the four licensing objectives in most normal cases. It has been drawn up in consultation with other expert bodies and responsible authorities, together with community stakeholders. While the contents of the

operating schedule are a matter for the applicant, where there is objection to a schedule which departs from this Policy, the licensing sub-committee, hearing an opposed application, will normally expect to be given a good reason for the departure if it is asked to make an exception to this Policy.

In this Policy, there are a number of references to the licensing authority's expectation of applicants. As explained above, this Policy is only engaged where the licensing authority has a discretion following the receipt of a relevant representation. In such cases, the licensing authority will not apply this Policy rigidly, but will always have regard to the merits of the case with a view to promoting the four licensing objectives.

Further, the licensing authority may use this Policy when exercising other licensing functions. For example, when considering an application for review of a licence, the licensing authority is likely to view with concern premises which are being operated in clear breach of the terms of this Policy.

Nothing in this Policy will:-

- Undermine the rights of any person to apply under the Act for a variety of permissions and have each such application considered on its individual merits; and/or,
- Override the right of any person to make representations on any application or seek a review of a licence or certificate where provision has been made for them to do so under the Act.

A prime responsibility of the licensing authority in licensing activities in premises is to work with the business community to maintain the level of business activity in towns and villages in a manner that has due regard for public enjoyment, tourism and commerce, while balancing this with the promotion of the four licensing objectives.

Licensing is also about regulating licensable activities on licensed premises, by qualifying clubs or at temporary events within the terms of the Act. The conditions attached to various authorisations will be focused on matters which are within the control of individual licensees and others with relevant authorisations, i.e. the premises and its vicinity. Whether or not incidents can be regarded as being "in the vicinity" of licensed premises is a question of fact and will depend on the particular circumstances of the case.

In addressing this matter, the licensing authority will primarily focus on the direct impact of the activities taking place at licensed premises on members of the public living, working or engaged in normal activity in the vicinity concerned.

The licensing authority acknowledges that licensing law is not the primary mechanism for the general control of nuisance or anti-social behaviour by individuals once they are away from the premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control



and licensing law will always be part of a holistic approach to the management of the daytime, evening and night-time economy.

The Act requires applicants to consider carefully this Policy when drafting their applications. Applicants should show that they have considered the practical effects of managing their business to accord with this Policy.

Shepway District Council expects holders of a premises licence, club premises certificate or temporary event notice to make every effort to minimise the impact of their activities and any nuisance or anti-social behaviour by their patrons within the vicinity of their premises.

The Human Rights Act 1998, incorporating the European Convention on Human Rights, makes it unlawful for a local authority to act in a way, which is incompatible with a Convention right. The licensing authority will have regard to the Human Rights Act when exercising its licensing functions, with particular reference to the following relevant provisions of the European Convention on Human Rights:-

Article 6 – In the determination of civil rights and obligations every person is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.

Article 8 – Everyone has the right to respect for his private and family life, his home and his correspondence.

Article 1 of the First Protocol – Every person is entitled to the peaceful enjoyment of his or her possessions.

### **Determining a Licence Application**

Where an application is properly made and no responsible authority or other person makes representations, the licensing authority must grant the application, subject only to conditions which are consistent with the operating schedule and relevant mandatory conditions in the act. This should be undertaken as a simple administrative process by the officers of the licensing authority.

If representations are made by a responsible authority or other person, it is for the licensing authority to decide whether those representations are relevant to the licensing objectives and not frivolous or vexatious. If the licensing authority decides that any representations are relevant, then it must hold a hearing to consider them, unless the representations are withdrawn with agreement of all parties before a hearing.

At a hearing, the licensing authority may:

- Grant the application subject to modifying conditions that are consistent with the operating schedule in a way it considers appropriate for the promotion of the licensing objectives;
- Reject one or more requested licensable activities;

- Reject the application; and/or
- Refuse to specify a person as a designated premises supervisor.

All decisions of the licensing authority, and any conditions imposed, must be appropriate for the promotion of the licensing objectives. Parties that disagree with the licensing authority's decision, have a right of appeal to the magistrates' court.

### **Administration, Exercise and Delegation of Functions**

The powers of the licensing authority under the Act may be carried out by Shepway District Council's licensing committee, by its licensing sub-committees or by one or more officers acting under delegated authority.

In the interests of speed, efficiency and cost-effectiveness to all parties involved in the licensing process, the Council has established a scheme of delegation to deal with applications received under the Act.

This form of delegation is without prejudice to the officers referring an application to the licensing sub-committee, or the sub-committee to the licensing committee, if considered appropriate in the circumstances of any particular case, and only in accordance with the Act.

The Council's approved table of delegation, showing the decision-making process for applications under the Licensing Act 2003, is attached at Appendix B to this Policy document.

### **Partnership Working**

The licensing authority will seek proper integration with local crime prevention, planning, transport, employment, tourism and cultural strategies. In reviewing this policy the Council is consulting with the public and representative bodies and the views of all those responding to the consultation will be given appropriate weight when determining this policy.

The licensing authority will endeavour to work with other local authorities, particularly where licensing authority boundaries meet, to try and ensure a consistent approach is taken to licensing matters while respecting the differing needs of individual communities throughout the county.

### **Planning**

The use of any licensed premises or places may be subject to planning controls which differ to that of licensing. Licensing is concerned with the fitness of the operator and detailed issues concerning the operation and management of the premises that are not addressed by the planning process, which relates to the use of the premises.

There is no legal basis for a licensing authority to refuse a licence application because it does not have the relevant planning permission.

## Promoting Cultural Life

Licensing is not solely about control but about promoting a diverse and vibrant cultural life for all. A well-regulated, varied day-time, evening and night-time economy can benefit both residents and businesses and contribute to the promotion of the licensing objectives. This statement of licensing policy will therefore also support through integration with other strategies a number of other aims and purposes:

- The use of proportionate regulation to give business greater freedom and flexibility to meet their customers' expectations;
- Greater choice for consumers, including tourists, about where, when and how they spend their leisure time;
- The encouragement of more family friendly premises where younger children can be free to go with the family;
- The maintenance of a safe and family friendly environment within the District, particularly within town centres;
- The further development within communities of our rich culture of live music, dancing and theatre, and other forms of entertainment both in rural areas and in our towns;
- The regeneration of areas that need the increased investment and employment opportunities that a thriving and safe night-time economy can bring; and
- The necessary protection of local residents, whose lives can be blighted by disturbance and anti-social behaviour associated with the behaviour of some people visiting places of entertainment.

This policy will seek to reflect local requirements and recognise the need to encourage and promote live music, dancing, theatre and other forms of entertainment for the wider cultural benefit of communities generally. The potential for limited disturbance in neighbourhoods will be carefully balanced with these wider benefits. Through consultation the licensing authority will monitor the impact of licensing on the provision of regulated entertainment, and particularly live music and dancing.

## Enforcement

The Council delivers a wide range of enforcement services aimed at safeguarding the environment, the community and at providing a 'level playing field' on which businesses can fairly trade. The administration and enforcement of the licensing regime is one of these services. The licensing authority will aim to ensure effective and efficient public protection services and practice by carrying out its regulatory functions in a fair, open and consistent manner.

Shepway District Council will continue to support and participate in the Kent & Medway Licensing Steering Group – a county forum which aims to:-

- Help develop consistency between the statutory agencies responsible for licensed premises;
- Develop potential for a joint approach to implementation and administration;

- Act as a strategic forum for licensing in Kent;
- Develop liaison with agencies and other relevant organisations;
- Promote best practice; and
- Enhance the potential for sharing resources.

The licensing authority recognises the need to avoid duplication with other regulatory regimes as far as possible. This Policy is not intended to duplicate existing legislation and regulatory regimes that place duties upon employers and operators. In the event that conduct of activity related to the business has been found to be in contravention of other regulatory regimes the licensing authority will have regard to such conduct in considering licensing applications.

Some regulations do not cover the particular circumstances that arise in connection with entertainment. The licensing authority may (when its discretion is engaged), for example, attach conditions to premises licences and club premises certificates where these are considered appropriate for the promotion of the four licensing objectives and are not already provided for in any other legislation.

### **Cumulative Impact**

A cumulative impact policy creates a rebuttable presumption that applications within a particular area of the District for new premises licences or club premises certificates or material variations thereto will normally be refused, if relevant representations are received about the cumulative impact on the four licensing objectives.

The licensing authority will review the need for a special policy on cumulative impact at least every five years in line with the review of this policy to see if circumstances have changed and one is needed.

In addition to the review each five years the licensing authority may consider a special policy on cumulative impact at any time if circumstances changed and evidence supported this course of action.

No area of the District is currently covered by a special policy on cumulative impact.

### **Early Morning Restriction Orders (EMRO)**

An EMRO enables a licensing authority to prohibit the sale of alcohol for a specified time period between the hours of 12 a.m. and 6 a.m. in the whole or part of its area, if it is satisfied that this would be appropriate for the promotion of the licensing objectives.

EMROs are designed to address recurring problems such as high levels of alcohol-related crime and disorder in specific areas at specific times; serious public nuisance; and other instances of alcohol-related anti-social behaviour which is not directly attributable to specific premises.

The licensing authority will review the need for an EMRO at least every five years in line with the review of this policy to see if circumstances have changed and any are needed.

In addition to the review each five years the licensing authority may consider an EMRO at any time if circumstances changed and evidence supported this course of action.

No area of the District is covered by an EMRO at present.

### **Late Night Levy**

A Late Night Levy enables licensing authorities to charge a levy to persons who are licensed to sell alcohol late at night in the authority's area, as a means of raising a contribution towards the costs of policing the late-night economy.

The decision to introduce the levy is an option available to all licensing authorities in the whole of their respective areas. The levy will be payable by the holders of any premises licence or club premises certificate ("holders"), in relation to premises in the authority's area, which authorise the sale or supply of alcohol on any days during a period (the "late night supply period") beginning at or after midnight and ending at or before 6am.

The licensing authority will review the need for a Late Night Levy at least every five years in line with the review of this policy to see if circumstances have changed and one is needed.

In addition to the review each five years the licensing authority may consider a Late Night Levy at any time if circumstances changed and evidence supported this course of action.

No area of the District is covered by a Late Night Levy at present.

### **Variation of Licences**

When considering an application for the variation of a licence, the licensing authority will consider the impact of the variation in terms of the policies in this document and the four licensing objectives. It will not use such an application as a means to review the licence terms and conditions already granted.

### **Minor Variations**

A premises licence/club premises certificate holder may apply under the minor variation procedure for small variations that will not impact adversely on the four licensing objectives.

A minor variation may be appropriate in cases:

- Where there is a minor change to the layout of a premises that would not affect public safety or nuisance;

- A reduction in the hours of operation of a premises;
- The removal of conditions that have become obsolete due to changes in legislation;
- The addition of voluntary conditions.

Minor variations are not permitted to increase the hours for the sale or supply of alcohol. There is no right to a hearing if the minor variation application is rejected, although an application for a full variation application may be made.

### **Removal of Designated Premises Supervisor from a Community Premises**

Where community premises hold a premises licence allowing the sale/supply of alcohol, the licence holder can apply to have the mandatory condition requiring a designated premises supervisor to be appointed, be removed. This passes the responsibility for the sale/supply of alcohol to the premises' management committee.

### **Licensing Hours**

The Act does not promote or prohibit longer licensing hours, however the licensing authority recognises that the statutory guidance issued by the Secretary of State emphasises that the aim through the promotion of the four licensing objectives should be to reduce the potential for concentrations of and a slower dispersal of, people from licensed premises through flexible opening times. This may be important to ensure that large concentrations of people do not leave premises at the same time and it may reduce the friction at late night hot food outlets, taxi ranks, taxi or private hire operators' offices and other sources of transport that can lead to disorder and disturbance.

The licensing authority will not set fixed opening hours within certain areas, as this may lead at particular times to the movement of significant numbers of people seeking premises opening later, resulting in concentrations of disturbance and noise.

The licensing authority may consider imposing stricter conditions in respect of noise control where premises are situated in areas that have dense residential accommodation and/or are close to sensitive areas, for example hospitals, schools, places of worship, nursing homes. However, regard will be given to the individual merits of any application, and the licensing authority would only have discretion to consider attaching such conditions where a relevant representation is received in respect of an application, and then only where considered appropriate for the promotion of the four licensing objectives.

### **Transfer of Licenses**

When considering an application for the transfer of a premises licence, the licensing authority will only have regard to the exceptional circumstances of the case as set out in any objection raised by the police on the grounds that the transfer will undermine the crime prevention objective. The effect on the



crime prevention objective will be considered against the background of the policies contained in this document.

### **Provisional Statements**

An application for a provisional statement will be considered in the same way as would an application for a premises licence or club premises certificate, on the assumption that the works are completed as per the schedule of works submitted by the applicant.

### **Sexual Entertainment Venues**

Where premises are to be used on twelve or more occasions within a 12 month period for relevant sexual entertainment, the premises must also be licensed as a Sexual Entertainment Venue under the Local Government (Miscellaneous Provisions) Act 1982. Relevant sexual entertainment includes lap dancing, pole dancing, table dancing, strip shows, peep shows and live sex shows..

### **Complaints, Reviews and Appeals**

The licensing authority will investigate complaints relevant to the four licensing objectives in relation to licensed premises. In the first instance, complainants will be encouraged to raise the complaint directly with the licensee or business concerned. Where a responsible authority or any 'other person' has made:

- valid representations about licensed premises; or
- a valid application for a licence to be reviewed

Then the licensing authority may initially arrange a mediation meeting to address, clarify and try to resolve the issues of concern.

This process will not override the right of any responsible authority or any 'other person' to apply for a review of the premises licence or club premises certificate, or for any licence holder to decline to participate in a mediation meeting.

Applicants and those making representations in respect of applications and reviews to the licensing authority have a statutory right of appeal to the magistrates' court against the licensing authority's decisions.

### **Shops, Stores and Supermarkets**

The licensing authority will normally consider licensing shops, stores and supermarkets to sell alcohol for consumption off the premises at any times they are open for shopping.

The licensing authority may consider whether there are very good reasons for restricting those hours. For example, a limitation of opening hours may be appropriate following relevant representations from the police in the case of

shops known to be the focus of disorder and disturbance because people gather there and engage in nuisance and/or anti-social behaviour.

### **Mandatory Conditions**

The Licensing Act 2003 provides Mandatory Licensing Conditions that apply to all relevant premises in England and Wales. These conditions are amended from time to time by Statutory Instruments. Current Mandatory Conditions can be viewed by visiting our website, [www.shepway.gov.uk/licensing](http://www.shepway.gov.uk/licensing) or requesting a copy by post.

### **Deregulation Act 2015**

The Deregulation Act 2015 introduced a number of changes to the Licensing Act 2003. This Act was to make provision for the reduction of burdens resulting from legislation for businesses or other organisations or for individuals; make provision for the repeal of legislation which no longer has practical use; make provision about the exercise of regulatory functions; and for connected purposes.

An overview of key points relevant to this policy is below.

- Temporary Event Notices - increased maximum number of events at a premises from 12 to 15 per calendar year
- Personal licences – it is no longer a requirement to renew a personal licence
- Sale of liqueur confectionery to children under 16 - this offence has been abolished
- Late night refreshment – a Local Authority may exempt supplies by designating areas, descriptions of premises and times specified
- Removal of requirement to report loss or theft of licence etc to police before copies may be issued – this applies to premises licence or summary, club premises certificate or summary, temporary events notice and personal licence
- Exhibition of films in community premises - the provision of entertainment consisting of the exhibition of a film at community premises is not to be regarded as the provision of regulated entertainment for the purposes of this Act, a number of conditions have to be satisfied



## **PART B – The Licensing Objectives**

### **Each Licensing Objective is of Equal Importance**

#### **Prevention of Crime and Disorder**

The prevention of crime and disorder objective is to protect the public from crime and anti-social behaviour caused by irresponsible licensed premises.

#### **Best Practice in Crime Prevention**

The licensing authority strongly encourages the implementation of best practice in licensed premises in the District in order to promote the crime prevention objective. Types of premises vary throughout the District, as do the types of licensable activities carried on at those premises, and therefore the steps appropriate to promote this objective will vary by premises.

When preparing their operating schedules, applicants are encouraged to carry out a risk assessment of their premises by reference to the following items of best practice:-

- Training given to staff in crime prevention measures appropriate to the premises;
- The physical security features installed in the premises. This may include matters such as the position of cash registers; the place where alcohol is stored in “off-licences”; the standard of CCTV that is installed and the retention period for images; the use of plastic, toughened or similar safety drinking glasses in pubs and clubs; and the secure storage of waste which could potentially be used as weapons;
- Measures to prevent the supply and consumption of illegal drugs, including any search procedures, entry policies and retention of seizures;
- Measures to raise staff awareness of, and discourage and prevent the use of, drugs on the premises;
- Arrangements to provide secure facilities to store seized drugs in a secure place;
- Additional to age verification requirements, the licensing authority and partners supports the Challenge 21 and 25 initiatives;
- The likelihood of any violence, public order or policing problem if the licence or certificate is granted;
- Whether the applicant is a member of the Pubwatch scheme (or similar) within the District.

Applicants are expected to include the above items of best practice in their operating schedules, where relevant to the premises. Where they elect not to do so, they are advised to include information explaining the omission. This might be because a risk assessment has shown that the step is unnecessary or because the item is already the subject of another consent, e.g. a planning permission or statutory obligation. If such information is not included, it may

result in a relevant representation being made, leading to the cost and delay of a hearing before a licensing sub-committee.

The steps volunteered in the operating schedule will become conditions of the licence or certificate, and therefore applicants should consider carefully the steps appropriate for the promotion of the four licensing objectives at their particular premises.

The licensing authority will work in partnership with local Pubwatch initiatives in supporting licence holders to actively prevent crime and disorder and to form strategies to reduce current levels by meeting as necessary with members of the initiative. The strategies seek to address matters such as under-age sales, problems associated with drunken individuals, use of illegal drugs, violent and anti-social behaviour.

### **Public Safety**

The public safety objective is concerned with the physical safety of the people, including any performers appearing at the premises, attending licensable activities at the relevant premises.

The licensing authority is committed to ensuring public safety across the District by working in close partnership, in particular with Kent Police, Kent Fire and Rescue Service, licensees, and with any other relevant bodies.

### **Best Practice in Public Safety**

The licensing authority strongly encourages the implementation of best practice in licensed premises in the District in order to promote the public safety objective. Types of premises vary throughout the District, as do the types of licensable activities carried on at those premises, and therefore the steps appropriate to promote this objective will vary by premises.

When preparing their operating schedules, applicants are reminded that it is a requirement of legislation that any licensed premises carry out a fire risk assessment and to record the significant findings in writing (Regulatory Reform (Fire Safety) Order 2006 Article 9 paragraph 6).

When preparing their operating schedules, risk assessments of the premises should make reference to the following items of best practice:-

- Occupancy Limits – The authority will not generally impose conditions as to occupancy levels where these are adequately addressed by other controls but may do so in any other case where relevant representations are made. Capacities should be addressed in the fire risk assessment;
- Fire Safety – The fire risk assessment completed in relation to the use of the premises, should assist applicants in satisfying Kent Fire and Rescue Authority that the public safety objective will be met;
- Levels of door supervision adequate to control access to and egress from premises in order to ensure the public safety;

- Training for current and future staff in matters relating to public safety, where not already required by other legislation;
- Prevention of injury – Where there is evidence of a current or past problem in relation to particular premises or a particular locality, or in all circumstances it is considered likely that such a problem might occur, and/or premises are to be used primarily for the sale or supply and consumption of alcohol on premises (particularly if those premises have little seating for patrons relative to their size/capacity). Applicants should give consideration to a policy of using plastic, polycarbonate or toughened glass, and a policy not to pass glass bottles over the bar, either throughout the period of operation or at certain times or on certain occasions;
- Measures to reduce the impact of noise both in terms of staff safety and protection of hearing of the public and staff at the premises, where such measures are not already required by other legislation;
- Measures to ensure that litter does not cause a nuisance or a health hazard to the public or a fire hazard to the vicinity, as generated by the activity at or near to the premises.

Applicants are expected to include the above items of best practice in their operating schedules, where relevant to the premises. Where they elect not to do so, they are advised to include information explaining the omission. This might be because a risk assessment has shown that the step is unnecessary or because the item is already the subject of another consent, e.g. a planning permission or statutory obligation. If such information is not included, it may result in a relevant representation being made, leading to the cost and delay of a hearing before a licensing sub-committee.

The steps volunteered in the operating schedule will become conditions of the licence or certificate, and therefore applicants should consider carefully the steps appropriate for the promotion of the four licensing objectives at their particular premises.

### **Prevention of Public Nuisance**

In considering the promotion of this licensing objective, the licensing authority will focus on impacts of the licensable activities at the specific premises on persons living and working (including doing business) in the vicinity that are disproportionate or unreasonable.

The licensing authority is likely to be concerned with noise nuisance, light pollution, noxious smells and litter.

Under the Act, “public nuisance” retains its broad common law meaning. The prevention of public nuisance could therefore include low-level nuisance perhaps affecting a person living locally as well as major disturbance affecting the whole community. It may also include, in appropriate circumstances, the reduction of the living and working amenity and environment of any other person.

## **Best practice in the Prevention of Public Nuisance**

The licensing authority strongly encourages the implementation of best practice in licensed premises in the District in order to promote the prevention of public nuisance objective. Types of premises vary throughout the District, as do the types of licensable activities carried on at those premises, and therefore the steps appropriate to promote this objective will vary by premises.

When preparing their operating schedules, applicants are encouraged to carry out a risk assessment of their premises by reference to the following items of best practice:

- Measures to prevent noise and vibration escaping from the premises, including; music, noise from ventilation equipment, and human voices. Such measures may include the installation of soundproofing, air conditioning (though this may add to the problem, especially if left on overnight), acoustic lobbies and sound limitation devices;
- Measures to prevent disturbance by patrons/customers arriving at or leaving the premises, particularly between the hours of 11.00 pm and 7.00 am;
- Measures to prevent queuing or, if queuing is inevitable, to divert queues away from neighbouring premises, or otherwise to manage the queue to prevent disturbance or obstruction;
- Measures to ensure that customers/patrons and staff leave the premises quietly;
- Arrangements for parking by patrons/customers, and minimisation of the effect that parking will have on local residents and businesses;
- Measures to reduce the impact that the use of gardens or other open-air areas will have on local residents and businesses;
- The positioning of external lighting, including security lighting that is installed appropriately;
- Accessibility to local public transport services, including taxis and private hire vehicles;
- Measures to minimise the impact of refuse storage or disposal (including noise associated with bottle delivery and disposal), or additional litter (including fly posters and unauthorised placards) in the vicinity of the premises;
- Measures to minimise noxious smells omitting from the premises.

Applicants are expected to include the above items of best practice in their operating schedules, where relevant to the premises. Where they elect not to do so, they are advised to include information explaining the omission. This might be because a risk assessment has shown that the step is unnecessary or because the item is already the subject of another consent, e.g. a planning permission or statutory obligation. If such information is not included, it may result in a relevant representation being made, leading to the cost and delay of a hearing before a licensing sub-committee.

The steps volunteered in the operating schedule will become conditions of the

licence or certificate, and therefore applicants should consider carefully the steps appropriate for the promotion of the four licensing objectives at their particular premises.

### **Protection of Children from Harm**

The protection of children from harm includes the protection of children from moral, psychological and physical harm, and this would include the protection of children from too early an exposure to strong language, sexual imagery and sexual expletives, for example, in the context of film exhibitions or where adult entertainment is provided. However, in the context of many licensed premises such as pubs, restaurants, café bars and hotels, the licensing authority recognises that the development of family friendly environments should not be frustrated by overly restrictive measures in relation to children.

The licensing authority also recognises that the admission of children to premises holding a premises licence or club premises certificate should normally be freely allowed without restricting conditions unless the Act itself imposes such a restriction or there are good reasons to restrict entry or to exclude children completely. The licensing authority will focus on enforcing the law concerning the consumption of alcohol by minors.

### **Access to Licensed Premises**

The Act prohibits unaccompanied children from entering certain premises and between certain hours. It is an offence under the Act to:-

- a) permit children under the age of 16 who are not accompanied by an adult (aged 18 or over) to be present on premises being used exclusively or primarily for the supply of alcohol for consumption on those premises under the authority of a premises licence, club premises certificate or temporary event notice, and
- b) permit the presence of children under the age of 16 who are not accompanied by an adult between midnight and 5.00 am at other premises supplying alcohol for consumption on the premises under the authority of a premises licence, club premises certificate or temporary event notice.

Other than set out above, and subject to the licence holders, the Act does not prevent unaccompanied children from having free access to any licensed premises where the consumption of alcohol is not the exclusive or primary activity.

The licensing authority will consider the individual merits of each application, and then only when an application attracts relevant representations, before deciding whether it is appropriate to limit the access of children to any given premises. The following are examples of premises that will raise particular concern:-

- Where there have been convictions for serving alcohol to minors or with a reputation for under-age drinking;
- Where there is a known association with drug taking or drug dealing;
- Where there is a strong element of gambling on the premises;
- Where entertainment of an adult or sexual nature is provided;
- Where films with age-restricted classifications are to be shown.

Where relevant representations are received in respect of an application, the licensing authority may consider the following additional measures (which may be adopted in combination) for limiting the access of children to licensed premises in order to prevent harm:-

- Limitations on the hours when children may be present;
- Limitations on ages below 18;
- Limitations or exclusion when certain activities are taking place;
- Restrictions or exclusions in respect of parts of premises;
- Requirements for an accompanying adult;
- Full exclusion of all persons under 18 years of age from the premises when any licensable activities are taking place.

### **Children and Cinemas**

In the case of premises giving film exhibitions, the licensing authority expects licence holders or clubs to include in their operating schedules arrangements for restricting children from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification.

### **Illegal Sales of Restricted Goods**

The licensing authority, Kent County Council's (KCC) Trading Standards and the police take a serious view of the sale to minors of age-restricted goods. Trading Standards in Kent will continue to seek to ensure that there is no illegal sale of age restricted goods. The work of KCC Trading Standards in setting up systems to avoid sales to minors taking place is acknowledged and welcomed by the licensing authority. This work will continue and the licensing authority will welcome reports from KCC Trading Standards on any relevant licensing matter. The licensing authority has particular regard to addressing problems caused by the link between alcohol sales to minors and crime and disorder issues.

### **Best Practice in the Protection of Children from Harm**

The licensing authority strongly encourages the implementation of best practice in licensed premises in the District in order to promote the protection of children from harm objective. Types of premises vary throughout the District, as do the types of licensable activities carried on at those premises, and therefore the steps appropriate to promote this objective will vary by premises.

When preparing their operating schedules, applicants are encouraged to carry out a risk assessment of their premises by reference to the following items of best practice:-

- Staff training on the law with regard to restricted sales;
- Training records and documentation to be kept available for inspection;
- Staff training to include; checking identification (ID) for proof of age, through a secure system. Ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark;
- A responsible person (as identified by Section 153 (4) of the Act) who is present and responsible for transactions made through staff that may be under 18 years of age;
- Procedures in place to record refusals of sales, with such records kept available for inspection;
- Vending machines dispensing age-restricted goods to be positioned to allow for proper supervision at all times;
- Arrangements for restricting children from viewing age-restricted films, classified according to the recommendations of the British Board of Film Classification (BBFC) or the licensing authority.

Where the majority of the intended audience at regulated entertainment is expected to be children or the entertainment offered is of a nature likely to be of interest to children (e.g. theatre productions or film shows), the following are considered best practice arrangements in order to control their access and egress and to assure their safety:-

- Each event/facility to assess requirements has undertaken specific risk assessments to identify ratios/regulations required for applicant may be asked to provide proof of risk assessment;
- A “lost child” policy which identifies arrangements for the safe care of lost children until they are reunited with the parent/guardian;
- A staff-to-children ratio which will ensure adequate supervision.

Applicants are expected to include the above items of best practice in their operating schedules, where relevant to the premises. Where they elect not to do so, they are advised to include information explaining the omission. This might be because a risk assessment has shown that the step is unnecessary or because the item is already the subject of another consent, e.g. a planning permission or statutory obligation. If such information is not included, it may result in a relevant representation being made, leading to the cost and delay of a hearing before a licensing sub-committee.

The steps volunteered in the operating schedule will become conditions of the



licence or certificate, and therefore applicants should consider carefully the steps appropriate for the promotion of the four licensing objectives at their particular premises.

### **Applications which Receive Objections**

If a relevant representation is made, the licensing authority will have discretion to take such steps as are appropriate to promote the four licensing objectives. In exercising its discretion, it may where relevant, take into account whether the applicant proposes to follow the best practice set out above.

The licensing authority recognises the need to avoid duplication with other regulatory regimes as far as possible, including avoiding replicating offences set out in the Act and other legislation. The Licensing Authority will, when considering an application following receipt of relevant representation, consider attaching conditions to licences and certificates intended to promote the licensing objectives, and these should reflect the general principles regarding licence conditions set out in Chapter 1 of the Guidance issued under section 182 of the Act.

Any such conditions imposed will be tailored to the style and characteristics of the premises and the type of activities expected/permitted/licensed to take place there.



## PART C – Temporary Event Notices

Where a person wishes to use premises for one or more licensable activities for a period not exceeding 168 hours, that person can serve a;

- Standard temporary event notice (TEN) must be served on the licensing authority, the police and the local authority exercising environmental health functions (EHA) on whose area the event is held, no later than ten clear working days before the event is to begin. To avoid confusion, the ten working days does not include weekends, public holidays, the day of receipt of the TEN and the day of the event itself.
- Late temporary event notices (late TEN) can be served up to five working days but no earlier than nine working days before the event. The late TEN must be served on the licensing authority, the police and the local authority exercising environmental health functions (EHA) on whose area the event is held, no later than five clear working days before the event is to begin. To avoid confusion, the five working days does not include weekends, public holidays, the day of receipt of the TEN and the day of the event itself.

The maximum number of persons allowed on the premises at the same time during the temporary event is 499.

If alcohol is to be supplied, all supplies must be carried out by or under the authority of the person serving the TEN, and that person need not hold a personal licence.

Only the police and EHA may object to the staging of a temporary event. If they believe that any of the four licensing objectives will be undermined by the event they will issue an 'objection notice'.

Where an objection notice is received in relation to a standard TEN, if required the licensing sub-committee will convene within seven working days of it being issued. The licensing authority will notify all relevant parties of the time and venue for the hearing. A hearing will not always be necessary if an agreement can be reached beforehand.

Where an objection notice is received in relation to a late TEN, the event will automatically be refused authorisation. There is no right of appeal in this instance.

There are limitations on the number of TENs that individuals can give and which can be given in relation to a particular premises:

- Any premises can only be used for 15 temporary events per calendar year, up to a total maximum of 21 days;
- Personal licence holders can give 50 TENs (made up of standard and late TENs) a year; non personal licence holders can only give 5 (made up of standard and late TENs);

- Personal licence holders can give 10 late TENs a year; non personal licence holders can only give 2;
- There must be at least 24 hours between temporary events organised by the same person or an associate in relation to the same premises.

The 2003 Act provides that only the licensing authority can impose conditions (from the existing conditions on the premises licence or club certificate) to a TEN. The licensing authority can only do so:

- If the police or EHA have objected to the TEN;
- If the objection has not been withdrawn;
- If the licensing authority considers it appropriate for the promotion of the four licensing objectives to impose one or more conditions.

Where the limitations on a temporary event cannot be fulfilled, for example due to the large numbers attending, a premises licence will be required. The licensing authority would strongly advise applicants to submit early notice of such a major event to allow responsible authorities to discuss and agree operating schedules.

## **PART D – Club Premises Certificate**

Members' clubs can operate under club premises certificate instead of premises licence. This means, for example, that they are not required to have a designated premises supervisor, and sales of alcohol do not need to be authorised by a personal licence holder.

### **Qualifying Clubs**

To be classified as a club for the purpose of this certificate, a group must meet several conditions. These include:

- Legitimacy - each applicant must be a real club with at least 25 members;
- A membership process that takes at least two days between application and acceptance;
- Alcohol must not be supplied on the premises other than by the club;
- Alcohol must be purchased by a committee made up of members all of whom are at least 18 years old;
- Alcohol for the club must be purchased legally.

Other legal restrictions for clubs operating under a club premises certificate are in the Act and applicants are advised to contact the licensing authority for advice.

## PART E – Personal Licences and Designated Premises Supervisors (DPS)

### Personal Licences

A personal licence is not required in order to be employed in a pub or other business that sells alcohol. Premises licensed to sell alcohol must have a designated premises supervisor, who holds a personal licence.

The one exception is a community premises that has successfully applied to waive the DPS requirement under section 41(d) of the Act.

Anyone who does not hold a personal licence must be authorised to sell alcohol by a personal licence holder. There is no such requirement for the supply of alcohol in a members' club.

Personal licences allow you to sell alcohol on behalf of any business that has a premises licence.

In order to apply, you must be aged 18 years or over, and hold a licensing qualification - for example, a BII Level II examination certificate for Personal Licence holder and a basic criminal conviction check, no more than three month old showing no relevant convictions.

The aim of the qualification is to ensure that licence holders are aware of licensing law and the wider social responsibilities involved in the sale of alcohol.

The personal licence is designed to ensure that anybody running or managing a business that sells alcohol will do so in a professional fashion. Only holders of personal licences can become designated premises supervisors for any business that sells **alcohol**.

### Designated Premises Supervisors

A designated premises supervisor (DPS) is normally the person who has been given the day-to-day responsibility for the running of the premises by the premises licence holder.

All businesses and organisations selling **alcohol**, except certain community premises must have a designated premises supervisor.

Whoever holds this role must be named in the operating schedule, which needs to be completed as part of the application process when applying for a premises licence or by submitting an application to vary a premises licence to specify an individual as a DPS.

The DPS will act as primary contact for the licensing authority and the responsible authorities, including the police. They must understand the social issues and potential problems associated with the sale of alcohol, and also have a good understanding of the business itself. While they need not be on

site at all times, they are expected to be involved enough with the business to be able to act as its representative.

If the licensing authority or police have any questions or concerns about the business, they will expect to be able to reach the DPS.

Each business may have only one supervisor selected for this role, but the same person may act as the designated supervisor at more than one business.

The Act requires the DPS and all personal licence holders take responsibility for the sale and supply of alcohol. This is because of the impact alcohol has on the wider community, on crime and disorder, and antisocial behaviour. Because of these issues, selling alcohol carries greater responsibility than licensing regulated entertainment and late night sales of food and non-alcoholic drinks.

### **Further Information**

If you need more details about the licensing process or making an application please contact the Licensing Department, Shepway District Council, Civic Centre, Castle Hill Avenue, Folkestone CT20 2QY. Tel: 01303 853000. [licensing@shepway.gov.uk](mailto:licensing@shepway.gov.uk)

Appendix A – Responsible Authorities

Appendix B – Delegation table

Appendix C – Useful addresses

## Appendix A: Responsible Authorities

Below is a list of Responsible Authorities:

- The relevant licensing authority and any other licensing authority in whose area part of the premises are situated
- Chief Officer of Police
- The local Fire & Rescue Authority
- The relevant authority under the Health & Safety at Work ect Act 1974
- Local authority exercising environmental health functions (EHA)
- The local Planning Authority
- A body that represents those who are responsible for or interested in matters relating to the protection of children from harm (Kent County Council social services)
- Each local authority's Director of Public Health (DPH) in England (Kent public health department)
- The local Weight and Measures Authority (Kent County Council trading standards)

Addresses for these bodies can be found in **Appendix C**

## Appendix B: Exercise and Delegations of Functions

All decisions on licensing matters under the 2003 Act, with the exception of the approval and review of its Statement of Licensing Policy, will be taken in accordance with the following scheme of delegation aimed at underlining the principles of timely, efficient and effective decision-making.

These delegations are without prejudice to Officers referring an application to a Sub-Committee, or a Sub-Committee to Full Committee, if considered appropriate by the Licensing Officer or Sub Committee in the circumstances of any particular case and where permitted by legislation.

<b>Matter to be dealt with</b>	<b>Sub Committee</b>	<b>Officers</b>
Application for grant licence	If Police representation made	If no representation made
Decision whether to revoke personal licence when convictions come to light after grant	All cases	
Application for personal licence with unspent convictions	All cases	
Application for premises licence/club premises certificate	If representation made	If no representation made
Application for provisional statement	If representation made	If no representation made
Application to vary premises licence/club premises certificate	If representation made	If no representation made
Application to vary designated premises supervisor	If Police representation made	All other cases
Request to be removed as designated premises supervisor		All cases
Application to transfer premises licences	If Police representation made	All other cases
Applications for Interim Authorities	If Police representation made	All other cases

Application to review premises licence/club premises certificate	All cases	
Decision whether a representation is irrelevant, frivolous, vexatious etc		All cases
Decision to object when local authority is a consultee and not the lead authority	All cases	
Determination of a police representation to a temporary event notice	All cases	
Determination of application for the alternative licence condition to be included in the licence instead of the conditions in section 19(2) and (3))	If police representation made	<i>If no police objection is made</i>
Determination of application by community premises to disapply the mandatory conditions for alcohol on a premises	If police representation made	<i>If no police objection is made</i>
Determination of application for a review: supply of alcohol from community premises	If police representation made	
Determination of application for expedited reviews	If police representation made	
Determination of application for Interim steps	If police representation made	
Determination of application for a review of premises licence following review notice	If police representation made	



Application for a Minor Variation of a Premises Licence		<i>All cases including if representation is made</i>
Application for a Minor Variation of a Club Premises Certificate		<i>All cases including if representation is made</i>

## Appendix C: Useful Addresses

Licensing Team  
Shepway District Council  
Civic Centre  
Castle Hill Avenue  
Folkestone  
Kent CT20 2QY  
01303-853526 / 853407  
[licensing@shepway.gov.uk](mailto:licensing@shepway.gov.uk)

### Responsible Authorities

#### **Police**

Police Licensing (East Division)  
CSU  
Canterbury Police Station,  
Old Dover Road,  
Canterbury  
Kent CT1 3JQ  
01622 690690

#### **Fire**

Fire Safety Officer  
Folkestone Fire Station  
Park Farm Road  
Folkestone  
Kent CT19 5DH  
01303-227201

#### **Environmental Health**

(Health & Safety)  
Mr A Atkins  
Environmental Health  
Shepway District Council, Civic  
Centre, Castle Hill Avenue,  
Folkestone, Kent  
CT20 2QY  
01303-850388

#### **Planning Control**

Planning  
Shepway District Council, Civic  
Centre, Castle Hill Avenue,  
Folkestone, Kent  
CT20 2QY  
01303-850388

#### **(Noise Pollution)**

Mrs S Hogben,  
Environmental Health  
Shepway District Council, Civic  
Centre, Castle Hill Avenue,  
Folkestone, Kent  
CT20 2QY  
01303-850388

#### **Trading Standards**

Kent County Council, Trading  
Standards, Invicta House, County  
Hall, Maidstone, Kent ME14 1XX  
01622-221012

#### **Social Services**

Kent County Council - Social  
Services  
Queens House, Guildhall Street,  
Folkestone, Kent CT20 1DX  
01303-253476

#### **Primary Health Care Trust**

Kent Public Health  
Room 1.60 Sessions House,  
County Hall, Maidstone Kent ME14  
1XQ  
01622 694175



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This Report will be made public on 22 March 2021



Report Number **OS/20/13**

**To:** Overview and Scrutiny Committee  
**Date:** 30 March 2021  
**Status:** Non key decision  
**Responsible Officer:** Helen Sudbury – Housing Operations Lead Specialist  
**Cabinet Member:** Cllr Godfrey - Cabinet Member for Housing, Transport and Special Projects

**SUBJECT:** TENANT ENGAGEMENT STRATEGY AND ACTION PLAN

**SUMMARY:** This report brings the draft Tenant Engagement Strategy for the Housing Service back to Members, following a period of consultation with our tenants.

**RECOMMENDATIONS:**

1. To receive and note report OS/20/13.
2. To seek Members' further views and comments on the draft Tenant Engagement Strategy and Action Plan.

## **1. BACKGROUND**

- 1.1 A report was brought to Overview and Scrutiny Committee on 16 February 2021 to gain Members' views and comments at an early stage on the draft Tenant Engagement Strategy (Appendix 1).
- 1.2 The Strategy was then open for consultation by being published on the Council's website and having an article in the Tenant Newsletter (hard copies were posted to all tenants and leaseholders). Tenants were encouraged to phone, write or email their comments to our Tenant Engagement Specialist. Tenants who do not access the internet could request a hard copy to be sent to them.

## **2. OUTCOMES OF THE CONSULTATION**

- 2.1 The consultation began on 17 February and closed on 12 March 2021 and we had 9 respondents. There were no comments to make any changes to the Strategy.
- 2.2 Comments pertinent to the Strategy were:
  - That is absolutely fine, having alterations and adaptations myself that are due to begin fairly soon will give me a first-hand view and a chance to pass on my experience to you.
  - I am profoundly Deaf and rely on email as my main method of communication. I find that it varies in how long my emails take to be read and actioned so suggest a live chat service for every department so things can be dealt with in real time.
  - I am physically disabled and have benefited from several changes and adaptations to my property which I am grateful for and extremely pleased with. I look forward to being able to share my experiences via tenant engagement in the future.
  - I would welcome the mental challenge and chance to be able to put something back into my community.
  - Just read the draft copy, it's OK but a lot of people want to live a quiet life and only want to contact you when there is a problem.
  - I think looking after tenants needs should be first on the list, other than that can't fault it.

- I feel that content is very good and all the areas of need have been addressed, there is a slight spelling mistake on page 7-with the word understanding and on page 11.

2.3 Prior to the Strategy going to wider consultation, the involved tenants we work with had already been introduced to the document and had contributed. The Chair of the current Tenant and Leaseholder Board, Elaine Bostock, has made a statement of support for our approach in the Foreword to the Strategy. Elaine and Gillian Jenkins, also a Board member, have been invited to this meeting.

### **3. NEXT STEPS**

3.1 As well as developing the Strategy, which sets out our vision for tenant engagement, we have produced an Action Plan (Appendix B) to show how we will achieve this. This is our 'road map' and will be a live document as we create the engagement structure and activities which will hear and respond to our Tenants' Voice.

3.2 Pending any changes Members might want to see following this Overview and Scrutiny Committee meeting, the Tenant Engagement Strategy and Action Plan will go to Cabinet on 14 April for approval.

### **4. RISK MANAGEMENT ISSUES**

4.1

<b>Perceived risk</b>	<b>Seriousness</b>	<b>Likelihood</b>	<b>Preventative action</b>
The Strategy is not approved or is not implemented, therefore the Council will not be compliant with the Regulator	High	Low	Thorough consultation at an early stage will lead to the Strategy and Action Plan being approved.
Tenant and Leaseholder Board not willing to embrace the new structure	Medium	Low	Informal and formal consultation process set up to allow plenty of time for meaningful feedback.

### **5. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS**

#### **5.1 Legal Officer's Comments (NM)**

There are no legal implications arising directly from this report.

#### **5.2 Finance Officer's Comments (CI)**

There are no financial implications arising directly from this report.

### **5.3 Diversities and Equalities Implications**

There are no diversities or equalities implications arising directly from this report

## **6. CONTACT OFFICERS AND BACKGROUND DOCUMENTS**

Councillors with any questions arising out of this report should contact the following officers prior to the meeting:

Helen Sudbury, Housing Operations Lead specialist  
[Helen.Sudbury@folkestone-hythe.gov.uk](mailto:Helen.Sudbury@folkestone-hythe.gov.uk)

### **Appendices:**

Appendix 1: Draft Tenant Engagement Strategy

Appendix 2 Action Plan



# Tenant Engagement Strategy

## Hearing our Tenants' Voice

2021-2024

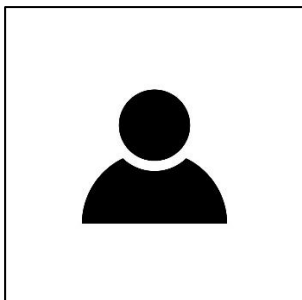
Housing Service

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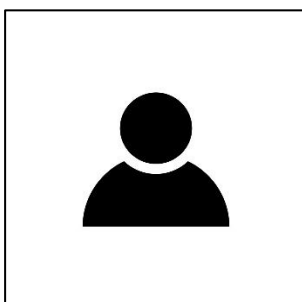
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## Foreword



### **Councillor David Godfrey, Housing Portfolio Holder**

I believe that the people living in the homes the Council provides have the best insight into what they need from their housing service. The district includes large rural spaces with towns and villages, as well as densely populated urban centres. It is important that our tenants and leaseholders living in these areas have a range of opportunities to share their knowledge and experiences with us. Our aim is to work in partnership with tenants to improve the housing service, making a positive difference to you, your neighbourhood and the wider community.



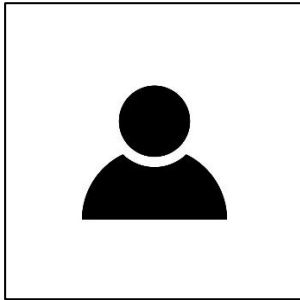
### **Elaine Bostock, Chair, Shepway Tenant and Leaseholder Board**

I joined the STLB for many reasons, anti-social behaviour, tackling the stigma associated with being a council tenant, supporting the vulnerable, helping to reduce crime, improving the local environments and ensuring quality services and value for money.

Tenant Engagement gives us tenants a bigger profile and louder voice that the council must listen too. We act as their moral compass to do the best for all tenants.

Being part of the creation and consultation process of the Tenant Engagement Strategy means that I have been able to oversee and work in partnership with FHDC and TPAS in putting together a realistic and relatable Strategy that will benefit the tenants and put us (The Board) in a position to oversee and hold to account, when necessary, the senior management of the housing service, We will also have

regular, open communication from our Councillor and fully ongoing support for Tenant Engagement, in order to carry on our responsibilities as Tenant and Leaseholder Board members for our District. I have been the chairperson for many years now, but I'm still learning - even with lockdown and Covid, tenants still need us in their corner improving their homes and environment.



**Andy Blaszkowicz, Director, Housing and Operations**

This strategy sets out Folkestone & Hythe District Council's commitment to engage with our tenants and leaseholders (collectively referred to as tenants in this document). Involving them in the decisions which affect their homes, local communities and the delivery of the housing service.

Understanding the changing needs and aspirations of our tenants is vital if we are to deliver a truly great housing service. The Council has developed this strategy jointly with tenants to ensure that the variety of opportunities created for genuine engagement include things that interest them, are accessible to all and take into account different lifestyles and availability to participate. We look forward to working with our tenants and encourage everyone to get involved.

## **1. Introduction**

### **1.1. About the Housing Service**

Folkestone and Hythe District Council (the Council) provides just over 3360 affordable rented homes in the district and manages 215 leasehold properties, as well as a small number of shared ownership properties. In October 2020 the Council established a housing management service to manage these properties.

## 1.2. Vision

The vision for the housing service is 'To create a world class, digitally enabled service that is easy to do business with and where tenants are at the heart of everything we do'. This includes providing a range of inclusive and accessible engagement options at every level. We want to use people's individual and collective skills to shape and build the service and future of affordable housing in Folkestone and Hythe.

This three year Tenant Engagement Strategy has been developed to fulfil the current and future expectations of the Council, its tenants, the Regulator of Social Housing and central government.

## 1.3. Strategic Priorities for the Council

This strategy and customer centred aims of the housing service are directly linked to the ambitions outlined in the Council's Corporate Plan for 2021-2030, 'Creating Tomorrow Together'. The plan has four service ambitions:

**A Vibrant economy:** Focus on attracting investment into the area, adapting to changes in the economies of local business and high streets in the area to increase employment, aspirations and the success of local businesses.

**Quality Homes and Infrastructure:** Ensure better access to a wider choice of high quality homes for all residents in the district, embracing sustainability.

**Positive Community Leadership:** To support and contribute to the health and wellbeing of residents. Addressing inequalities of access to resources and welfare services between communities, such as education, transport and health provision.

**A Thriving Environment:** Providing and maintaining open spaces and investment in green infrastructure to enhance our natural environment. Part of this is the aim that Council services will generate net zero carbon emissions by 2030.

The work undertaken to achieve these ambitions will be driven by six key principles, which include continuous improvement, and a commitment to be transparent, stable and accountable. The work we do alongside tenants in the delivery of the housing service is all part of the optimistic plans for our district detailed in 'Creating Tomorrow Together' 2021-2030.

## **1.4. Regulatory Requirements**

### **Regulator of Social Housing Standards**

There are four consumer regulatory requirements that housing providers must adhere to. For the purposes of Tenant Engagement the Council must follow the requirements of the Regulator of Social Housing's Tenant Involvement and Empowerment Standard 2017. The following are the three required outcomes for all social housing providers:

- Customer service, choice and complaints
- Involvement and empowerment
- Understanding and responding to the diverse needs of tenants

The Standard underpins the principles of co-regulation and tenant engagement. Co-regulation means that councillors are responsible for ensuring that their landlord services are managed effectively and comply with all regulatory requirements. The Council must also support tenants to shape and scrutinise service delivery and to hold councillors to account where standards are not being met.

### **The Charter for Social Housing Tenants**

The 2020 Housing White Paper 'The Charter for Social Housing Tenants' was produced building on the lessons learnt from the Grenfell Tower fire. The part of this document that is important to tenant engagement is 'To have your voice heard by your landlord'. The key themes are that:

- 'Engaged tenants' should be a key part of any landlord's governance and customer led assurance arrangements.

- Tenants who don't want to attend formal meetings or join a formal group need to have ways to feedback to their landlord to ensure their voices are heard and their needs are identified.
- Engagement opportunities are tailored to tenants' needs and interests, encouraging and supporting greater involvement.

This Charter also enforces that information should be published and available to tenants on how their landlord is performing in key areas of service delivery.

## 2. About Tenant Engagement

### 2.1. What is Tenant Engagement?

'Tenant Engagement' is a term used to cover many different activities within a housing service through which tenants can contribute to how the service is delivered. As part of its vision the Council will ensure that tenants are provided with a range of flexible options for involvement and engagement at different levels, which include both formal and informal settings in person and on line.

#### Key Elements of Effective Engagement:



The Council is creating ways for tenants to participate in engagement activities safely; supporting tenants to learn and explore new ways of working and communicating to ensure engagement thrives.

## 2.2. Impact & Outcomes of Meaningful Engagement

Effective engagement reaches all tenants not just those already involved, ensuring everyone has opportunities to contribute. It is not only about what tenants can tell us about their housing experience and needs, but also about giving tenants an understanding of what a housing provider must consider when delivering the service. This exchange of information promotes meaningful engagement, realistic expectations, as well as better decisions making, which improves outcomes and value for money.



The knock-on effect increases customer and staff satisfaction, of pride in a person's home, neighbourhood and workplace, leading to a sense of place within the community. Good engagement is built on mutual respect and the Council has an enormous appreciation for the dedication shown by the Shepway Tenant and



Leaseholder Board over the years, and for the experience and knowledge of its members. The aim is to expand engagement to increase the positive the impact and service outcomes.

### **2.3. Tenant Engagement Structure**

Over the life of this Tenant Engagement Strategy we aim to develop a structure which allows tenants to participate as much or as little as they want. We see this as different streams of activities.

**The Tenants' Voice** will be a small group of representative tenants who will work with the Council at a strategic level. Their brief will include monitoring performance against the expectations of the 'Charter for Social Housing Residents' and the Regulator for Social Housing's Consumer Standards and specifically the 'Tenant Involvement and Engagement Standard'.

Working alongside the senior managers and the Housing Portfolio Holder, to help deliver year upon year of improved service delivery, The Tenants' Voice will make recommendations to the Assistant Director and Director of Housing and share the views of tenants, which have been gained through evidence from the 'Your Choice' and 'Business Insight' channels.

It is recognised for tenants to be able to perform this strategic role, they will require on-going support, training and appropriate resources.

**Your Choice** will draw on the pool of residents who have expressed an interest in active engagement. It will include smaller groups of tenants who come together, probably online, to:

- Examine a particular service area in detail and make recommendations for changes, known as Task and Finish groups
- Examine and comment on proposals for changes to key policies
- Be involved in local issues such as major works on an estate
- Be part of particular interest groups
- Take part in local area walkabouts/inspections

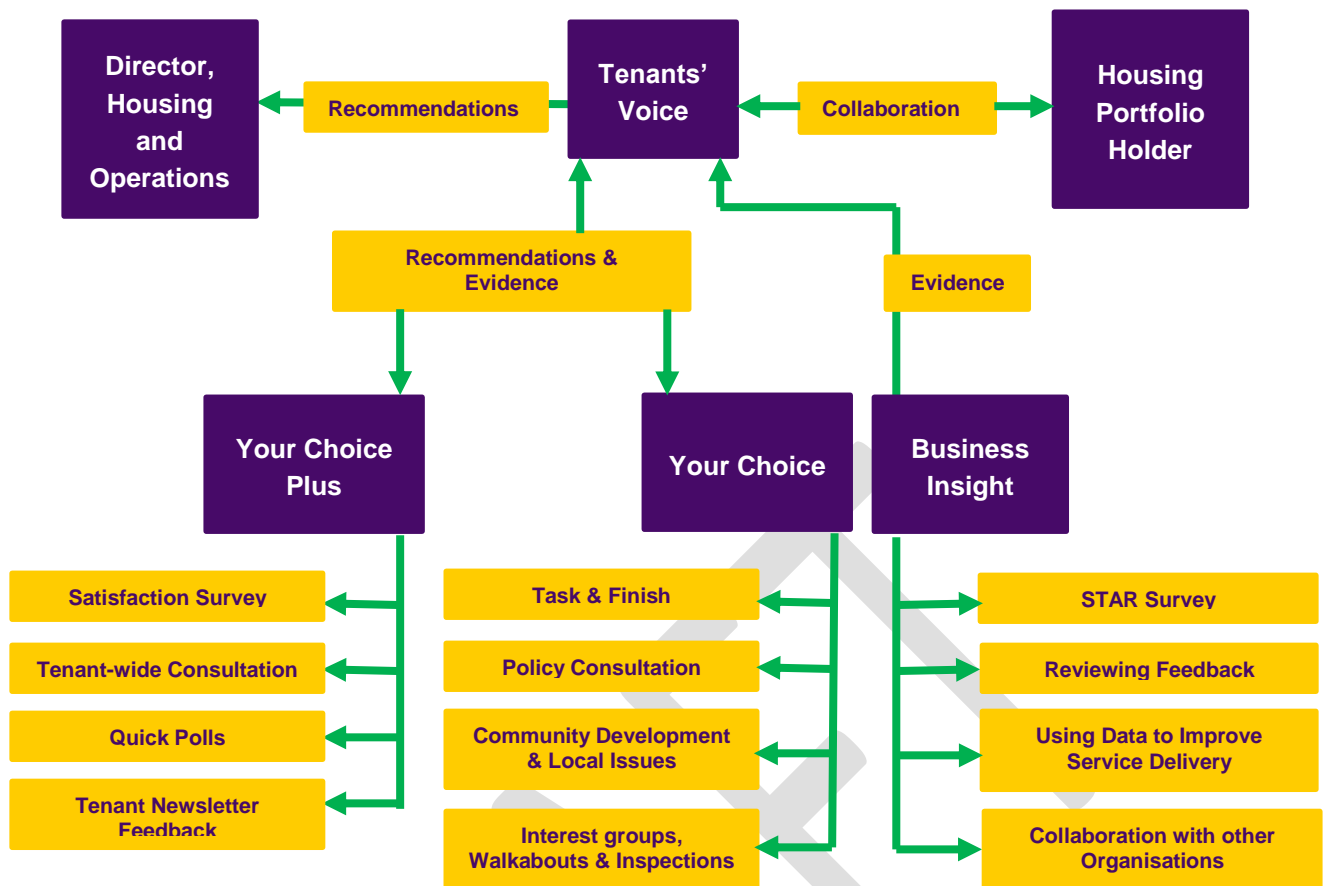
- Be Estate Champions
- Be mystery shoppers

**Your Choice Plus** will involve seeking the views of as many tenants as possible either on issues that affect all tenants or more locally based issues, in ways that are accessible, convenient and do not require ongoing commitment. This could include for example:

- Satisfaction surveys
- Local or tenant-wide online or postal consultations
- Quick polls using social media
- Seeking responses to articles in the Tenants Newsletter

**Business Insight** is making good use of all the data and information that we possess or receive about services and satisfaction. It includes learning from best practice in other organisations. Some examples include:

- Tenant Satisfaction Survey – we will conduct an extensive survey using the STAR system so we can compare our results with other landlords
- Reviewing feedback received, including complaints and compliments, social media comments and contractor satisfaction surveys
- Working to improve our customer profile data
- Working to make best use of transactional data – the reasons our tenants contact us, such as to report a repair or a neighbourhood problem, which combined with profile data can help us to understand the important issues to different groups of tenants
- Exploring collaborative working with other landlords and organisations
- Aiming to introduce real-time data so we can quickly identify and respond to issues or concerns.



## 2.4. Supporting a Tenant Engagement Culture

Tenant Engagement comes from and promotes a culture of mutual trust, respect and partnership between tenants and the landlord. It exists when these interests work together towards a common goal of better housing conditions and housing services. Tenant engagement will not be the responsibility of one member of staff, but will be an expectation of all members of the housing team.

The key principles of a tenant engagement culture are that:

- Tenant engagement should be a continuous process where participants share information and ideas, working towards a common understanding of problems and agreeing solutions.
- All participants need to have all the information available to consider issues properly, this needs to be clear, timely and accessible.

- All participants need to have all the information available to consider issues properly. Information needs to be clear, timely and accessible.
- Decision-making processes should be open, clear and accountable.
- Tenants should have enough time to consider issues properly. They should have the opportunity to work out a common view.
- The landlord must recognise the independence of the tenants' voice.
- Good working relations evolve gradually so must be flexible to adapt to local circumstances.
- Tenants need adequate resources for training and access to support in order to be organised and methodical when required.

## **2.5. Barriers to Engagement**

It is important to identify the barriers that stop tenant engagement and how these can be overcome. We recognise there are many barriers which prevent engagement, including:

- Lack of skills, training and/or confidence needed
- Understanding published information
- Time, work, family, caring constraints
- Transport, travel and other expenses

The Council is therefore committed to offering solutions and opportunities for tenant engagement to be easy to access for as many tenants as possible. These solutions include, but are not limited to:

- Providing training and support for tenants who would like to engage in any way
- Providing information in a range of formats to ensure it can be understood by all
- Providing information in a timely way, allowing tenants a reasonable and appropriate period to understand the information before commenting or giving feedback
- Providing transport and covering the financial costs incurred by tenants and leaseholders in carrying out their roles

- Offering a wide range of engagement methods to suit all lifestyles, and in emergency situations to allow tenants to continue to engage safely
- Arranging meetings at times and locations, or online, which are accessible and safe for tenants
- Providing practical support to establish engagement groups.

## **2.6. Valuing Diversity**

At the heart of this the housing service is our commitment to providing a fair and equitable service and ensuring that tenants are treated without discrimination. This strategy helps to deliver this commitment. We will make sure that in delivering our services we continue to be inclusive and representative. We want all our tenants to have the opportunity to be involved, regardless of age, disability, ethnicity, gender, sexual orientation, marital status or civil partnership, pregnancy or maternity status. We are committed to a digital agenda but we also will provide information in other formats when required.

## **3. Training for staff and for tenants about Tenant Engagement**

For this strategy to be successful it will be important that key staff and tenants have the right skills and approach. This will require a comprehensive training programme to help develop the right culture within the housing service, and to equip tenants with the necessary understanding of the service.

## **4. Communication**

High quality communication is key to keeping tenants informed, and to developing a landlord/tenant relationship that encourages feedback and engagement. Quality can be measured in terms of the style, frequency and content of communications. As part of this strategy the Council will:

- Publish a tenants newsletter 2 times per year, and work with tenants on its content and style
- Produce key performance information

- Ensure all consultation documents and correspondence are produced in a clear and accessible style
- Maintain an accessible and up to date housing section of the Council's website
- Maintain a regular and up to date presence on social media

## **5. Tenants' Key Priorities**

Based on feedback received from the STAR satisfaction survey conducted in December 2020, tenants' key service delivery priorities are:

- Repairs & Maintenance
- Landlord being easy to deal with
- Treating tenants fairly

Listening to tenants' views, this Strategy will focus on engaging with tenants in relation to these key areas.

## **6. Monitoring Our Performance**

It is important that tenants hold us to account, we do what we say we will do, and that our performance against the commitments set out in this strategy are visible to tenants, councillors and other key stakeholders. To do this we will:

- Produce a detailed action plan which will show how this strategy will be delivered.
- Develop a set of key performance indicators to measure key aspects of the strategy
- Produce regular briefings on tenant engagement activities
- Produce a Tenant Engagement Annual Report setting out the work and achievements in this area

## **7. Action Plan**

This Strategy sets out our aims, ambitions and commitments for developing tenant engagement for the next three years. We acknowledge that we are not there yet,

and that this work will involve many different tasks, projects and work streams. Alongside this Strategy we have produced an action plan which includes:

- Developing a training programme for staff and tenants
- Considering innovative ways to digitally engage with tenants
- Working to improve tenant profile data
- Working to improve tenant contact details, especially email addresses
- Developing the engagement structure
- Designing and implementing a recruitment process for the Tenants' Voice group
- Develop a Terms of Reference and work plan for the 'Tenants Voice' Group
- Developing social media platforms

8. Tenant Engagement Action Plan

To be inserted



## Structure- Putting Tenants at the heart of everything we do

Action Point	Strategy Index	Who is responsible?	By when?
Launch new Tenant Engagement Strategy with involvement options	2.2 Your Choice and Your Choice Plus	Tenant Liaison & The Housing Team	May 2021
Provide training for the Housing team on Tenant Engagement promotion	3.Training for staff and for tenants about Tenant Engagement	Tenant Liaison & Tpas	October 2021
Produce performance information for tenants	6. Monitoring Our Performance	The Housing Team	In place- website to be updated April 2021
Promote awareness of Tenant Engagement opportunities to ensure that Tenant Engagement is integral to all staff roles.	2.3. Supporting a Tenant Engagement Culture and 3.Training for staff and for tenants about Tenant Engagement	The Housing Team and Tpas	May 2021and ongoing
Review progress of the Tenant Engagement Strategy Action Plan	6. Monitoring Our Performance	The Housing Team	July 2021 & then quarterly
Establish tenant engagement objective for all Housing team members	3.Training for staff and for tenants about Tenant Engagement	The Housing Team	December 2021
Inclusion of tenant engagement in all induction programmes- Housing team	3.Training for staff and for tenants about Tenant Engagement	The Housing Team	August 2021
Linking our actions to the 7 principles within the Charter for Social Housing Residents white paper	2.3. Supporting a Tenant Engagement Culture and	The Housing Team	October 2021

	6. Monitoring Our Performance		
Linking our actions to the Regulator of Social Housing Tenant Involvement and empowerment Standard	2.3. Supporting a Tenant Engagement Culture and 6. Monitoring Our Performance	The Housing Team	Annually
Tackling Stigma - Include Tenant Engagement into staff training to embed the culture of our staff	2.3. Supporting a Tenant Engagement Culture and	The Housing Team	Ongoing

#### Communication - Widen and increase Tenant Engagement opportunities

Action Point	Strategy Index	Who is responsible?	By when?
Develop a viable recruitment plan to ensure the board contains the correct level of skill and expertise to engage at strategic level	2.2 Tenants Voice	Tenant Liaison & TPAS	June 2021
Design a webpage for Tenant Involvement on the FHDC website with options and involvement activities as well as links to Tenants exclusive social media pages, useful content and top new stories within the Housing Service	2.2/4 Business Insight and Communications	Housing Communications, Tenant Engagement and IT	May 2021
Recruit and support tenants that have expressed a desire to be more involved and begin to utilise them on a number of consultative matters for FHDC Housing Service	2.2 Your Choice and Your Choice Plus	Tenant Liaison & The Housing Team	August 2021

Develop a communication and engagement plan	2.3. Supporting a Tenant Engagement Culture	The Housing Team	August 2021
Develop online options for Tenant Engagement, including virtual communities on social media of tenants and leaseholder forums and development of the FHDC website	2.2 Your Choice and Your Choice Plus and 2.3. Supporting a Tenant Engagement Culture	Tenant Liaison Team and Housing Communications	October 2021

### Training - Enabling Tenants to make a difference and have their voices heard

Action Point	Strategy Index	Who is responsible?	By when?
Agree finances and resources for Tenant Engagement Service and review budgets for tenants groups	2.2 The Tenants Voice	Tenant Liaison & The Housing Operations Lead	July 2021
Agree Terms of Reference for Strategic Board, and undertake recruitment campaign. 3	2.2 Tenants Voice	Tenant Liaison & Tpas	July 2021
Produce a training plan for our involved tenants	3.Training for staff and for tenants about Tenant Engagement	Tenant Liaison & Tpas	September 2021
Develop a clear expenses process for involved tenants	2.4.Barriers to Engagement; Transport, travel and expenses.	Housing Operations Lead and Tenant Liaison team	July 2021

Planned and major works consultation methods - Design and delivery of the planned and major works programmes using the engaged tenants	5 Tenants' Key Priorities 2.3. Supporting a Tenant Engagement Culture	Major Works, Repairs, Housing Communications & Tenant Engagement	April 2021
Provide tools and equipment to enable Tenant Engagement	2.4.Barriers to Engagement; Transport, travel and expenses 2.3. Supporting a Tenant Engagement Culture	Tenant Engagement	August 2021
Enable Tenants to be involved in the Health and Safety of their homes <ul style="list-style-type: none"> <li>- Major works consultation</li> <li>- Input in designing campaigns</li> <li>- EIP</li> <li>- Fire safety in flats</li> </ul>	2.2 The Tenants Voice (STLB) 5 Tenants' Key Priorities 2.3. Supporting a Tenant Engagement Culture	Major Works, Repairs, Housing Communications & Tenant Engagement	December 2021

#### Performance- Maximising Business Intelligence and acting on customer feedback to improve service delivery

Action Point	Strategy Index	Who is responsible?	By when?
Ensure the priorities from the STAR survey are captured in the Service Plan	5 Tenants' Key Priorities	The Housing Team	April 2021
Establish a systematic approach to use feedback from satisfaction surveys, complaints, repeat calls etc to identify issues	2.2 Business Insight	Business Insight Team	March 2022
Ensure that all new data collected is uploaded onto the Northgate Database and regularly updated; especially contact details and demographic and diversity data	2.2 Business Insight	Tenant Engagement Team	To start April 2021 and ongoing

Consider diversity of engagement and feedback activity, compared to the profile of our tenants and agree steps to redress any imbalance if necessary	2.5. Valuing Diversity	The Housing Team	March 2022
Implementing GIS Data mapping	2.2 Business Insight	Business Insight Team & Tenant Engagement Team	March 2022
Sharing good practice and work with peer groups to achieve the TPAS Tenant Accreditation Standard and stay current on viable Tenant Engagement activities	6. Monitoring Our Performance	Tenant Engagement Team	June 2022
Using benchmarking data to ensure Value for Money for our services	6. Monitoring Our Performance & 2.2 Business Insight	The Housing Team	March 2022

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