

Appendix 2

What you can expect from the Licensing regulatory service in Test Valley Borough Council – our Service Standards

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This document explains what you can expect of the Licensing regulatory service in Test Valley Borough Council.

Whether you are running a business, are an employee or a member of the public, we are committed to providing you with an efficient, courteous and helpful service and this document tells you how we aim to do that and what standards we will meet.

Areas we regulate

We deliver services in the following areas:

- Licensing Act 2003 – alcohol, regulated entertainment and late night refreshment
- Gambling Act 2005 – gambling premises, gaming machines and lotteries/raffles/draws
- Hackney Carriages and Private Hire Vehicles – commonly referred to as taxis and mini-cabs but this can also include chauffeur services
- Charitable Street and House to House Collections
- Sex Establishments – Sex Cinemas, Sex Shops and Sexual Entertainment Venues
- Tables and Chairs on the Highway/Pavement Licences
- Scrap Metal Dealers

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How we deliver our services

We make a fundamental contribution to the maintenance and improvement of public safety, quality of life and wellbeing. Our aims are to:

- Protect the public, businesses and the environment from harm
- Support the local economy to grow and prosper

We determine our activities by assessing the needs of local people and our business community and considering the risks that require addressing. We do this through corporate consultation and through using data and other information available to the Council and its partners. In this way we ensure our resources are targeted appropriately, in the light of these local needs and of national priorities.

We are committed to being transparent in our activities. We ask customers to complete an online customer satisfaction survey to see how we are doing.

We carry out all our activities in a way that supports those we regulate to comply and grow:

- We ensure that information, guidance and advice is available to help you to meet legal requirements (see [Helping you to get it right](#)).
- We carry out inspections and other activities to check compliance with legal requirements, and we target these checks where we believe they are most needed (see [Inspections and other compliance visits](#)).
- We deal proportionately with breaches of the law as set out in our Enforcement Policy, including taking firm enforcement action when necessary (see [Responding to non-compliance](#)).
- We provide a range of services to businesses, including, advisory visits and information (see [Requests for our service](#)).

Our services will be delivered in accordance with the requirements of the [Regulators' Code](#).

Working with you

In all your dealings with us you can expect, and will receive, an efficient and professional service. Our officers will:

- Be courteous and polite
- Always identify themselves by name in dealings with you, and provide you with contact details
- Seek to gain an understanding of how your business operates

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- Provide details of how to discuss any concerns you may have
- Agree timescales, expectations and preferred methods of communication with you
- Ensure that you are kept informed of progress on any outstanding issues.

We recognise that your business will receive advice and inspections from other organisations, and we will do our best to work with them to ensure that you receive the best service.

Helping you to get it right

We want to work with you to help your business to be compliant and successful and it is important to us that you feel able to come to us for advice when you need it. We won't take enforcement action just because you tell us that you have a problem.

We make information and guidance on meeting legal requirements available at <https://www.testvalley.gov.uk/business/licensingandregulation/licensing/>

Where you need advice that is tailored to your particular needs and circumstances we will:

- Discuss with you what is required to achieve compliance
- Provide advice that supports compliance and that can be relied on
- Provide clear advice that can be easily understood and implemented
- Distinguish legal requirements from suggested good practice
- Ensure that any verbal advice you receive is confirmed in writing if requested
- Acknowledge good practice and compliance.

Whilst we cannot promise to always do so, we will endeavour to visit you at your premises and these visits are free.

More details of the services we provide can be found at

<https://www.testvalley.gov.uk/business/licensingandregulation/licensing/>

Some aspects of licensing are subject to the national Primary Authority Scheme. More information on this can be found at

<https://www.gov.uk/government/publications/primary-authority-overview>

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Inspections and other compliance visits

We monitor and support compliance in a number of different ways including through inspections, test purchases¹, advisory visits and complaint investigations. These visits will always be based on an assessment of risk – we won't visit without a reason.

We will give you notice that we intend to visit unless we have specific reason to believe that an unannounced visit is more appropriate.

When we visit you our officers will:

- Explain the reason and purpose of the visit
- Carry their identification card at all times, and present it on request when visiting your premises
- Exercise discretion in front of your customers and staff
- Have regard to your approach to compliance, and use this information to inform future interactions with you
- Provide information, guidance and advice to support you in meeting your statutory obligations, if required
- Provide a written record of the visit where requested.

Where a visit is necessary as part of an application for a licence, registration or permit the cost of any visit is included in the licence fee charged. Please note that some fees are set by statute but for other fees the level is set by the Council.

<https://www.testvalley.gov.uk/business/licensingandregulation/licensing/advice/information/schedule-fees-charges>

Responding to non-compliance

Where we identify any failure to meet legal obligations, we will respond proportionately, taking account of the circumstances, in line with our Enforcement Policy.

We deal proportionately with breaches of the law as set out in our Enforcement Policy available at

<https://www.testvalley.gov.uk/business/licensingandregulation/licensing/advice/information/>

including taking firm enforcement action when necessary.

¹ Test purchases may consist of mystery shopper type exercises to check taxi fares are being charged correctly or checking compliance with the Premises Licence mandatory condition regarding sale of alcohol at cost price plus VAT. Test purchasing of age-related products such as alcohol and cigarettes is the responsibility of Hampshire County Council Trading Standards Service and/or Hampshire and Isle of Wight Constabulary. Whilst underage test purchasing of gambling premises could be undertaken by the Borough Council, this is not currently planned.

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Where we require you to take action to remedy any failings we will:

- Explain the nature of the non-compliance
- Discuss what is required to achieve compliance, taking into account your circumstances
- Clearly explain any advice, actions required or decisions that we have taken
- Agree timescales that are acceptable to both you and us, in relation to any actions required
- Provide in writing details of how to appeal against any advice provided, actions required or decisions taken, including any statutory rights to appeal
- Explain what will happen next
- Keep in touch with you, where required, until the matter is resolved

Requests for our services

We clearly explain the services that we offer, including details of any fees and charges that apply

<https://www.testvalley.gov.uk/business/licensingandregulation/licensing/adviceinformation/schedule-fees-charges>

In responding to requests for our services, including requests for advice and complaints about breaches of the law, we will:

- Acknowledge your request within 3 days
- Tell you when you can expect a substantive response
- Seek to fully understand the nature of your request
- Explain what we may or may not be able to do, so that you know what to expect
- Keep you informed of progress throughout our involvement
- Inform you of the outcome as appropriate

Our response times and expected resolution times is available at

<https://www.testvalley.gov.uk/aboutyourcouncil/howarewedoing/customerchart er/>

<https://www.testvalley.gov.uk/aboutyourcouncil/howarewedoing/councilperformance/>

However, please be aware that our officers will exercise their judgment to determine whether a more prompt response is required.

How to contact us

You can contact us by:

Telephone: 01264 368000

Email: licensing@testvalley.gov.uk

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Web: www.testvalley.gov.uk

By post: Licensing Section, Beech Hurst, Weyhill Road, Andover, Hampshire SP10 3AJ

Or in person: Beech Hurst, Weyhill Road, Andover, Hampshire SP10 3AJ

We will seek to work with you in the most appropriate way to meet your individual needs. We can make information available in different formats, and have access to translation and interpretation services.

If you contact us we will ask you for your name and contact details to enable us to keep in touch with you as the matter progresses. We treat all contact with the service in confidence unless you have given us permission to share your details with others as part of the matter we are dealing with on your behalf or there is an operational reason why we need to do so. We will respond to anonymous complaints and enquiries only where we judge it appropriate to do so. Ordinarily, we will expect complaints to be submitted in writing or via email.

Personal data will be managed in accordance with The Council's Data Protection Policy.

<https://www.testvalley.gov.uk/aboutyourcouncil/accesstoinformation/data-protection/data-sharing>

Our Team

We have a dedicated team of officers who have the appropriate qualifications, skills and experience to deliver the services provided. We have arrangements in place to ensure the on-going professional competency of all officers.

Where specialist knowledge is required in an area outside of our expertise we will liaise with both neighbouring authorities and other regulatory organisations, to call on additional resources as necessary.

Working with others

We work closely with other council services such as Planning, Economic Development and Environmental Health and our aim is to provide a streamlined service to you.

We are part of a much wider regulatory system in the Test Valley area and have good working relationships with other regulators such as the Gambling Commission

<https://www.gamblingcommission.gov.uk/>

And Hampshire County Council Trading Standards

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<https://www.hants.gov.uk/business/tradingstandards>

This enables us to deliver a more joined up and consistent service. This includes sharing information and data on compliance and risk, where the law allows, helping target regulatory resources.

Having your say

Complaints and appeals

Where we take enforcement action, there is often a statutory right to appeal. We will always tell you about this at the appropriate time.

We are always willing to discuss with you the reasons why we have acted in a particular way, or asked you to act in a particular way. You can contact Mr Michael White, Licensing Manager

mwhite@testvalley.gov.uk

We manage complaints about our service, or about the conduct of our officers, through the Council's Corporate Complaints Policy. Details can be found at:

<https://www.testvalley.gov.uk/aboutyourcouncil/howarewedoining/complaintscoplimentsandfeedback/complaint/>

Or to the Complaints & Communications Officer

Tel: 01264 368000

E-mail complaints@testvalley.gov.uk

Feedback

We value input from you to help us ensure our service is meeting your needs. We would like to hear from you whether your experience of us has been good or in need of improvement. This helps us to ensure we keep doing the right things and make changes where we need to. We use customer satisfaction surveys from time to time but we would welcome your feedback at any time. You can provide feedback in the following ways:

Telephone: 01264 368000

Email: licensing@testvalley.gov.uk

Web: www.testvalley.gov.uk

By post: Licensing Section, Beech Hurst, Weyhill Road, Andover, Hampshire SP10 3AJ

Or in person: Beech Hurst, Weyhill Road, Andover, Hampshire SP10 3AJ

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Any feedback that we receive will be acknowledged, considered and where appropriate responded to.

Developing our services with you

Where possible we will consult with a number of groups to ensure that we are delivering our services to meet your needs. In the past these have included Andover Pubwatch, Romsey Pubwatch and the Test Valley Taxi Association although at the time of writing only Romsey Pubwatch is active. The Council currently works with local communities including businesses and residents.

Dated: TBC

Name: Michael White

Job title: Licensing Manager

Review Due: TBC