

Committee: LICENSING & ENVIRONMENTAL

Agenda Item

Date: 4 March 2015

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Title: ENFORCEMENT

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Item for information

Summary

1. This report is to inform members of enforcement action taken since the last report to this committee.

Recommendations

2. That members note the contents of this report.

Financial Implications

3. None.

Background Papers

4. None.

Impact

- 5.

Communication/Consultation	None
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	None

Situation

6. Since my last report to this committee I have seen 3 drivers with a view to exercising my delegated powers to suspend their licences. All 3 drivers had breached a condition on their licence of failing to notify the council of fixed penalty notices within 7 days of receipt.
7. In the case of one driver, he volunteered the information to the council promptly upon return of his driver's licence with points endorsed. This is good mitigation and for that reason I suspended his licence for 2 days only. With the other 2 drivers the council only became aware of the endorsements upon the application to renew their licences. There were no mitigating or aggravating factors and in both cases a 5 day suspension was imposed.
8. No cautions had been administered since the last report. Cautions had been issued for offences prior to the last meeting but it was apparent that these were not acting as a deterrent. I therefore informed members at the last meeting that in future prosecution would be the first option and a caution would only be administered if the circumstances of the case warranted it.
9. Most of the cautions were for the offence of failing to wear the driver's badge. The majority of complaints were received from Essex County Council whose school contract inspectors routinely reported the offences. Essex County Council no longer uses school contract inspectors and it is probable therefore that the number of reports will substantially diminish.
10. The council did prosecute one driver for making a false statement in order to obtain a licence. He was fined £110 plus £20 victim surcharge and ordered to pay the council's costs of £414 in full. Prior to the prosecution taking place his application for a licence was refused by the committee. That decision was not subject of an appeal.

Risk Analysis

11. There are no risks associated with this report.