

**Committee:** Licensing and Environmental Health

**Date:**

**Title:** Enforcement Update

28 April 2020

**Report Author:** Joanne Jones, Licensing and Compliance Officer, 01799 510326

---

## Summary

1. This report is to inform members of the enforcement activities between 1 July 2019 and 31 March 2020.

## Recommendations

2. That members note the contents of this report.

## Financial Implications

3. None arising from this report

## Background Papers

4. None.

## Impact

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

5. Between 1 July 2019 and 31 March 2020 124 cases were opened involving the licensed private hire and hackney carriage trade. Of these 60 concerned drivers, 45 concerned Private Hire Vehicles, 12 concerned hackney carriage vehicles and 7 concerned Private Hire Operators.
6. The number of licensed premises cases opened during this period was 8.
7. One case was opened concerning table and chair permits.
8. Five drivers had their licences revoked by committee during this period. One has lodged an appeal with the Magistrates Court. One private hire vehicle licence was revoked by committee as the driver's licence had lapsed. The appeal against this decision was dropped. One new driver's application was refused by committee.
9. Four drivers had their licences suspended under delegated powers during this period for a breach of their licence conditions and four drivers had their licences suspended using delegated powers due to changes in their medical condition.
10. Two drivers surrendered their licences having moved address and one surrendered his licence for health reasons.
11. Enforcement officers responded to 16 licence history requests from other licensing authorities and provided details of one licensed driver to the National Fraud Authority and details of another to the Department for Work and Pensions.
12. Two drivers were required to take a driving proficiency test within a given time after reports of dangerous driving were received. Failure to provide a pass certificate by the end of the given time to result in their driver's licence being suspended until such time as they have complied.
13. Six private hire vehicles were suspended by the Enforcement Officer and one hackney carriage vehicle. Details as follows:
  - 6 monthly test overdue and no MOT. Driver no longer had the vehicle and surrendered the plate.
  - Vehicle had no MOT and a SORN notice. Driver was no longer working for stated operator. Vehicle licence expired.
  - Vehicle sustained accident damage. Vehicle repaired and suspension lifted.
  - Vehicle stopped during multiagency check at airport, had multiple faults - vehicle repaired, checked by officer and suspension lifted.
  - Vehicle reported to have 9 passenger seats whilst only licensed to carry eight passengers. Brought into council for check. Several other faults

noted – 2 of the seats were not securely fixed, the wheelchair ramp was not working and the licence plate was not fixed to the rear of the vehicle. Faults corrected and suspension lifted.

- Vehicle was reported to be emitting large amounts of black smoke. Vehicle brought into council and sent to garage for emissions test which it failed. After 2 months the fault could not be rectified so the licence was considered revoked and the plate surrendered.
- HCV – we received report that this vehicle had been damaged. Damage was repaired and suspension lifted.

14. Following reports from drivers that an operator had gone out of business the Enforcement Officer carried out a check with Companies House that showed the company had gone into liquidation. The Operator was contacted and surrendered the Operator licence and 5 Private Hire Vehicle licences.
15. Officers carried out routine compliance checks at 2 Private Hire Operator's offices. Records were checked and were satisfactory.
16. Enforcement Officers carried out multi-agency stop checks at Stansted Airport in July, August, September and October 2019. One private hire vehicle was required to have faults repaired and one private hire vehicle was suspended until repairs had been carried out. One hackney carriage was required to have defective bulbs replaced and the driver was sent a letter reminding him that he should have been using his meter. One hackney carriage driver was sent a warning letter for not displaying a table of fares and having the licence plate in the rear window.
17. One premises licence was surrendered during this period. The Licensing Team were advised that the premises had been sold, but no transfer application was received. The Enforcement Officer contacted the previous owner who advised that the premises was currently closed and surrendered the licence before the annual fee became due.
18. Officers carried out compliance visits to the 4 scrap metal sites currently licensed in the district. All satisfactory.
19. In March 2020 Officers visited all approved garages in the district to advise about the new emissions policy that came into effect on 1 April 2020 and to discuss the compliance test sheet.

## **Risk Analysis**

20. There were no risks attached to this report.