

Committee: Licensing & Environmental Health

Date:

Title: Enforcement Update

16 November 2021

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Item for decision:
No

Summary

1.1. This Enforcement Update report is to inform the Committee of the enforcement activities carried out by Licensing Officers during the period of 01 July 2021 to 31 October 2021.

Recommendations

2.1. It is recommended that Members note the contents of this report.

Financial Implications

3.1. There are no financial implications arising from this report.

Background Papers

4.1. None

Impact

5.1.

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

6.1. With Covid-19 restrictions ending in July 2021, focus has shifted towards more 'ordinary' licensing regulation and in particular helping licensed premises with making any necessary changes to their licences such as with new designated premises supervisors or business operation following the effects of the pandemic.

6.2. The Licensing team has been working closely alongside Essex Police Licensing colleagues in visiting premises throughout the district to regenerate interest in a PubWatch scheme, which hasn't been in place in Uttlesford for several years. PubWatch is where licensees form an independent group in order to share information on any known crime or anti-social behavior issues, strengthening the safety and security of both customers and staff. While Council and Police staff are not directly involved in PubWatch once it is fully functional, it is normal for both to aid in the promotion of and to partake in establishing the initial meetings and adoption of a chair person/s. At the time of writing, positive interest has been received from licensees in Saffron Walden, Stansted Mountfitchet and Great Dunmow. It is still in the early stages but Members will be provided with further information at the next Committee.

6.3. On the 19 July 2021 Licensing Officers joined in with the Community Safety Partnership initiative 'Safer Streets' and visited premises in Great Dunmow to speak to licensees.

6.4. On the 21 August 2021 Licensing Officers took part in an Essex Police led 'Operation Benison' late night premises visit across selected venues in Saffron Walden and Great Chesterford, and no issues were identified.

6.5. There have been 7 Private Hire Operator inspections conducted during this period and any minor issues found were dealt with appropriately.

6.6. On the 6 July 2021 Licensing Officers paired up with colleagues from Braintree and Colchester for 'Operation Coachman' inspections at selected schools across each district. 1 driver was given an advisory for having cosmetic damage to their vehicle and a tyre that was close to the legal limit.

6.7. 2 Taxi and Private Hire inspection operations have taken place at Stansted Airport, once with just Uttlesford Licensing Officers and the other with DVSA, Police and Chelmsford Licensing colleagues. Less severe issues were identified such as missing 'no smoking' stickers and UDC door signs, all of which have since been resolved. One vehicle licence was suspended immediately after a Licensing Officer noticed a cracked windscreen which was believed to be unsafe.

6.8. In respect of licensed hackney carriage and private hire drivers, there has been 3 licence revocations and 39 licence suspensions. These are broken down as follows;

- 2 revocations were as a result of drivers attempting to bribe garage staff into passing their vehicle regardless of the outcome of its compliance test. Both drivers were referred to the Licensing Panel and were revoked with immediate effect. It should be noted that 1 of the individuals who had their driver licence

revoked has now appealed the decision to the Magistrates' Court.

- 1 driver was revoked by the Licensing Manager under delegated powers after receiving a DVLA disqualification.
- 37 suspensions were as a result of Medical and/or DBS certificates not being received from the driver by the required date, or for identified medical conditions.
- 2 suspensions were due to drivers who had failed to provide evidence of having taken a driving proficiency test in line with the Council's suitability policy for drivers with an accumulation of 9 or more points on their DVLA licence. 4 further drivers had been requested to undergo a driving proficiency test following the accumulation of 9 or more points, 3 had done so within the prescribed timeframe and 1 chose to surrender their licence.
- Of the 39 suspensions, 4 have now been lifted following necessary compliance and 2 drivers opted to surrender their licences.

6.9. In respect of licensed hackney carriage and private hire vehicles, there have been 15 licence suspensions.

- 14 vehicles were suspended following overdue and outstanding 6-monthly compliance tests and 1 vehicle was suspended following an accident and associated damage.
- 2 vehicle suspensions from the previous period were lifted having now had the new Hackney Carriage fare tariff applied to their meters. All Hackney Carriages are now set to the current tariff and all meters are calendar controlled, meaning the driver cannot manually change the tariff rate to a higher or lower level.

6.10. A total of 28 complaints have been received during this period. These are broken down as follows;

- 22 complaints relating to drivers. 5 of these remain in progress at the time of writing. The complaints mostly relate to either driving standards or driver behaviour
- 6 complaints relating to vehicles. These are mostly in regards to parking issues and have all been resolved and closed. 1 complaint was in relation to a Hackney Carriage allegedly overcharging a customer, however was found to be unjustified. Licensing Officers wrote to all Hackney Carriage proprietors in response to advise on the appropriate use of meters.

6.11. The Designated Premises Supervisor of 1 premises informed the Licensing team of their decision to remove themselves from the licence, meaning the premises could not legally sell alcohol at that time. Licensing Officers visited the following day to make staff aware, and a new DPS was appointed later the same day.