

Committee: Licensing & Environmental Health

Date:

Title: Enforcement Update

18 October 2022

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Summary

1. This Enforcement Update report is to inform the Committee of the enforcement activities carried out by Licensing Officers during the period of 1 July 2022 to 30 September 2022.

Recommendations

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

Financial Implications

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

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

6.1. During the latest period the schools were closed for the summer holidays meaning that a substantial proportion of the Council's licensed drivers were not actively working. The schools reopened for the new academic year at the beginning of September and with it a new influx of drivers and vehicles were brought into new or renewed contracts on behalf of the Private Hire Operators fulfilling home to school transportation duties. For that reason this is always a key time for compliance activities and Officers partook in school visits alongside partners at the DVSA and County Councils. 7 separate school visits were achieved and the number of drivers and vehicles inspected totaled 25, and form part of the overall total of 91 for the period.

6.2. Of the 91 drivers and vehicles inspected, none had to be issued with immediate suspensions and only two given a minor rectification notice which were for a deteriorating tyre and a missing LOLER certificate – required for mechanical tail lifts on wheelchair accessible vehicles. The other minor issues identified range from lack of door signs, missing fare tariffs, and driver badges not being on view or present with the driver, all of which were easily resolved with verbal warnings.

6.3. Aside from school visits, Officers have made 10 separate visits to Stansted Airport either for general inspection activities or for disrupting taxi touts. The latter of which has become a more prevalent issue in recent times and has required efforts from the airport Police unit, TFL Officers and Uttlesford Officers. By approaching a suspected tout and asking questions of them it has always resulted in that person fleeing the scene. It should be noted that touting is a common airport issue and not isolated to Stansted, but is unfortunately difficult to prevent. Another common airport issue is with Park & Ride businesses and those identified have been or are being dealt with alongside Police and Uttlesford Planning colleagues. One had unfortunately been found with an unlicensed driver and is currently part of an ongoing investigation.

6.4. Cross border partnership has continued to be a success and Uttlesford Officers have participated in joint enforcement activities with areas such as Cambridgeshire, Bedfordshire, Hertfordshire, TFL, and operations that have taken place for example in Luton, Watford, Peterborough, Wisbech and Banham in Norfolk.

6.5. The main focus with licensed Premises has been with the promotion of Ask Angela, which is a nationwide campaign designed to potentially offer a vital life-line to someone who finds themselves in a difficult situation and can't get out of it. The idea is that the threatened person can ask for 'Angela' to a member of staff and that acts as a code word for requiring assistance, which might be in the form of contacting the Police or just arranging for a taxi discreetly. The material given out includes posters for placement in inconspicuous locations such as toilets and material for prompting staff to understand and recognise it. Though it isn't a new campaign, after more recent high profile incidents it is again being promoted by Essex Police and Licensing Officers have offered to help with the distribution. At least 16 premises have been issued with the material and all have been more than willing to install the posters and play their part.

6.6. The latest update with Pubwatch is that a Chairperson has been agreed in principle for the Saffron Walden area and the expectation is that the first meeting will be arranged in time for the busy Christmas period. There have also been further meetings for both Dunmow and Stansted Mountfitchet.

6.7. There have been 7 Private Hire Operator inspections conducted during this period and all were found to be satisfactory.

6.8. In respect of licensed hackney carriage and private hire drivers, there has been 1 licence revocations and 4 licence suspensions. These are broken down as follows;

- The 1 revocation was made with immediate effect under delegated powers by the Chair of the Licensing & Environmental Health Committee and Licensing Manager. This was as a result of the driver allegedly having assaulted a minor while on a home to school transportation journey. The Essex LADO had advised revocation and the driver was under investigation by the Police.
- Of the 4 suspensions, 1 was as a result of medical concern, 1 failed their Green Penny exam, 1 had an overdue DBS certificate, and 1 failed to complete their driver proficiency test following accumulation of 9 points on their DVLA licence.

6.9. In respect of licensed hackney carriage and private hire vehicles, there have been 22 licence suspensions.

- 13 vehicles were either suspended following the failure of their compliance tests or they had not taken a compliance test by the required deadline, 7 suspensions were issued following accidents and associated damage, and 2 for being taken off road for repairs.

6.10. A total of 20 complaints have been received during this period. These are broken down as follows;

- 10 complaints relating to drivers. The complaints mostly relate to driving standards, but there has also been alleged smoking within the vehicle, verbal abuse of Council staff and one which was a safeguarding issue but didn't progress further than the LADO as it was unjustified.
- 1 complaint relating to a Hackney Carriage vehicle where the customer was allegedly being overcharged. This was found to be unjustified.
- 1 complaint relating to a Private Hire vehicle being seen with no door stickers.
- 8 complaints relating to licensed premises. 3 had allegedly served alcohol to underage persons, 2 were alleged to have committed unlicensed activities, 2 were alleged to have breached licence permissions and 1 for allegedly serving alcohol to a drunken person. All investigations are either ongoing or concluded due to lack of evidence.