

Committee: Licensing & Environmental Health

Date:

Title: Enforcement Update

01 February 2023

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Item for decision:
No

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 October 2022 to 31 December 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. During the latest period, compliance and enforcement activity has continued at a steady pace across all licence areas, including the district's two licensed scrap metal sites which were due for their 3-yearly renewal in November. These were visited as part of the renewal process and were found to be operating as required and have since been renewed.
7. With the latest school year fully underway again, Licensing Officers have been carrying out checks of Uttlesford licensed school transport vehicles and drivers at various locations including Essex, Hertfordshire, Cambridgeshire, Suffolk and Hampshire. It's worth noting that the introduction of an additional Enforcement Officer in March 2022 has provided the Licensing Team with a presence far further afield than previously, and enabled communication channels with Counties where our vehicles and drivers operate on a day to day basis, valuable for the sharing of potentially important information. 22 separate school visits have been carried out, with 82 drivers and 88 vehicles inspected. 18 issues were identified, ranging from missing Council door signs to drivers working without possession of their licence badge.
8. Other inspections have taken place at locations including Stansted Airport, Audley End railway station and the Saffron Walden Council Offices. Licensing Officers have been carrying out work in relation to alleged 'taxi touts' at the airport, alleged unlicensed 'park and ride' businesses, and unlicensed drivers and vehicles across the district. This has and will likely remain ongoing as part of enforcement operations, but one driver has been under investigation for driving a licensed vehicle while unlicensed as a driver, and with sufficient evidence collected is being prosecuted by the Council at the Magistrates' Court later in 2023.
9. 6 licensed Private Hire Operators checks were carried out and booking records were checked for compliance with the Council's Licensing Policy. No significant issues were identified and advice was given for anything minor.
10. Further licensed premises visits have been carried out either as part of the promotion of the national 'Ask Angela' campaign – referenced in the previous Committee report – or night time economy checks alongside Essex Police colleagues for their 'Operation Benison'.
11. 5 gambling premises were inspected, including 3 bookmakers, and the 2 Adult Gaming Centre's at Stansted Airport. No issues were identified.
12. In respect of licensed hackney carriage and private hire drivers, there has been 1 licence revocation and 18 licence suspensions. These are broken down as follows;
 - The 1 revocation was made in accordance with the Suitability Policy for an endorsement of a DR10 offence on the driver's DVLA licence, which means they had received a driving disqualification.

- Of the 18 suspensions, 16 were due to not subscribing as required to the DBS Update Service, 1 had accumulated 9 or more DVLA endorsement points and failed to complete the driving proficiency test by the deadline, and 1 had a medical condition which meant they may not have complied with Group 2 DLVA medical standards.

13. In respect of licensed hackney carriage and private hire vehicles, there have been 48 licence suspensions.

- 40 vehicles were suspended following either the failure of their compliance tests or having had not taken a compliance test by the required deadline, and 8 suspensions were issued following being involved in accidents and the associated damage.

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

- 17 complaints relating to drivers. The complaints mostly relate to driving standards and/or parking issues, but we have also received 4 complaints relating to alleged conduct during school transportation, a complaint alleging refusal of an assistance dog, and a complaint alleging an unlicensed vehicle outside of the district. A number of these remain under investigation, but none have been deemed necessary for immediate action.
- 3 complaints relating to licensed premises. 1 concerned music being played past permitted hours, which was resolved by visiting the premises and meeting a new manager who was unaware of the restrictions. 1 concerned repetitive noise nuisance, which remains ongoing but advice is to be given to the DPS ahead of the summer season. 1 concerned alleged behavior of the DPS towards the complainant, which was found to be unsubstantiated.