

**Committee:** Licensing and Environmental Health

**Date:**

**Title:** Enforcement update

23 January 2024

**Report Author:** Joanne Jones, Licensing and Compliance Officer, (01799 510473)

---

## Summary

1. This Enforcement Update report is to inform the Committee of the compliance and enforcement activities carried out by Licensing Officers during the period from 1 June 2023 to 31 December 2023.

## Recommendations

2. That Members note the content of this report.

## Financial Implications

3. None 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. This report outlines the statistics and general activities of the compliance and enforcement team during the latest period from 1 June 2023 to 31 December 2023.
7. Visits were made to 28 schools across Bedfordshire, Cambridgeshire, Hertfordshire, Essex, Buckinghamshire, Suffolk and Norfolk. There were 26 visits to other locations such as Audley End Station, Stansted Airport, Adult Care Centres and taxi ranks in Harlow Town Centre, Chelmsford City Centre and Saffron Walden. In total 151 vehicles were inspected and checks carried out on 110 drivers. 40 offences/policy contraventions were identified which were dealt with by the officer on the spot.
8. Licensing Officers have continued to carry out work in relation to alleged 'taxi touts' at the airport in joint operations with TfL officers. In total 5 late night visits took place on 15 and 22 August, 16 September, 13 October and 19 December. Three drivers licensed by TfL were found to be touting and were dealt with by TfL officers and others were scared off by the presence of enforcement officers.
9. An inspection was carried out on a new Private Hire Operator on 20 June. Booking records were checked for compliance with the Council's Licensing policy and were found to be satisfactory.
10. Five visits were made to licensed premises - 4 of these were following complaints from the public and one was to visit the new owner/DPS and give advice. Officers continue to work on night time economy checks with Essex Police colleagues as part of their 'Operation Benison' with visits taking place on Saturday 21 October to premises in Saffron Walden, Stansted and Dunmow. Further visits were made to more rural premises in the run up to Christmas to hand out anti drink drive posters.
11. There have been 5 Pubwatch meetings during this period in Saffron Walden and Stansted. The DISC system is fully operational in Saffron Walden and should be accessible to members of the Stansted scheme shortly.
12. In respect of licensed hackney carriage and private hire drivers there have been 3 revocations (made by the Licensing Panel), 6 refusals to grant a licence (3 made using delegated powers and 3 by the Licensing Panel) and 93 suspensions (1 by the Licensing Panel and the rest by Officers). These can be broken down as follows:
  - 1 revocation was made in accordance with the Suitability Policy for an endorsement of an IN10 offence on the driver's DVLA licence (driving without insurance).

- 1 revocation was made in accordance with the Suitability Policy for an endorsement of a CU80 offence on the driver's DVLA licence (using a mobile device)
- 1 revocation was made in accordance with the Suitability Policy following a conviction of Common Assault on an Emergency Worker.
- Of the 93 suspensions 1 was made by the Licensing Panel for failing to display door stickers on more than one occasion. 63 licences were suspended because drivers were not registered with the DBS Update Service as required, and 9 because of medical conditions which meant that the driver would not have met the DVLA Group 2 medical standards. 14 licences were suspended as drivers had not taken the driving proficiency test within the required time limit and 5 because the Green Penny training course had not been undertaken within the time limit. Lastly 2 licences are currently suspended following information received from the Police Disclosure Unit regarding ongoing police investigations.
- In addition 1 driver was required to retake a driving proficiency course in accordance with the Suitability Policy as he had accumulated 9 points on his DVLA licence.

13. In respect of licensed hackney carriage and private hire vehicles there have been 110 licence suspensions. 90 were suspended following either the failure of their compliance tests or not having taken the compliance test by the required deadline, 13 were suspended following accidents and 7 because we had not been supplied with current insurance certificates.

14. A total of 40 complaints were received during this period broken down as follows:

- 30 complaints relating to drivers. The majority relate to driving standards, parking issues or not displaying plates, but 1 complaint alleged that a driver refused an assistance dog, 2 related to parking on taxi ranks in other districts, 1 was a driver seen smoking in the vehicle and one complaint alleging that a driver was watching TV on a phone whilst driving is still being investigated.
- 2 complaints relating to private hire operators. One concerned use of an unlicensed driver which, following an extensive internal investigation by the operator, resulted in a warning letter being placed on file and the other alleging overcharging and not using the meter is still being investigated.
- 2 complaints relating to unlicensed activity taking place. One concerned unlicensed airport parking and transfers and one possible unlicensed 'raves' taking place.
- 6 complaints relating to licensed premises. One concerned use of an outside courtyard and out of hours activity which was resolved by a visit to meet the licence holder to go through the licence conditions. One concerned an unlicensed event which had taken place and resulted in a joint visit with the Senior Licensing Officer from Essex Police as a result of which the DPS was replaced and a warning letter placed on file. One

noise complaint led to a joint visit with an Environmental Health Officer and advice being given. One complaint alleged that the DPS named on the licence had left, this was resolved by a visit and as a result an application to vary the DPS was received. Two further complaints are still open and under investigation and a joint visit with the Police Licensing Officer is planned for mid- January 2024.