

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

Report to Licensing & Regulatory Committee

30 November 2018

TITLE:	Licensing Enforcement Activity July 2018 – October 2018
PORTFOLIO HOLDER:	Councillor Bowen - Portfolio Holder for Communities, Leisure, Parks, Sport, Countryside and Housing
CONTACT OFFICER:	Alicia Patterson - Operations Manager - Environmental Services (Regulatory)
WARDS INVOLVED:	Non Specific

1 Recommendation

- 1.1 That the Committee notes the content of the report.

2 Executive Summary

- 2.1 In the period July 2018 to October 2018 the Licensing service has engaged in a number of enforcement actions. These activities have involved reactive responses to complaints and intelligence received from the public and partner agencies as well as proactive compliance checks.
- 2.2 Officers seek to encourage licence holders to conduct their activity in a safe manner, maintain good standards and to comply with the law. Officers have to exercise considerable discretion when approaching individual licence holders. Licensees are often anxious to comply with the law and for such cases the officer's role will be to provide guidance and advice. However, in carrying out their functions officers are authorised with a wide range of powers and may, for example, require entry at all reasonable times or require the production of certain documents.
- 2.3 If on enquiry officers find evidence that the law is being broken and enforcement is required, they can respond in various ways. They may instruct or warn by letter; revoke or suspend a licence; and, where the circumstances warrant it, they may formally caution or prosecute without prior warnings and without recourse to alternative sanctions. Officers will have due regard to the relevant Enforcement Policies when determining the most appropriate course of action.

2.4 Below is a summary of enforcement activity carried out during this period:

Enforcement Activity
Letters/Emails to Taxi Drivers Drivers 2 Hackney 2 Private Hire 1 Operator
Driver Penalty Points Awarded 3 Drivers issued with penalty points for various matters including smoking in vehicle and for failure to notify of driving offences. 1 Operator issued with penalty points Taxi Enforcement evening inspection in Cheadle (September)
Multi Agency licensing evening enforcement carried out in Cheadle/Leek during August, September and October
1 Pub Watch Meeting attended in Leek
Compliance Checks on Licensed Premises in the District 11 Leek 13 Biddulph 9 Cheadle 1 Werrington
10 Notice Checks on new premises
8 Follow Up letters to premises following inspection
3 Minor variation applications

2.5 The primary focus of enforcement work to date has been on ensuring that the law in relation to all relevant licensing legislation and guidance is properly observed. In considering the focus of this activity the Licensing Service has had reference to:

- Those premises/vehicles against which complaints have been received.
- Those premises which do not hold a licence but where intelligence suggests licensable activity is taking place.

2.6 A variety of breaches were identified in the course of these activities, but were addressed by a voluntary change of behaviour on the part of the licence holder or via specific action by the Licensing Service and partners. In none of the

cases was further legal action or the application of criminal sanction necessary.

2.7 During this period no complaints have been received relating to smoking on licensed premises, specifically:

- As part of the Health Act 2006 and associated Regulations, premises have to comply with signage requirements. All premises visited are now compliant with displaying the required signage.
- No fixed penalty tickets in relation to offences of witnessed or reported smoking in premises have been issued.

3 How this report links to Corporate Priorities

3.1 The appropriate enforcement of licensing Legislation in partnership with relevant agencies is a key tool in assuring the safety of the authorities residents.

Mr Mark Trillo
Executive Director (People) and Monitoring Officer

**Web Links and
Background Papers**

Location

Contact details

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