

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

Licensing & Regulatory Committee

24 November 2023

TITLE:	Enforcement Update
PORTFOLIO HOLDER:	Councillor Bill Cawley – Portfolio Holder for Communities
CONTACT OFFICER:	Alicia Patterson - Head of Environmental Health
WARDS INVOLVED:	All

1. Reason for the Report

- 1.1 To update members in relation to the enforcement activity undertaken within the Licensing Section in the period since the last meeting of the Committee.

2. Recommendation

- 2.1 That the Committee notes the contents of the report.

3. Executive Summary

- 3.1 In the period July 2023 to October 2023 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. It is pleasing to report that the Licensing Section has noted a good level of compliance with the applicable legislation overall.
- 3.2 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.
- 3.3 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.

- 3.4 Below is a summary of enforcement activity carried out during this period. The figures shown below include the contacts made with the Taxi Drivers and Operators, all contacts have been in relation to the renewal process. Licences to drive hackney carriages and private hire vehicles need to be renewed annually or three yearly. The Council sends one reminder out to our drivers 60 days before their licence is due to expire, advising of any additional checks including DBS and Medical assessments, MOT requirements etc.

Transfer	1
Change of Address - PLH	0
Change of Premises Name	1
Notice of Interest	0
Pavement Licence	
Street Trading Consent - Annual	0
Street Trading Consent Events	0
Street Trading Consent Daily	0
Personal Licence New	5
Personal Licence Amended	3
Scrap Metal Site	0
Scrap Metal Collectors	0
House to House Collections	
Street Collections	
Small Society Lottery	
Enforcement	
Joint visits with Police	2
Attendance at Pub watch	1
Appts with Premises Licence Holders (re Applications)	4

Area	Applications Received / letters sent out	Issued	Rejected
Charity Collections			
House to House - Home Office Exempt	0		
House to House - Direct Debit Collections	0		
House to House	3	2	1
Street Collections	5		
Pavement Licenses			
New Applications	1		
Renewals	7		
Personal Alcohol Licenses			
New	5		
Renewals / updates	3		
Road Closure Orders			
	4	1 FOC ; 3 Paid	
Small Society Lotteries			
New Applications	4	2	2
Small Society Lottery Chase Ups	0		
Small Society Lottery Renewals	6		
Small Society Lottery Renewals Processed	11		
Taxis			
Taxi Drivers Renewal letters	2		
Taxi Hackney Vehicles Renewal Letters	6		
Taxi Operators Renewal Letters	0		
Taxi Private Hire Vehicles Renewal Letters	1		
Driver Licences issued	7	3 New ; 4 renewals	
Operator Licences issued	0		
Hackney Licences issued	9	8 renewals ; 1 renewal / vehicle change	
Private Hire licences issued	6	1 New ; 4 renewals ; 1 cancelled / Surrendered	
TENS			
TENS with Alcohol	22		
TENS with Alcohol LATE	5		
TENS without Alcohol	1		
TENS without Alcohol LATE	0		

3.5 CCTV in Taxis

The Licensing team and the Head of Service are continuing to work with the local taxi drivers and operators in relation to introducing either voluntary or mandatory CCTV in vehicles. To date, the Council has not received sufficient evidence to adopt a mandatory scheme, however, further work is continuing with the Police and other regulatory partners to establish where, or if, any issues are arising from the night time economy. The Council's officers continue to review the data protection issues which would arise from the introduction of a mandatory scheme.

4. **How this report links to Corporate Priorities**

- 4.1 The appropriate enforcement of licensing legislation in partnership with relevant agencies is a key tool in assuring the safety of our residents and visitors.

5. **Alternative Options**

5.1 There are no alternative options to consider.

6. **Implications**

6.1 Community Safety - (Crime and Disorder Act 1998)

The appropriate enforcement of licensing legislation in partnership with relevant agencies is a key tool in assuring the safety of our residents and visitors.

6.2 Workforce

Enforcement activity is undertaken by the Council's existing officer team.

6.3 Equality and Diversity/Equality Impact Assessment

None specifically.

6.4 Financial Considerations

None specifically.

6.5 Legal

As considered in the report.

6.6 Climate Change

None specifically.

6.7 Consultation

None specifically.

6.8 Risk Assessment

None.

Mark Trillo

Executive Director (Governance & Commissioning)

**Web Links and
Background Papers**

Contact details

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