

HIGH PEAK BOROUGH COUNCIL

Licensing Committee

24 October 2024

TITLE:	Enforcement Update
EXECUTIVE COUNCILLOR:	Councillor Fiona Sloman - Executive Councillor for Housing and Licensing
CONTACT OFFICER:	Alicia E 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 from the last meeting of the Committee 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.
- 3.5 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.

<u>High Peak</u>	
TEN	58
Late TEN	27
Road Closure Order	20
Vary DPS	12
Time Limited Premises Licence	0
Full Variation	0
Grant Application	4
Minor Variation	3
Review of a Premises Licence	0
Surrender/Lapse of Premises Licence	0
Transfer	3
Change of Address - PLH	2
Change of Premises Name	1
Notice of Interest	0
Pavement Licence	0
Street Trading Consent – Annual	1 new application
Street Trading Consent Events	5
Street Trading Consent Daily	1
Personal Licence New	24
Personal Licence Amended	13
Scrap Metal Site	0
Scrap Metal Collectors	0
House to House Collections	0
Street Collections	0
Small Society Lottery	0

Enforcement	
Joint visits with Police	The HOS will deliver a verbal update to members
Attendance at Pub-watch	3
Appts with Premises Licence Holders (re Applications)	3
Licensing Enforcement Officer/Licensing Officer Inspections/Visits	The HOS will deliver a verbal update to members

HPBC	
New Drivers HPBC	0
Driver Renewals HPBC	54
New Vehicles HPBC	16
Vehicle Renewals HPBC	42
Total	177

3.6 **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.

3.7 A full review of the Private Hire and Hackney Carriage policy is scheduled for 2025.

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	<u>Community safety, including safeguarding and prevention of terrorism</u> Licensing and enforcement play a crucial role in Community Safety, safeguarding and prevention of terrorism.
6.2	<u>Workforce</u> No Issues
6.3	<u>Equality and Diversity/Equality Impact Assessment</u> No Issues
6.4	<u>Financial Considerations</u> No Issues
6.5	<u>Legal</u> No Issues
6.6	<u>Climate Change and Sustainability</u> No issues

6.7	<u>Conservation and Enhancement of Biodiversity</u> No Issues
6.8	<u>Consultation</u> No Consultation
6.9	<u>Risk Assessment</u> No Issues

Mark Trillo
Executive Director (Governance & Regulatory Services)

Contact details

Alicia E Patterson
Head of Environmental Health
Alicia.patterson@highpeak.gov.uk