

Subject: Licensing Unit Enforcement Report.

Status: For Publication.

Report to: Licensing Committee

Date: 10th March 2010

Report of: Director of Business.

Portfolio

Holder: Environmental Services

Key Decision: No

1. PURPOSE OF REPORT

- 1.1 To present to the committee a summary of the enforcement activity undertaken by the Licensing team between 1st July and 31st December 2009

2. CORPORATE PRIORITIES

- 2.1 The matters discussed in this report impact directly on the following corporate priorities and associated corporate objective/s.

- Delivering Quality Services to Customers.
- Keeping our Borough Clean, Green and Safe.

3. RISK ASSESSMENT IMPLICATIONS

- 3.1 There are no specific risk issues for members to consider arising from this report.

BACKGROUND AND OPTIONS

- 4.1. The Licensing Unit deals with a range of matters including those concerning premises and personal licences granted under the Licensing Act 2003, temporary event notices, premises licences granted under the Gambling Act 2005, street and house to house collections, lotteries and taxi licensing.
- 4.2. Staffing consists of a Licensing Manager, one Principal Enforcement Officer, one Enforcement Officer, and two Administrative Officers, one of whom is employed part-time and deals almost exclusively with the licensing of taxis and drivers.

- 4.3. Figures for the period 1st July to the 31st December 2009 are appended. They show service requests involving enforcement activity exercises undertaken with various agencies and prosecutions, cautions and suspensions and have been split into general licensing enforcement (Appendix A) and taxi enforcement (Appendix B).
- 4.4. Taxi licensing continues to take up a large proportion of officer's time and a complete review of the taxi licence service is currently being undertaken in line with Best Practice Guidelines issued by the Department of Transport. There has been consultation with the trade representatives via monthly liaison meetings. A survey with the trade and with customers has been undertaken. The review will take several months to complete and members will be involved during the year.
- 4.5. In respect of the surveys, 303 were sent to every licensed driver, operator and proprietor. There were a total of 24 responses. 425 customer surveys were distributed; the survey was also available on the Council's website. A total of 18 customers responded. The results of the taxi trade survey are at Appendix C and the results of the customer survey are at Appendix D.
- 4.6. Taxi enforcement initiatives have been undertaken by enforcement officers, either acting alone or in company with police, VOSA or Lancashire County Council Engineers on a number of occasions. Regular taxi checks are made at special needs schools, where pupils are taken to the school by taxis under contract with Lancashire County Council.
- 4.7. There have been very few complaints from the public regarding licensed premises and almost invariably they are noise related and have been dealt with by licensing staff in conjunction with Environmental Health officers.
- 4.8. Other complaints and incidents at licensed premises have been dealt with by visits from police and licensing enforcement officers to the licence holder and the Designated Premises Supervisor and, to date, this has resulted in a change of behaviour in all cases.
- 4.9. There have been a number of test purchasing exercises to check for under age sales by off-licences. These have been carried out jointly by police and enforcement officers and the results have been disappointing. An increase in these exercises is anticipated during 2010, combined with an education initiative explaining the responsibilities of the licence holders and their staff.
- 4.10. House to House collections are almost exclusively by charities who have given permission to private companies to collect clothing on their behalf. On two occasions, further information has been requested from the applicants to clarify certain matters and no further contact has been received.
- 4.11. Street Collections tend to be organised by local people for both local and national charities and there have no problems associated with them.

COMMENTS FROM STATUTORY OFFICERS:

5. SECTION 151 OFFICER

5.1 Any financial implications have been limited within existing budget resources.

6. MONITORING OFFICER

6.1 The Council must make its decisions based on all relevant information and following consideration of all relevant Council policies.

7. HEAD OF PEOPLE AND POLICY (ON BEHALF OF THE HEAD OF PAID SERVICE)

7.1 There are no specific human resources implications.

8. CONCLUSION

Enforcement continues to be pursued actively, balanced by a need to also assist small businesses to flourish within the Borough.

9. RECOMMENDATION(S)

To note the contents of the report and the appendices

10. CONSULTATION CARRIED OUT

10.1 None.

11. EQUALITY IMPACT ASSESSMENT

Is an Equality Impact Assessment required No

Is an Equality Impact Assessment attached No

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Appendices	
Document	Appendix Number
General Licensing enforcement activity July to December 2009	Appendix A
Taxi enforcement activity July to December 2009	Appendix B
Results Taxi Trade survey	Appendix C

