

Committee: Licensing & Environmental Health Committee

Date: 3 October
2024

Title: Enforcement Update

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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 May 2024 to 31 August 2024.

Recommendations

2. That Members note the content of this report.

Financial Implications

3. None

Background Papers

None

Impact

- 4.

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

5. This report outlines the statistics and general activities of the compliance and enforcement team during the latest period from 1 May 2024 to 31 August 2024.
6. Visits were made to 11 schools across several counties such as Suffolk, West Yorkshire, Hertfordshire, Cambridgeshire and Essex some of which were in partnership with Thurrock, Braintree and Suffolk County Council officers. There were visits to 4 day care centres and 17 visits to other locations such as Wakefield, Oxhey, Watford, Newmarket, Chelmsford, Hemel Hempstead, Harlow, Audley End Station and Saffron Walden. In all 131 vehicles were inspected and 77 drivers checked. One vehicle was suspended with immediate effect and 33 issues were found including no plates/badges/signs, damage to vehicles, breach of dress code, missing LOLER certificates etc.
7. There were 5 visits to Stansted Airport including 3 multi agency operations involving the police, TfL and enforcement officers from Harlow, Braintree, Tendring and South Cambs. In all 7 taxi touts were found and dealt with by TfL officers and the police.
8. During this period officers have been investigating complaints about unlicensed airport transfers and also proactively delivering letters to properties in the vicinity of the airport which were advertising parking with transfers. The majority of these enquiries have resulted in the removal or amendment of the adverts and we will continue to monitor this.
9. Officers interviewed 2 private hire operators during this period. The first interview concerned an issue with the late renewal of the operator licence. Officers were satisfied with the explanation given and the risk to public safety was considered minimal. The operator ceased using UDC licensed vehicles until a new licence was issued. The second private hire operator was interviewed because of concerns that he may not have fully cooperated with a LADO investigation, however officers were satisfied that there had been no deliberate intention to obstruct the investigation – the driver concerned had been immediately suspended by the operator and will be appearing before the Licensing Panel as a separate matter.
10. The Council successfully prosecuted an unlicensed driver at the Chelmsford Magistrate's Court in August following an investigation that had been going on for several years.
11. Visits were made to 6 licensed premises over this period.
 - In May a visit was made to a pub in Thaxted with an EHO following noise complaints.
 - In May and June three visits were made to one premises after concerns had been raised with the Safeguarding Officer about young people working there. Officers were satisfied that steps had been taken to

remove the Manager responsible for the problems and new tenants are now in place.

- In June a visit was made to a premises in Saffron Walden that was advertising an event not permitted by the premises licence. Following the visit a late TEN was submitted to cover that event and subsequently a premises variation application was received which was granted with conditions by a Licensing Panel in August.
- Officers visited a village pub following concerns from a member of the public regarding noise. Officers met with the new DPS and gave advice regarding an outside bar.
- An officer attended a pub in Saffron Walden following a telephone complaint about drug use. The DPS cooperated by going through the incident book and explaining their procedures. The complaint was reported to local police and to licensing police officers.
- In August an officer visited a pub in Thaxted following a complaint about patrons surrounding the tables and chairs at the front of the premises and blocking the pavement. The complaint was found to be unsubstantiated however the Deputy manager was asked to ensure that staff monitor the situation during busy periods to ensure that the walkway is unobstructed.

12. There have been 3 Pub Watch meetings during this period in Saffron Walden and they continue to be well attended. There was a meeting in Stansted in May, but the following one scheduled for August was cancelled. The inaugural meeting of the new Dunmow Pub Watch is scheduled for early September.

13. In respect of licensed drivers there was one revocation and 2 refusals to grant a licence made by the Licensing Panel. A further 51 drivers had their licences suspended during this period. These can be broken down as follows:

- 1 revocation was made in accordance with the Suitability Policy following an incident in which the driver was aggressive towards a member of the public.
- The 2 refusals made by the Licensing Panel were due to the applicants failing to disclose relevant information on the application form.
- 39 licences were suspended due to the driver not being registered with the DBS update service.
- 9 drivers were suspended due to medical issues.
- 3 drivers were suspended pending the result of investigations by the police/safeguarding.

14. In respect of licensed hackney carriage and private hire vehicles there were 80 vehicle suspensions during this period. 63 were suspended either following

the failure of their compliance test or not having taken the compliance test by the required deadline; 14 were suspended following accidents or because the vehicles were off the road; 2 had not provided current insurance certificates and 1 was suspended by an Enforcement Officer following a spot check.

15. A total of 25 complaints were received during this period broken down as follows:

- 12 complaints relating to drivers. One complaint resulted in a driver being suspended pending a police investigation. Two drivers were interviewed by officers and given advice regarding inappropriate conversations with passengers and parking on a taxi rank in another district. One complaint related to a driver allegedly accepting work through an operator licensed with another authority, but investigations carried out by that authority did not find that an offence had taken place. One driver was reported to be using a mobile phone and has been referred to the Licensing Panel. The rest of the complaints related to driving standards or parking issues.
- 2 vehicle complaints were received – one concerned a private hire vehicle causing an obstruction and the other related to a hackney vehicle not displaying door stickers or having the plate correctly displayed.
- 3 complaints were received about possible unlicensed activities taking place. One related to possible airport parking, the premises was visited and a letter sent out. One complaint related to the possible unlicensed sale of alcohol, but an officer visited the site and alcohol was not being sold. Advice about applying for a licence was given. Information was received concerning a wedding venue – the venue is not yet up and running and the premises owner was given advice about how to apply for a premises licence.
- 7 complaints were received relating to licensed premises. Four of these resulted in visits as detailed in section 9 of this report. The others were dealt with by officers contacting the premises and giving advice. As a result one variation application has been received and has been referred to the Licensing Panel.
- One complaint was received about tables and chairs on the highway. Officers have visited the venue on 2 occasions, but there were no tables and chairs outside.