

**Subject :** Licensing Unit Enforcement Report.      **Status:** For Publication.

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**Report to:** Licensing Committee      **Date:** 5<sup>th</sup> August 2009

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**Report of:** Executive Director of Business.

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**Portfolio**

**Holder:** Well Managed Council

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**Key Decision:** Yes

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**1. PURPOSE OF REPORT**

1.1 To present to the committee a summary of the enforcement action taken by the Licensing team.

**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 matters 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, who has recently taken responsibility for planning enforcement, one Senior 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 1<sup>st</sup> January -31<sup>st</sup> December 2008 and the period 1<sup>st</sup> January - 30<sup>th</sup> June 2009 are appended. They show service requests involving enforcement activity, exercises undertaken with various agencies and prosecutions, cautions and suspensions.
- 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. The review is expected to take several months and members will be involved during the year.
- 4.5. 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 and one exercise has taken place at Manchester International Airport with the assistance of VOSA officers. Regular taxi checks are made at special needs schools, where pupils are taken to the school by taxis under contract with Lancashire County Council. Visits to licensed premises have been undertaken with police under the banner of 'Summer Nights', a Lancashire Constabulary initiative to reduce anti social behaviour during the summer months.
- 4.6. Most complaints regarding licensed premises tend to be noise related and have been dealt with by licensing staff in conjunction with Environmental Health officers.
- 4.7. Other complaints and incidents at licensed premises have been dealt with by visits by police and licensing enforcement officers to the license holder and the Designated Premises Supervisor and, to date, this has resulted in a change of behaviour in all cases.
- 4.8. House to House collections are almost exclusively by charities who have given permission to private companies to collect clothing on their behalf.
- 4.9. A review is currently being undertaken, to be completed in 2010, of enforcement policy to ensure that it complies with the Regulator's Compliance Code.

**COMMENTS FROM STATUTORY OFFICERS:**

**5. SECTION 151 OFFICER**

- 5.1 The licensing budget as a whole under spent in 2008/2009 by £15k, the key factors contributing towards this favourable financial position were:

Taxi Income	£9k above target and
Gambling Licenses	£8k above target

- 5.2 For clarity, although the service income was above expectations, this service is still a cost to the Council Tax payer.
- 5.3 Contributing to the need for a full review of the section mentioned in 4.4 above was the fact that before staff recharges the Taxi Licensing function had a net

cost to the Council Tax payer of £27k. Licensing activity overall had a net budget cost for 2008/09 of £115k (£110k in 2009/10).

## 6. MONITORING OFFICER

- 6.1 The Council must make a decision 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 business 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
Enforcement Activity January to December 2008	Appendix A
Enforcement Activity January to June 2009	Appendix B