

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

Report to: Licensing Committee **Date:** 28th June 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 action taken by the Licensing team between 1st January and 31st March 2010

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.

4. 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, small society lotteries and taxi licensing.

4.2. Staffing consists of a Licensing Manager, one Principal Enforcement Officer, one Enforcement Officer, and two Administrative Officers, both of whom are employed part-time, each on a 30 hours per week basis.

4.3. Figures for the period 1st January to 31st March 2010 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 and taxi enforcement.

- 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 still ongoing.
- 4.5. 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.
- 4.6. There has been an increase in 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 mixed. There are no particular areas of the Borough where failures are particularly worse than other areas.
- 4.7. House to House collections are almost exclusively by charities who have given permission to private companies to collect clothing on their behalf and tend to be applications to collect for a whole year.
- 4.8. Street Collections tend to be organised by local people for both local and national charities and there have no problems associated with them. They tend to fall of during the early part of the year.
- 4.9. The Licensing Act calls for a 'light touch' approach in respect of premises, targeting those which fall short of expectations. That has been the approach within this Borough and will continue to be so. Generally, complaints and issues about licensed premises are dealt with initially by visiting the premises and offering appropriate advice and assistance to the licence holder. In the vast majority of cases, the issue will be resolved. If not, further visits by appropriate bodies or departments has always reinforced the message and resolved the situation.
- 4.10. Recent test purchases at public houses indicate there may be a problem in the implementation of age checks and a number of exercises are planned for the future, with resultant publicity being given to those who are, and are not, compliant.
- 4.11. In respect of taxi enforcement, further joint exercises are planned with input from VOSA, Border agency, DWP benefits investigations, the police and HMRC.
- 4.12. In house and external training for staff is conducted on an ongoing basis to keep abreast of new legislation.

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 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. COMMUNITY IMPACT ASSESSMENT

Is a Community Impact Assessment required No

Is a Community Impact Assessment attached No

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Appendices	
Document	Appendix Number
Licensing enforcement activity January to March 2010	Appendix A
Taxi enforcement activity January to March 2010	Appendix B