

Subject:	Quarter 1 Enforcement Report	Status:	For Publication
Report to:	Licensing Committee	Date:	Tuesday 4 th September 2012
Report of:	Director of Business	Portfolio Holder:	Customers, Legal and Licensing
Key Decision:	<input type="checkbox"/> Forward Plan <input type="checkbox"/>	General Exception	<input type="checkbox"/> Special Urgency <input type="checkbox"/>
Community Impact Assessment:	Required:	No	Attached: No
Biodiversity Impact Assessment	Required:	No	Attached: No
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1.	RECOMMENDATION(S)
1.1	That the Committee note the contents of the report.

2. PURPOSE OF REPORT

2.1 To inform the Committee of enforcement action and issues in respect of licensing matters for the period 1st April 2012 to 30th June 2012.

3. CORPORATE PRIORITIES

3.1 The matters discussed in this report impact directly on the following corporate priorities:

- **A clean and green Rossendale** – creating a better environment for all.
- **A healthy and successful Rossendale** – supporting vibrant communities and a strong economy.
- **Responsive and value for money local services** – responding to and meeting the different needs of customers and improving the cost effectiveness of services.

4. RISK ASSESSMENT IMPLICATIONS

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

5. BACKGROUND AND OPTIONS

5.1 Other Licensing:

There were no new licences granted during this period however the Licence at the Ashworth Arms, Burnley Road, Rawtenstall was surrendered.

5.2 In addition there were six changes of DPS at licenced premises

5.3 There were a number of complaints about six licensed premises in the Haslingden and Rawtenstall area over the period, all centred on noise nuisance and all the premises have been visited by police and licensing officers on a number of occasions.

5.4 The following temporary event notices were issued:

- Constable Lee Primary School (PTA)
- St Peters RC Primary School(PTA)
- Broadway Primary School (PTA)
- Stubbins Primary School (PTA)

- Haslingden Primary School (PTA)
- Haslingden High School (PTA)
- Edenfield Recreation Ground (Fete)
- York Street, Crawshawbooth (Jubilee Street Party)
- Queens Arms. Rawtenstall (Extension of hours)
- Crystal Rocks, Waterfoot
- Ski Rossendale
- Rose and Bowl, Stacksteads

5.5 The following charitable collections were applied for during the period:

House to House Collections:

- Do Not Delay
- Scope
- RSPCA
- World Vision
- The Children's Society
- RNLI
- Rainbow Trust
- Little Treasure Children's Trust
- Children's Hearts
- Against Breast Cancer Ltd
- Barnardo's
- Bacup and Stacksteads Carnival Organisation

Street Collections:

- Royal British Legion
- Bacup Coconutters
- RNLI
- Bacup and Stacksteads Carnival Organisation
- Cancer Research UK
- The Water Project

5.6 Exercises:

The following exercises were conducted during this period;

Test Purchasing

On 11th May 2012 a test purchasing operation at "on" licensed premises in the Rawtenstall and Haslingden areas took place. 7 premises were visited by police and enforcement officers. One "on" licensed premises failed, as a member of staff served the children alcohol. The offender received a police caution. All the other premises either refused to serve the children or asked for proof of age.

On 15th June 2012 the Police and Licensing Enforcement Officers visited 5 "on" licensed premises to check on the compliance with Licence conditions. One of the premises was found to be selling alcohol without a valid DPS for the premises and the premises were required to cease the sale of alcohol immediately. All other premises were in order.

5.7 Taxi Licensing.

At the time of writing this report there are 257 hackney carriage vehicles and 5 private hire vehicles.

There are 449 hackney carriage drivers and 7 private hire drivers licensed with this Authority.

Complaints:

There have been a total of 23 complaints regarding taxis plus a further 6 that did not return the licence plates on expiry of the licence as follows:

- 1 complaint of a noisy vehicle.
- 1 complaint of an abusive driver.
- 2 complaints of drivers receiving penalty points that they had not declared them.
- 6 complaints of vehicles with incorrect signage.
- 2 complaints of unreported damage to vehicles.
- 1 complaint of a vehicle sounding its horn next to a horse.
- 1 complaint of taxis dispensing thick black smoke.
- 1 driver who had failed to notify change of address.
- 1 complaint of a driver speeding.
- 1 complaint about the manner of driving.
- 4 complaints about unlicensed vehicles being used.
- 1 complaint about a driver refusing to collect a passenger.
- 1 complaint about a discrepancy in driving

Exercises:

The following exercises were conducted during this period

Operation Spartacus

This is a joint exercise with the police and licensing officers whereby taxis are stopped and road side checks are carried out.

26th April 2012: – one licensing officer and one police officer undertook the check between 10am and 12 noon, 5 vehicles were stopped and all were in order.

27th April 2012: – one licensing officer and one police officer undertook the check between 6pm and 8pm, 5 licensed vehicles were stopped and all were in order.

Operation Green Flag

On 10th May 2012 licensing Enforcement Officers carried out an operation to recover Taxi Plates from vehicles which had been suspended but failed to return the Taxi Licence plates. Two sets of suspended plates were obtained.

Operation Maestro

On the 18th May 2012 Officers from the Police, Licensing Enforcement Unit and VOSA (Vehicle and Operator Services Agency) carried out an operation to check the safety of licenced vehicles. 9 vehicles were stopped and 7 were checked by the VOSA officer. 2 of the vehicles were given an immediate prohibition and 1 was given a suspended prohibition. 2

drivers were also warned for failing to wear their driver identification badges.

- No drivers have been suspended during this period.

COMMENTS FROM STATUTORY OFFICERS:

6. SECTION 151 OFFICER

6.1 There are no specific financial implications

7. MONITORING OFFICER

7.1 The Council must make a decision based on all relevant information and following consideration of all relevant Council policies.

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

8.1 There are no specific human resources implications.

9. CONSULTATION CARRIED OUT

9.1 None

10. CONCLUSION

10.1 Members are requested to note the content of the report.

There are no background papers