

HIGH PEAK BOROUGH COUNCIL

Report to Licensing Committee

29 November 2018

TITLE:	Licensing Enforcement Activity (July 2018-October 2018)
EXECUTIVE COUNCILLOR:	Councillor Kemp - Executive Councillor for Tourism, Regeneration & Licensing
CONTACT OFFICER:	Alicia Patterson – Operations Manager
WARDS INVOLVED:	Non Specific

1 Recommendations

- 1.1 That the Committee notes the content of the report.

2 Executive Summary

- 2.1 In the period July 2018 to October 2018 the Licensing service has engaged in a number of enforcement actions. These activities have involved reactive responses to complaints and intelligence received from the public and partner agencies as well as proactive compliance checks.
- 2.2 Officers seek to encourage licence holders to conduct their activity in a safe manner, maintain good standards and to comply with the law. Officers have to exercise considerable discretion when approaching individual licence holders. Licensees are often anxious to comply with the law and for such cases the officer's role will be to provide guidance and advice. However, in carrying out their functions officers are authorised with a wide range of powers and may, for example, require entry at all reasonable times or require the production of certain documents.
- 2.3 If on enquiry officers find evidence that the law is being broken and enforcement is required, they can respond in various ways. They may instruct or warn by letter; revoke or suspend a licence; and, where the circumstances warrant it, they may formally caution or prosecute without prior warnings and without recourse to alternative sanctions. Officers will have due regard to the relevant Enforcement Policies when determining the most appropriate course of action.
- 2.4 Below is a summary of enforcement activity carried out during this period:

Enforcement Activity
27 Letters to Taxi Operators.
9 Notice checks for new premises applications and applications to vary licences including revisits.
Taxi Driver Licences renewals: 41 Drivers 1 Hackney Vehicles 5 Private Hire Vehicles
1 Pub Watch Meeting attended.
Rank inspections carried out in Buxton and Glossop during August and September – mostly good results with little non-compliance. Issues mainly around drivers who had elected to provide magnetic decals not displaying them. Warnings issued.
27 Operator Visits to establish compliance with the Hackney Carriage and Private Hire Policy regarding the day to day operator's base and associated records of journeys. Penalty Points issued to 2 Operators.
Driver Penalty Points Awarded 6 Drivers issued with penalty points for various matters including smoking in vehicle; failure to notify of driving offences; and late submission of applications to renew licences.
Temporary Event Notices.
Expedited Review – Kings Arms.
8 visits involving Multi Agency enforcement visit with Derbyshire Police.
1 Glossop/Buxton joint operation with police/passive drug dog operation.

- 2.5 The primary focus of enforcement work to date has been on ensuring that the law in relation to all relevant licensing legislation and guidance is properly observed. In considering the focus of this activity the Licensing service has had reference to:
- a) Those premises/vehicles against which complaints have been received.
 - b) Those premises which do not hold a licence but where intelligence suggests licensable activity is taking place.

- 2.6 A variety of breaches were identified in the course of these activities, but were addressed by a voluntary change of behaviour on the part of the licence holder or via specific action by the Licensing Service and partners. In none of the cases was further legal action or the application of criminal sanction necessary.
- 2.7 During this period no complaints have been received relating to smoking on licensed premises, specifically:
- As part of the Health Act 2006 and associated Regulations, premises have to comply with signage requirements. All premises visited are now compliant with displaying the required signage.
 - No fixed penalty tickets in relation to offences of witnessed or reported smoking in premises have been issued.

3 Options

There are no options to consider.

4. How this report links to Corporate Priorities

- 4.1 The appropriate enforcement of licensing Legislation is essential to ensure the safety of the residents within the Borough.

Mark Trillo
Executive Director (People) and Monitoring Officer

**Web Links and
Background Papers**

Location

Contact details

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