

HIGH PEAK BOROUGH COUNCIL

Licensing Committee

2 March 2023

TITLE:	Enforcement Activity Update
EXECUTIVE COUNCILLOR:	Councillor Fiona Sloman - Executive Councillor for Housing and Licensing
CONTACT OFFICER:	Alicia Patterson - Head of Environmental Health
WARDS INVOLVED:	All Wards

1. Reason for the Report

- 1.1 To update members in relation to the enforcement activity undertaken within the Licensing Section

2. Recommendation

- 2.1 That the Committee notes the contents of the report.

3. Executive Summary

- 3.1 In the period October 2022 to January 2023 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. It is pleasing to report that the Licensing Section has noted a good level of compliance overall.
- 3.2 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.
- 3.3 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.

- 3.4 Below is a summary of enforcement activity carried out during this period. The figures shown below include the contacts made with the Taxi Drivers and Operators, all contacts have been in relation to the renewal process. Licences to drive hackney carriages and private hire vehicles need to be renewed annually or three yearly. The Council sends one reminder out to our drivers 60 days before their licence is due to expire, advising of any additional checks including DBS and Medical assessments, MOT requirements etc.

Area	Applications Received / letters sent out	Processed	Rejected
Charity Collections House to House	9	3	6
Charity Collections Street Collections	8	8	0
Pavement Licenses	0		
Personal Alcohol Licenses	29	28	1
Road Closure Orders	23	23	
Small Society Lottery Chase Ups	105		
Small Society Lottery Renewals	54		
Small Society Lottery Renewals Processed	76	38 Cancellations ; 23 changes; 12 renewals ; 3 new	
Taxi Drivers	60		
Taxi Hackney Vehicles	21		
Taxi Operators	6		
Taxi Private Hire Vehicles	25		
TENS with Alcohol	62	59; 1 counter; 1 modification; 1 withdrawn	
TENS with Alcohol LATE	22	21; 1 counter	
TENS without Alcohol	1	1	
TENS without Alcohol LATE	0		
Driver Licenses issued	81	7 New; 33 Renewals; 37 Amendments; 4 surrenders	
Operator Licences issued	7	1 New; 6 Renewals	
Hackney Licences issued	18	8 Renewals; 10 Vehicle change	
Private Hire licences issued	49	9 Cancelled; 7 New ; 29 Renewals ; 4 vehicle change	
Street Trading Consent Annual	14	9 x Renewals 4 x New	1 x not renewed
Street Trading Consent events	5	5	
Street Trading Consent Daily	12	12	

Scrap Metal Site	8	7 x renewals	1 x not renewed
Scrap Metal Mobile	1	1 x renewal	
Enforcement			
Joint visits with Derbyshire Police	12		
Pubwatch (Chapel en le Frith & Buxton)	3		
Surrender of Premises Licences	4		
Lapsed Premises Licence (Companies dissolved)	2		
Surrender of Gambling Premises Licence	1		
New Premises Licence Applications	6		
Premises Licence Transfers	5		
Premises Licence DPS Applications	21		
Club Premises Certificate Applications	0		
Full Variation Applications	1		
Minor Variation Applications	1		

4. **How this report links to Corporate Priorities**

- 4.1 The appropriate enforcement of licensing legislation in partnership with relevant agencies is a key tool in assuring the safety of our residents and visitors

5. **Alternative Options**

- 5.1 No Alternative options to consider, report is for information only

6. **Implications**

6.1 Community Safety - (Crime and Disorder Act 1998)

The appropriate enforcement of licensing legislation in partnership with relevant agencies is a key tool in assuring the safety of our residents and visitors

6.2 Workforce

No Implications

6.3 Equality and Diversity/Equality Impact Assessment

No Implications

6.4 Financial Considerations

No Implications

6.5 Legal

No Implications

6.6 Climate Change

No Implications

6.7 Consultation

No Consultation required – update report only

6.8 Risk Assessment

No risk assessment required.

Mark Trillo

Executive Director (Governance & Commissioning)

**Web Links and
Background Papers**

Contact details

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