

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

Licensing & Regulatory Committee

3 March 2023

TITLE:	Enforcement Activity
PORTFOLIO HOLDER:	Councillor Mike Worthington - Portfolio Holder for Finance
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	Issued	Rejected
Charity Collections House to House	3	1	2
Charity Collections Street Collections	3	3	0
Pavement Licenses	0		
Personal Alcohol Licenses	27	24	3
Road Closure Orders	21	21	
Small Society Lottery Chase up letters	117		
Small Society Lottery Renewal Letters	96		
Small Society Lottery Renewals Processed	74	39 cancellations; 6 changes; 22 Renewals ; 7 New	
Taxi Drivers	13		
Taxi Hackney Vehicles	17		
Taxi Operators	1		
Taxi Private Hire Vehicles	6		
TENS with Alcohol	77	71	6
TENS with Alcohol LATE	23		
TENS without Alcohol	1	1	
TENS without Alcohol LATE			
Driver Licenses issued	10	5 New; 5 Renewal	
Operator Licences issued	1	New	
Hackney Licences issued	17	14 renewals; 1 Transferred; 2 change of vehicle	
Private Hire licences issued	9	1 new; 7 renewals ; 1 vehicle change	

Scrap Metal Site	7	7 x Renewals	1 x not renewed
Scrap Metal Mobile	0		
Enforcement			
Joint visits with Trading Standards	2		
Joint visits with Police Licensing	9		
Joint visit with EHO	1		
SAG (2 events discussed)	1		
Responsible Bodies Group Meeting	2		
Licensing Sub-Committee	1		
Pubwatch (Leek)	1		
Meetings with Premises Licence Holders			
in respect of new applications etc.	9		
New Premises Licence Applications	3		
Premises Licence Transfers	6		
Premises Licence DPS Applications	20		
Club Premises Certificate Applications	1		
Full Variation Applications	1		
Minor Variation Applications	2		

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 There are no alternative options to consider

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 arising directly from the report, all enforcement action taken by the Council must be in accordance with its statutory powers.

6.6 Climate Change

No Implications

6.7 Consultation

None

6.8 Risk Assessment

None

Mark Trillo

Executive Director (Governance & Commissioning)

**Web Links and
Background Papers**

Contact details

Alicia Patterson
Head of Environmental Health
alicia.patterson@staffs Moorlands.gov.uk