

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL**

**Licensing & Regulatory Committee**

**30 June 2023**

<b>TITLE:</b>	<b>Enforcement Update</b>
<b>PORTFOLIO HOLDER:</b>	<b>Councillor Cawley - Portfolio Holder for Communities</b>
<b>CONTACT OFFICER:</b>	<b>Alicia Patterson - Head of Environmental Health</b>
<b>WARDS INVOLVED:</b>	<b>ALL</b>

**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 February 2023 to May 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. We are pleased 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 above include the contacts made with the licensed 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 Authority 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.

- The Authority has not issued any penalty points to drivers or operators since the last report.
- Emails have been sent out to interested parties and to those who has previously applied for a House to House collection Permit and Street Collection Permit with regards to consultation on the New Charity Collection Policy.

<b>Area</b>	<b>Applications Received / letters sent out</b>	<b>Issued</b>	<b>Rejected</b>
<b>Charity Collections</b>			
House to House - Home Office Exempt	1		
House to House - Direct Debit Collections	2		
House to House	7	3	4
Street Collections	12	12	0
<b>Pavement Licenses</b>			
New Applications	2	In Consultation	
Renewals	0		
<b>Personal Alcohol Licenses</b>			
New	14		
Renewals / updates	12		
<b>Road Closure Orders</b>	30	27	3
<b>Small Society Lotteries</b>			
New Applications	7		
Small Society Lottery Chase Ups	11		
Small Society Lottery Renewals	15		

Small Society Lottery Renewals Processed	30		
<b>Taxis</b>			
Taxi Drivers Renewal letters	12		
Taxi Hackney Vehicles Renewal Letters	21		
Taxi Operators Renewal Letters	1		
Taxi Private Hire Vehicles Renewal Letters	11		
Driver Licences issued	25	9 New ; 14 renewals ; 1 surrendered	
Operator Licences issued	1	1 surrendered	
Hackney Licences issued	25	21 Renewals ; 1 renewal / transfer ; 3 vehicle changes	
Private Hire licences issued	13	3 New ; 9 Renewals ; 1 surrendered	
<b>TENS</b>			
TENS with Alcohol	62	1 Modification 1 Withdrawn	
TENS with Alcohol LATE	17	1 Modification	
TENS without Alcohol	1		
TENS without Alcohol LATE	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 maintenance of community safety.

#### 5. Alternative Options

- 5.1 There are no alternative options to consider.

Mr Mark Trillo  
**Executive Director (Governance & Commissioning)**

**Web Links and  
Background Papers**  
All supporting papers

**Contact details**  
Alicia Patterson

## 6. **Detail**

6.1 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:

- Those premises/vehicles against which complaints have been received.
- Those premises which do not hold a licence but where intelligence suggests licensable activity is taking place

6.2 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.

6.3 During this period no complaints have been received relating to smoking on licensed premises, specifically:

- No fixed penalty tickets in relation to offences of witnessed or reported smoking in premises have been issued.