

# **HIGH PEAK BOROUGH COUNCIL**

## **Licensing Committee**

**14 March 2024**

<b>TITLE:</b>	<b>Enforcement Update</b>
<b>EXECUTIVE COUNCILLOR:</b>	<b>Councillor Fiona Sloman - Executive Councillor for Housing and Licensing</b>
<b>CONTACT OFFICER:</b>	<b>Alicia Patterson – Head of Environmental Health</b>
<b>WARDS INVOLVED:</b>	<b>(All Wards);</b>

### **1. Reason for the Report**

- 1.1 To update members in relation to the enforcement activity undertaken within the Licensing Section in the period since the last meeting of the Committee.

### **2. Recommendation**

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

### **3. Executive Summary**

- 3.1 In the period November 2023 to February 2024 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 with the applicable legislation 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.

TEN	78
Late TEN	20
Road Closure Order	6
Vary DPS	22
Time Limited Premises Licence	1
Change of Premises Name	2
Full Variation	0
Grant Application	6
Minor Variation	3
Surrender of Premises Licence	2
Transfer	5
Change of Address - PLH	1
Notice of Interest	0
Pavement Licence	2
Street Trading Consent - Annual	5
Street Trading Consent Events	3
Street Trading Consent Daily	5
Personal Licence New	22
Personal Licence Amended	15
Scrap Metal Site	0
Scrap Metal Collectors	0
House to House Collections	0
Street Collections	17
Small Society Lottery	68 process
<b>Enforcement</b>	
Joint visits with Police	9
Attendance at Pubwatch	1
Appts with Premises Licence Holders (re Applications)	0
Licensing Enforcement Officer/Licensing Officer Inspections/Visits	3 plus Evening taxi enforcement in Buxton
Letters to Taxi Drivers re breaches of conditions	6

### 3.5 CCTV in Taxis

The Licensing team and the Head of Service are continuing to work with the local taxi drivers and operators in relation to introducing either voluntary or mandatory CCTV in vehicles. To date, the Council has not received sufficient evidence to adopt a mandatory scheme, however, further work is continuing with the Police and other regulatory partners to establish where, or if, any issues are arising from the night time economy. The Council's officers continue to review the data protection issues which would arise from the

introduction of a mandatory scheme.

3.6 The Authority has been successful in appointing an additional part time enforcement officer who is now in post.

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.

Mark Trillo

**Executive Director (Governance & Commissioning)**

**Web Links and  
Background Papers**

**Contact details**

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