

REPORT TO: LICENSING COMMITTEE

DATE: 7 JULY 2020

TITLE: LICENSING TEAM ENFORCEMENT ACTIVITY

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RECOMMENDED that the Licensing Committee:

- A** Notes the enforcement activity from 1 April 2019 to 31 March 2020 carried out by the Licensing Team.

BACKGROUND

1. It is important that the Licensing Team ensure that licence holders comply with licence conditions and take enforcement action in line with its enforcement policy, when non-compliance is noted. In order to support this, in addition to the routine work of the team, a number of specific compliance and enforcement activities take place throughout the year.
2. This report sets out the activity undertaken for Hackney Carriage and private hire licences, Licensing Act 2003 premises and other activity within the remit of the Licensing Team.

ENFORCEMENT ACTIVITIES

3. Hackney Carriage and Private Hire Vehicle Compliance

4. This undertaken either by asking drivers to attend unannounced vehicle inspections at the Council's appointed test station, or by carrying out roadside vehicle checks.

	2018-2019	2019-2020
Vehicle compliance sessions at test station	4	3 (#1)
Vehicles checked	55	54
Vehicles suspended	34 (61.8% suspended)	27 (50% suspended)

5. #1 - The three sessions included a week day morning shift, an evening shift and a weekend morning. This enabled inspection of a cross section of vehicles operating on different shifts.
6. Of the 54 vehicles checked over the three enforcement sessions a total of 12 were Hackney Carriage (HC) and 42 were Private Hire (PH).
7. Thus, 22 per cent of the vehicles tested were Hackney Carriage (HC). This is proportional to the ratio of overall numbers of licensed vehicles. The Council currently has circa 60 HC and 230 PH i.e. (60 / 290). Twenty-one per cent of all licensed vehicles are HC.
8. In terms of vehicles suspended, this number is based on vehicles that failed to meet the MOT standard (excluding emissions checks) and not the compliance standard.
9. A total of 50 per cent of vehicles (27/54) were suspended. Of the 12 HC tested six were suspended (50 per cent) (6/12) and of the 42 PH tested 21 were suspended (50 per cent) (21/42).
10. The 50 per cent suspension rate is an improvement on the previous year when 61.8 per cent were suspended.

Table One – Hackney Carriage - Reasons for vehicle suspension

(N.B some vehicles had multiple failures - logical category selected)

Reason	Number
Lights (bulbs)	1
Tyres / brakes	0
Suspension / CV gaitors	2
Structural corrosion	3
Other mechanical	0
TOTAL	6

Table Two – Private Hire - Reasons for vehicle suspension

(N.B some vehicles had multiple failures - logical category selected)

Reason	Number
Lights (bulbs)	4
Tyres / brakes	5
Suspension / CV gaitors	8
Structural corrosion	0
Other mechanical	4
TOTAL	21

11. Licensing Act

12. Compliance checks take several forms including: programmed compliance inspections based on the risk assessment of a business's previous compliance with licence conditions; proactive town-wide evening patrols; and reactive investigations in response to complaints about premises.

Licensing Act	2019-2020
Pro-active inspection	32
Post inspection letter	4
Revisits	1
Out of Hours Surveillance – number of sessions	1
Out of Hours surveillance – premises observed in total	3
Notice of Suspension of licence for non-payment of fees	8
Licences suspended	4

13. Scrap Metal Dealers

	2019-2020
Routine inspections	1

14. Gambling Act Premises Licenses

	2019-2020
Betting premises inspections	2
Track betting premises inspections	0

IMPLICATIONS

Place (Includes Sustainability)

Progressive and proportionate enforcement of licensing requirements helps to create a level playing-field and protects compliant businesses from unfair competition from the less scrupulous.

Author: Andrew Bramidge, Head of Environment and Planning

Finance (Includes ICT, Properties and Facilities)

Enforcement activity is carried out within approved service budgets.

Author: Simon Freeman, Head of Finance and Deputy to the Chief Executive

Housing

None specific.

Author: Andrew Murray, Head of Housing

Community Wellbeing (Includes Equalities and Social Inclusion)

Proactive enforcement and investigation of complaints ensures better compliance with licensing requirements and so helps to protect vulnerable residents from exploitation.

Author: Jane Greer, Head of Community Wellbeing

Governance (Includes HR)

None specific.

Author: Simon Hill, Head of Governance

Appendices

None.

Background Papers

None.

Glossary of terms/abbreviations used

HC – Hackney Carriage

PH – Private Hire