

Licensing Enforcement and Service Delivery 2023 - 2024



Report to: Licensing Committee

Date: 5 September 2024

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Executive Summary

- A An annual report introduced for members of the Licensing Committee to gain an overview of licensing team service and enforcement activities.

Recommended that:

- A Members note enforcement activity and service delivery carried out by the Licensing Team from 1 April 2023 to 31 March 2024.

Reason for decision

- A Not applicable.

Other Options

- A Not applicable.

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 for matters of non-compliance. As the regulator of several regimes, the team carries out its statutory duties, as well as a number of planned compliance or enforcement activities throughout the year.

2. This report sets out the activity undertaken for Hackney Carriage and Private Hire licences, premises licensed for alcohol and entertainment and other activity within the remit of the Licensing Team.

Issues/Proposals

Hackney Carriage and Private Hire Vehicle Compliance

Enforcement

3. Vehicle enforcement in an ongoing matter and includes issues such as correct vehicle signage, vehicle cleanliness and vehicle condition. A session was arranged with the Council's testing station to view vehicles with an MOT inspector.

LGMPA'76	2023-2024
Vehicle compliance sessions at test station	1
Vehicles checked at test station	19
Total vehicles checked roadside/test station	107 (note: 66 vehicles (62%) were fully compliant)
Vehicles suspended	10
----- Joint Operations with agencies and licensing authorities	----- 2 with Essex Police 2 with Wolverhampton Council

4. Of the 19 vehicles checked at the testing station, a total of 4 were Hackney Carriage and 15 were Private Hire. Therefore, 21% of vehicles tested were Hackney Carriage, proportionate to the total number of licensed vehicles that are Hackney Carriages (19%). Of the vehicles checked on all enforcement activity, 35 were Hackneys (33%).
5. Vehicles suspended are based on failure to meet the MOT standard (excluding emission checks).
6. Joint Operations with other authorities are not mandatory but are seen as good working practice for local authorities and are encouraged for future years to come. Joint operations help to ensure licensees from outside Harlow are checked for compliance with their home authority's conditions.

7. The following table shows complaints and actions taken against drivers and operators (not including regulatory subcommittee decisions)

Complaints	2023-2024
Driver Behaviour / Conduct	20
Driver Driving / Parking	17
Poor Service - Driver / Operator	10
Smoking in Vehicle	1
Vehicle condition	10
Other – e.g. fares charged by operators	5
Operator-using other lic vehicles/conditions	13
TOTAL Complaints investigated	76
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Complaints directed to another local authority	4
Inadequate details known / NFA	1
Enforcement Outcomes	
Advisory information issued verbal / written	51
Warnings issued verbal / written	3
Suspension	1
Revocation	1

8. The Licensing Team received 76 complaints concerning our licensed trade, these were received from various sources such as from members of public, other licensees or other enforcement agencies which are each carefully considered and investigated.

Service Delivery

9. Applications can now be received through email or an in-person appointment. Service provision is held to an excellent standard with all timely applications processed within the renewal timescales ensuring licence holders can continue to work.
10. The following table lays out the number of applications granted last year for application types under the Local Government (Miscellaneous Provisions) Act 1976 & Town Police Clauses Act 1847.

Application Type	Number of Applications 23/24
Taxi & Private Hire Driver	172
Taxi & Private Hire Vehicles	320
Private Hire Operators	16

Alcohol and Entertainment Licensing

Enforcement Activity

11. Harlow has 223 Licensed Premises under the Licensing Act 2003. Compliance with the Act takes several forms that include investigations in response to complaints about licensed premises and pro-active compliance inspections.
12. The following table indicates enforcement taken by the licensing team.

Licensing Act	2023-2024
Complaints	28
Out of Hours Surveillance – number of sessions	0
Out of Hours surveillance – total premises observed each session	0
Inspections	30
Revisits	3
Notice of Suspension of licence for non-payment of fees	0
Licences suspended non-payment	0

13. In 2022-2023 there was a need to intensively resource Out of Hours surveillance in Harlow, funded by Licensing and Environmental Health, this coincided with the reopening of licensed premises after Covid-19 and the return of regulated entertainment into licensed venues. Several Licensing Sub-Committees have been held over the last couple of years for licence reviews or where representations were submitted for new premises or variation applications. Subsequently, controls and regulation on some premises have contributed to a noteworthy improvement with regard to the number of complaints concerning licensed premises and their promotion of the Licensing Objectives (Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, Protection of Children from Harm).

Service Delivery

14. Nearly all applications under the Licensing Act are received electronically by email, apart from some specific requirements to see original documents.
15. The following table lays out the number of applications received last year for various applications under the Licensing Act.

Application Type	Number of Applications 23/24
Temporary Event Notice (TEN)	99
Personal Licence	58
Transfer of Premises Licence	11
Vary DPS	47
Minor Variation – Premises Licence	7
Full variation – Premises Licence	1
Notification of Interest	3
New Premises Licence Applications	9
Premises Licence Review Applications	1*
Premises Licence Summary Review Applications	0

16. * This licence review was withdrawn by Essex Police prior to a Sub/Committee hearing.

Other Licensing

Other Licensing Enforcement

17. The following table shows the number of enforcement visits carried out by the licensing team.

Other Licensing Regime	2023 – 2024 inspections
Scrap Metal	2
Gambling	7
Street Trading	3
Sex Establishments	0
Pavement / Highways Act	1
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Other Licensing Regimes Complaints	11

Service Delivery

18. The following table shows the number of applications received last year for other licence applications received.

Application Type	Number of Applications 23/24
Tables & Chairs – Highways Act	3
Tables & Chairs – (Pavement Licence) B&PA 2020	3
Street Trading	22
Gambling	6
Sex Establishment	1

Scrap Metal	2
Small Society New Registrations	8
Charity Collections/House to House	9 and 11

Implications

Equalities and Diversity

None Specific

Climate Change

None Specific

Finance

There are no direct financial implications arising from this report. Licensing Team and enforcement services are included within the Medium Term Financial Plan of the council.
 Author: Jacqui Van Mellaerts, Assistant Director – Finance and Deputy Section 151 Officer

Governance

None, this report is for noting only

Author: Julie Galvin, Legal Services Manager and Monitoring Officer

Appendices

None

Background Papers

None

Glossary of terms/abbreviations used

None