

**Report of the Assistant Director to the**  
**General Licensing Regulatory Board**  
**to be held on the 23 April 2014**

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**ENFORCEMENT REPORT**

**1. Purpose of Report**

The purpose of this report, is to provide Members with an overview of the work Licensing Enforcement Officers have undertaken to date.

**2. Background**

Members are minded to note, that since the last update in March 2014, Licensing Enforcement Officers have continued to proactively embark on a number of taxi licensing enforcement operations. A summary of enforcement operations undertaken are detailed below.

**3. Current Position**

On 18 January 2014, Licensing Enforcement Officers alongside Vehicle Examiners from the Smithies Lane Depot, took part in a daytime operation focusing their attention on a series of licensed operators. In total, 26 licensed vehicles (both hackney carriage and private hire) were inspected, the results of which are as follows:

- 16 vehicles found to be compliant
- 10 vehicles issued with a suspension notice for defects i.e. defective tyres below the legal limit, brake and near side lights inoperative and airbag faulty
- No written warnings issued

Taking the above into account, Members will note that 38% of vehicles inspected were found to be non-compliant and as a result, suspended with immediate effect.

On 21 February 2014, a second daytime operation took place between Licensing Enforcement Officers and colleagues from Smithies Lane Depot, again focusing their attention on a series of licensed operators. In total, 22 licensed operators were visited and 13 vehicles (both hackney carriage and private hire) inspected, the results of which are as follows:

- 10 vehicles found to be compliant
- 3 vehicles issued with a suspension notice for defects i.e. defective tyres below the legal limit and headlights and brake lights inoperative
- No written warnings issued

Taking the above into account, Members will note that whilst only a small number of vehicles were inspected, 23% were still found to be non-compliant and as a result, suspended with immediate effect.

On 28 February 2014, a further daytime joint working enforcement operation took place, again involving Enforcement Officers from the Licensing Service and Vehicle Examiners from Smithies Lane Depot. During the inspections a total of 31 licensed vehicles (both hackney carriage and private hire) were inspected, the results of which are as follows:

- 18 vehicles found to be compliant
- 13 vehicles issued with a suspension notice for defects i.e. defective tyres below the legal limit, both front brake pads worn, brake lights inoperative, uneven headlights, missing door signage and rear seat belt inaccessible of which 7 drivers were issued with a written warning for failing to complete daily check sheets and failing to produce driver badge.

Taking the above into account, Members will note that 42% of vehicles inspected were found to be non-compliant and as a result, suspended with immediate effect. In addition, 22.5% of drivers issued with a written warning.

On 28 March 2014, a multi-agency evening operation took place involving Licensing Enforcement Officers, South Yorkshire Police, VOSA and Customs & Excise. In total, 23 vehicles were inspected, results of which are detailed below:

- 19 vehicles found to be compliant
- 4 vehicles issued with a suspension notice for defects i.e. defective tyres below the legal limit of which 4 drivers were issued with a written warning for failing to complete daily check sheets and poor attitude

Taking the above into account, Members will note that 17% of vehicles inspected were found to be non-compliant and as a result, suspended with immediate effect. These are both serious and unacceptable conditions to operate a licensed vehicle; a vehicle that is licensed to transport members of the paying public to their destination safely. The same 17% were also issued with written warnings for reasons that could have been simply avoided through the completion of a daily inspection check sheet and in doing so, detected the potential danger with each defective tyre.

Vehicle non-compliance is not just an issue Officers are concerned with during the undertaking of each and every enforcement operation; it is one that continues to be at the forefront of every Vehicle Examiners mind whilst undertaking every MOT test. Officers within the Licensing Service were pleased to report in its last update that vehicle failure rates at Smithies Lane Depot had reduced by 30%. This is an encouraging statistic and one that is welcomed by all. However, it must not be ignored that a failure rate of 50% remains to be both an appalling and unacceptable statistic and one, Licensing Enforcement Officers and fellow internal and external colleagues alike chose not to ignore. Defective tyres are not acceptable, failure to complete a basic vehicle check sheet, a check sheet that not only the Trade requested to complete but a tool that ensures the very safety of a licensed vehicle, is not acceptable.

**4. Proposal**

Proactive enforcement operations like these will continue to take place on a quarterly basis and since the submission of its last enforcement update report, the Licensing Service is pleased to report that current vehicle MOT failure rates have reduced by a further 3% and currently stand at 47%. Whilst this statistic is encouraging, it still remains at an unacceptable level and continues to harbour great concerns amongst those committed to combating such ill failings. The Licensing Service will endeavour in its quest to cascade a strong message to operators, vehicle proprietors and drivers who must begin to accept responsibility for their failures and make a change.

Failure to do so, will only continue to put the safety of the public at risk when using a hackney carriage or private hire vehicle in Barnsley.

After all, the principal consideration here must be one of public safety.

**5. Background Papers**

Enforcement Officer Reports which contain exempt information and not available for public inspection

**6. Officer Contact**

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