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MEETING:	General Licensing Regulatory Board
DATE:	Wednesday 20 December 2023
TIME:	2.00 pm
VENUE:	Reception Room, Barnsley Town Hall

AGENDA

1 Declaration of Interests

To receive any declarations of pecuniary and non-pecuniary interest from Members in respect of items on the agenda.

2 Minutes (*Pages 3 - 4*)

To accept as a correct record the minutes of the meeting held on 6 September 2023.

3 Licensing and Enforcement Update (*Pages 5 - 8*)

To: Chair and Members of General Licensing Regulatory Board:-

Councillors Green (Chair), Bellamy, Booker, Bowser, A. Cave, Cherryholme, Clarke, Denton, Eastwood, Ennis OBE, Hunt, Lodge, Lowe-Flello, Markham, Moyes, Murray, Osborne, Risebury, Sheard, Shepherd, Stowe, Tattersall, White, Wilson and P. Wright

Wendy Popplewell, Executive Director Core Services
Matt O'Neill, Executive Director Growth and Sustainability
Sajeda Khalifa, Solicitor
Debbie Bailey, Senior Licensing Officer
Jamie Impey, Senior Legal Officer

Please contact Mel Bray on email governance@barnsley.gov.uk

Tuesday 12 December 2023

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MEETING:	General Licensing Regulatory Board
DATE:	Wednesday 6 September 2023
TIME:	2.00 pm
VENUE:	Council Chamber, Barnsley Town Hall

MINUTES

Present

Councillors Green (Chair), Bellamy, Booker, Bowser, Clarke, Eastwood, Hunt, Lodge, Murray, Osborne, Tattersall and P. Wright

19 Declaration of Interests

There were no declarations of pecuniary and non-pecuniary interest from Members in respect of items on the agenda.

20 Minutes

RESOLVED that the minutes of the General Licensing Regulatory Board meeting held on 19 April 2023 be approved as a true and correct record.

21 Licensing and Enforcement Update

Members were provided with an overview of the enforcement work that had recently been undertaken by Licensing Officers.

Members were advised that on 21 July 2023 Licensing Enforcement Officers alongside South Yorkshire Police Officers had taken part in a night time operation which was focused on Barnsley town centre and the Hackney Carriage and Private Hire drivers and vehicles that work in the night time economy. Councillor Green, Chair of the General Licensing Regulatory Board, was also in attendance. In total, 26 licensed vehicles and drivers had been inspected on the night, which had included 3 vehicles that were licenced by other local authorities.

The results of the vehicles inspected as part of the operation were as follows:-

- 18 vehicles were found to be fully compliant.
- 2 vehicles were suspended for having no working number plate lights. The vehicles were repaired and had their licenses reinstated on the night.
- 3 written warnings were issued to drivers for failing to complete their daily vehicle checks.

Members were advised of a joint two day enforcement operation that had been undertaken with Licensing Enforcement Officers alongside colleagues in the Safer Neighbourhoods Team. A total of 13 scrap metal sites had been visited during the enforcement operation, of which 10 sites had been found to be compliant and 3 sites had licences which had already lapsed. All site owners had been spoken to and advised, and the 3 sites had now submitted applications to obtain the relevant licences and carry on their business legitimately.

The Licensing Officers were liaising with the Safer Neighbourhoods Team and South Yorkshire Police to arrange future joint enforcement operations to target scrap metal sites and collectors, to ensure compliance with the relevant legislation.

Proactive enforcement operations would continue to take place on the Hackney Carriage and Private Hire drivers and vehicles, and with the scrap metal dealers that were licensed under the Scrap Metal Dealers 2013.

Councillor Osborne requested that Members be invited to observe a future operation on the Hackney Carriage and Private Hire drivers and vehicles.

In response, Councillor Green commented that Members would be invited to observe the next operation with the Licensing Officers and South Yorkshire Police Officers.

Councillor Eastwood expressed her thanks to the Licensing Officers for the enforcement work undertaken on the Hackney Carriage and Private Hire drivers and vehicles, which continued to keep members of the public safe when travelling in the vehicles.

RESOLVED that Members supported Officers and encouraged Hackney Carriage and Private Hire drivers and operators to comply with the conditions of their licence and continue to keep their vehicles as safe as possible for both drivers and customers at all times.

Chair

Item 3

**Report of the Assistant Director to the
General Licensing Regulatory Board
to be held on the 20 December 2023**

LICENSING AND ENFORCEMENT UPDATE

1. Purpose of Report

The purpose of this report is to provide Members with an overview of the enforcement work Licensing Officers have recently undertaken.

2. Background

Members are minded to note, that Licensing Officers have continued to proactively work with the Hackney Carriage and Private Hire Trade and other Local Authority Departments and partners to ensure that any issues and concerns within the trades are raised and addressed accordingly.

On the 4th and 10th November and the 2nd December 2023 Licensing Officers carried out 3 taxi and private hire licensing enforcement operations in the town centre. A summary of the enforcement operations are detailed below.

3. Current Position

On the 4th November 2023 Licensing Enforcement Officers alongside Officers from South Yorkshire Police and Wolverhampton Licensing Authority took part in a night-time operation focusing their attention in Barnsley town centre and the drivers and vehicles that work in the night-time economy. The Chair of the Licensing Regulatory Board, Councillor S Green, was also in attendance.

In total 10 licensed vehicles and drivers were inspected on the night, all of which were licensed by other Local Authorities being: -

- 2 vehicles and drivers licensed by Calderdale;
- 4 vehicles and drivers licensed by Wolverhampton;
- 2 vehicles and drivers licensed by Sheffield
- 1 vehicle and driver licensed by Leeds
- 1 vehicle and driver licensed by Chesterfield

As part of this operation Wolverhampton Licensing Officers suspended 3 of their licensed vehicles for issues in relation to door signage. In addition, the Officers working also ensured that all of the drivers and vehicles checked could evidence their customers bookings.

On the 10th November 2023 Licensing Enforcement Officers carried out a day-time operation focusing their attention in Barnsley town centre and the drivers and vehicles that work in the day-time economy.

In total 12 licensed vehicles and drivers were inspected on the day, all of which were Barnsley licensed drivers and vehicles and all were found to be compliant.

On the 2nd December 2023 Licensing Officers alongside Officers from South Yorkshire Police and Licensing Officers from Wolverhampton, Leeds and Sheffield Local Authorities all took part in a night-time operation focusing their attention in Barnsley town centre and the drivers and vehicles that work in the night-time economy. The Chair of the Licensing Regulatory Board, Councillor S Green, was also in attendance.

During the operation Officers focused their attention on vehicles and drivers that were licenced by Licensing Authorities outside of Barnsley. A total of 19 vehicles were stopped on the night, all of which were licensed by other Local Authorities. The results of which are detailed below: -

- 2 vehicles and drivers licensed by Calderdale;
- 2 vehicles and drivers licensed by Wolverhampton;
- 5 vehicles and drivers licensed by Sheffield
- 1 vehicle and driver licensed by Leeds
- 2 vehicles and driver licensed by Chesterfield
- 2 vehicles and drivers licensed by Wakefield
- 4 vehicles and drivers licensed by Rotherham
- 1 vehicle and driver licensed by Bradford

As part of the operation, Licensing Officers from all authorities involved checked their own licensed vehicles and drivers accordingly and took their own enforcement action if necessary.

In addition, the Officers working also ensured that all of the drivers and vehicles checked could evidence their customers bookings.

Vehicle and driver non-compliance is an issue Officers are concerned with during the undertaking of each and every enforcement operation. Regardless of which authority issued the licences, defective vehicles are not acceptable and cannot be excused and officers will continue to pro-actively enforce both the legislation and our local conditions accordingly.

4. Proposal

Proactive joint enforcement operations will continue to take place on a regular basis. Vehicle failures are always unacceptable, and our operations must convey the message that operators, vehicle proprietors and drivers must accept responsibility for any failures and make a change. All Licensing Authorities have clear standards that must be adhered to as failure to do so may put the safety of the public at risk when using a hackney carriage or private hire vehicle.

The principal consideration for all is, as always, one of public safety.

Members are asked to support Officers and encourage private hire and hackney carriage drivers and operators to comply with the conditions of their licence and continue to keep their vehicles as safe as possible for both drivers and customers at all times.

5. Background Papers

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

6. Officer Contact

Debbie Bailey
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