

**Report of the Assistant Director to the
General Licensing Regulatory Board
to be held on the 6 September 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.

In addition, on the 21 July 2023 Licensing Officers carried out a taxi and private hire licensing enforcement operation in the town centre. A summary of the enforcement operation is detailed below.

Members are also advised that since the last enforcement update, Licensing Officers have proactively undertaken a joint enforcement operation with colleagues in the Safer Neighbourhood Team visiting scrap metal sites within the borough. A summary of the enforcement operation undertaken is detailed below.

3. Current Position

On the 21 July 2023 Licensing Enforcement Officers alongside Officers from South Yorkshire Police 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 26 licensed vehicles and drivers were inspected on the night, including 3 vehicles that were licensed by other Local Authorities, being Chesterfield, Sheffield and Rotherham. The results of the operation are detailed 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 licences reinstated on the night.
- 3 drivers were issued with written warnings for failing to complete their daily vehicle checks.

Vehicle non-compliance is an issue Officers are concerned with during the undertaking of each and every enforcement operation. Defective vehicles are not acceptable and cannot be excused, coupled with failing to complete basic vehicle inspection sheets, which is a tool that ensures the very safety of a licensed vehicle, is not acceptable.

Scrap Metal

All scrap metal dealers previously registered under the Scrap Metal Dealers Act 1964 or Vehicles (Crime) Act 2001 must now hold a licence issued under the Scrap Metal Dealers Act 2013 in order to trade legally.

Officers have recently taken part in a joint two-day enforcement operation with our colleagues in the Safer Neighbourhoods Team. During the operation 13 scrap metal sites were visited of which 10 were found to be complaint and 3 had licences which had recently lapsed.

All site owners were spoken to and advised accordingly, and we have now received applications for all 3 of the sites identified to obtain the relevant licences and carry on their business legitimately.

In addition, Licensing Officers are working with the Safer Neighbourhoods Team and South Yorkshire Police to set up future joint enforcement operations to target scrap metal sites and collectors to ensure compliance with the relevant legislation.

4. Proposal

Proactive enforcement operations will continue to take place. Vehicle failures are always unacceptable, and our operations must convey the message that operators, vehicle proprietors and drivers must accept responsibility for their failures and make a change. We 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 in Barnsley.

The principal consideration 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.

Proactive enforcement operations will also continue to take place on a regular basis and Licensing Officers will work with all Responsible Authorities and partner agencies to ensure compliance of licensing requirements across the borough. Whilst offences are always unacceptable, we will combat ill failings and convey the message that all individuals licensed under the Scrap Metal Dealers 2013 must begin to accept responsibility for their failures and make a change.

5. Background Papers

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

6. Officer Contact

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