

**Report of the Service Director to the
General Licensing Regulatory Board
to be held on the 25 October 2017**

ENFORCEMENT UPDATE

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 enforcement update, 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 – Taxi Licensing

On 5 July 2017, Licensing Enforcement Officers alongside Vehicle Examiners from the Smithies Lane Depot, took part in a day time operation focusing their attention at Springwell School. During the day a sizable percentage of vehicles and drivers were inspected. In total 38 licensed vehicles were inspected, the results of which are detailed as follows:

38 vehicles found to be compliant and 5 vehicles were issued with immediate suspension notices for:

- Rear tyre misshapen
- inoperative side lights
- inoperative and damaged brake lights
- Inoperative number plate lights
- Tyre below limit

Other vehicles received advice in relation to:

- Cleanliness
- Dim side light
- Bulb positioned the wrong way
- Plates ineffectively adhered to vehicles
- Tyres close to legal limit

During the same inspection and in addition to the above, 1 driver also received a written warning:

- for falsifying the required daily check sheet

On 15 September 2017, Licensing Enforcement Officers alongside Vehicle Examiners from the Smithies Lane Depot, took part in a morning operation focusing their attention again on our smaller licensed Operators. Again, it is important sufficient time is taken to inspect each and every business to ensure compliancy. During the morning only a small proportion of vehicles were available for inspection. In total 8 licensed vehicles were inspected, the results of which are detailed as follows:

4 vehicles were found to be compliant and 4 vehicles were issued with immediate suspension notices for defects including:

- Inoperative number plate lights
- Inoperative side lights
- Inoperative brake lights
- Tyres being under the limit (2mm)
- Inoperative wing mirror repeater

In addition to the above advice was also given in relation to:

- Trip Hazards

During the operation 1 driver was also issued with a written warning for failing to complete their daily vehicle inspection book.

Taking the above into account, Members will note that 50% of vehicles inspected during this operation were found to be non-compliant and as a result, suspended with immediate effect.

Vehicle non-compliance is an issue that 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, an inspection 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 Officers are in the process of arranging enforcement operations with the Driver and Vehicle Standards Agency, South Yorkshire Police and Customs and Excise. Whilst vehicle failure rates remain at an unacceptable level this continues to harbour great concerns amongst those driven to combat such ill failings and convey the message that operators, vehicle proprietors and drivers 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.** In addition to actively checking for driver and vehicle compliance as part of roadside checks, Enforcement Officers also carry out investigations into allegations of illegal drivers operating in the borough.

6. Current Position – Licensing Act 2003

ARGUS Training

In light of recent tragic events through the country Licensing Officers sourced counter terrorism training for all licensed premises in the town centre.

34 town centre licensees all successfully completed the ARGUS training at Barnsley Town Hall. The training was delivered by Counter Terrorism Security Advisers who used multimedia simulation and posed questions and dilemmas to participants to raise the awareness of the threat of terrorism and provided practical advice on preventing, handling and recovering from an attack.

7. Reduce The Strength Initiative

Officers are currently working with licensed premises in the town centre to reduce the availability of high strength cans of beer and lager. A verbal update of the results of this work will be presented at the General Licensing Board as Officers have insufficient time to provide the relevant statistics for circulation prior to the meeting.

8. Best Bar None

Best Bar None is an Accreditation Scheme with National Awards supported by the Home Office and the drinks industry which is aimed primarily at promoting responsible management and operation of alcohol licensed premises.

The scheme is being launched in Barnsley on the 14th November and will conclude in June 2018 with an award ceremony for all involved.

Officers have been trained and passed exams to become qualified assessors under the Best Bar None Scheme.

9. Immigration checks in licensed premises

On the 12th October Licensing Officers accompanied by Immigration Enforcement Officers inspected 3 licensed premises in the town centre to ensure compliance under the Licensing Act 2003. A verbal update of the results of this operation will be presented at the General Licensing Board as

Officers have insufficient time to provide the relevant statistics for circulation prior to the meeting.

10. Background Papers

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

11. Officer Contact

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