

Report of the Assistant Director to the
General Licensing Regulatory Board
to be held on the 18 June 2014

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 April 2014, Licensing Enforcement Officers have proactively embarked on two further taxi licensing enforcement operations. A summary of enforcement operations undertaken are detailed below.

3. **Current Position**

On 2 May 2014, Licensing Enforcement Officers alongside Vehicle Examiners from the Smithies Lane Depot, took part in a day/night time operation focusing their attention on a series of licensed operators. In total, 19 hackney carriage vehicles and 35 private hire vehicles were inspected, the results of which are as follows:

Hackney Carriage

- 15 vehicles found to be compliant
- 4 vehicles issued with a suspension notice for defects i.e. defective tyres below the legal limit, brake and near side lights inoperative of which 1 driver was issued with a written warning for failing to complete daily check sheets

Taking the above into account, Members will note that 21% of hackney carriage vehicles inspected were found to be non-compliant and as a result, suspended with immediate effect.

Private Hire

- 20 vehicles found to be compliant
- 15 vehicles issued with a suspension notice for defects i.e. defective tyres and inoperative brake, head and side lights of which 8 drivers were issued with written warnings for either falsifying daily check sheets or failing to complete daily check sheets

Taking the above into account, Members will note that 43% of private hire vehicles inspected were found to be non-compliant and as a result, suspended with immediate effect. In addition, 23% of drivers were issued with written warning.

On 22 May 2014, a second day/night 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, 13 hackney carriage vehicles and 27 private hire vehicles were inspected, the results of which are as follows:

Hackney Carriage

- 10 vehicles found to be compliant
- 3 vehicles issued with a suspension notice for defects i.e. defective tyres below the legal limit, headlights and brake lights inoperative and no windscreen wash of which 2 drivers were issued with written warnings for failing to complete daily check sheets

Taking the above into account, Members will note that whilst only a small number of hackney carriage vehicles were inspected, 23% were still found to be non-compliant and as a result, suspended with immediate effect. Furthermore, 15% of drivers were issued with a written warning for reasons that again could have simply been avoided through the completion of an inspection check sheet and in doing so, detected the potential danger with defective tyre.

Private Hire

- 18 vehicles found to be compliant
- 9 vehicles issued with a suspension notice for defects i.e. defective tyres below the legal limit inoperative head and side lights and failure to display door signage of which 7 drivers were issued with written warnings for failing to complete daily check sheets

Taking the above into account, Members will note that 33% of vehicles inspected were found to be non-compliant and as a result, suspended with immediate effect. In addition, 26% of drivers issued with a written warning.

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 3%. This is a slightly encouraging statistic and one that is welcomed by all. However, it must not be ignored that a failure rate of 47% is unacceptable statistic and one, Licensing Enforcement Officers and fellow internal 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 the last enforcement update report, the Licensing Service is pleased to report that current first time vehicle MOT failure rates has reduced by a further 1% and currently stand at 46%. Whilst this statistic is encouraging, this unacceptable level 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.

Furthermore, at the last meeting Members requested a breakdown on the numbers of hackney carriage and private hire vehicles licensed with Doncaster Council.

Hackney Carriage	187
Private Hire	509

Members may also recall Doncaster Council's first time vehicle failure rate for 2013/14 was 12%. However, since reporting this statistic it has been confirmed that the system operated by Doncaster Council is somewhat different to the system operated by Barnsley Council. In essence, vehicle examiners allow up to 5 faults, including inoperative bulbs (MOT failure) before suspending a licensed vehicle. Taking this information into account, it is important to note that in 2013/14, 21% of the overall vehicle failure rate was attributed to inoperative bulbs. Deducting this figure from the overall 47% failure rate, Barnsley Council's vehicle failure rate would reduce significantly to 26%. In terms of the benchmarking exercise, this would no longer see this Council at the bottom of the league table but indeed in second place.

5. **Background Papers**

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

6. **Officer Contact**

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