

**Report of the Assistant Director to the  
General Licensing Regulatory Board  
to be held on the 1 October 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 May 2014, Licensing Enforcement Officers have continued to proactively embark upon a number of licensing enforcement operations. A summary of enforcement operations undertaken are detailed below.

**3. Current Position**

On 25 June 2014, Licensing Enforcement Officers alongside Vehicle Examiners from the Smithies Lane Depot took part in a daytime operation focusing their attention on a small select number of licensed operators whose vehicles persistently fail their MOT test. In total 7, private hire vehicles were inspected, the results of which are as follows:

**Private Hire**

- 5 vehicles found to be compliant
- 2 vehicles issued with a suspension notice for defects i.e. defective tyre, inoperative head and side lights of 2 of 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 out of 7 private hire vehicles inspected 2 were found to be non-compliant and as a result, suspended with immediate effect. In addition, 2 drivers were issued with a written warning.

On 26 June 2014, a second daytime operation took place between Licensing Enforcement Officers and colleagues from Smithies Lane Depot, again focusing their attention on a small select number of licensed operators. In total, 6 private hire vehicles were inspected, the results of which are as follows:

#### Private Hire

- 4 vehicles found to be compliant
- 2 vehicles issued with a suspension notice for defects i.e. defective tyre, inoperative headlights and side lights 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 private hire vehicles were inspected, 2 of the 6 private hire vehicles inspected were still found to be non-compliant and as a result, suspended with immediate effect for reasons that could have simply been avoided through the completion of an inspection check sheet and in doing so, detected the potential danger of a defective tyre. Furthermore, both drivers of the above non-compliant vehicles were issued with a written warning.

On 31 July 2014, a day/night time operation took place between Licensing Enforcement Officers and colleagues from Smithies Lane Depot focusing their attention on a number of licensed operators. In total, 18 vehicles (9 hackney carriage and 9 private hire) were inspected, the results of which are as follows:

#### Hackney Carriage

- 7 vehicles found to be compliant
- 2 vehicles issued with a suspension notices for defects i.e. inoperative brake and side lights and cleanliness of vehicles
- No written warnings issued

Taking the above into account, Members will note that whilst only a small number of hackney carriage vehicles were inspected, 2 of the hackney

carriage vehicles inspected 9 were still found to be non-compliant and as a result, suspended with immediate effect.

#### Private Hire

- 8 vehicles found to be compliant
- 1 vehicle was issued with a suspension notice for defects i.e. inoperative head and side lights and failure to display door signage
- No written warnings issued

Taking the above into account, Members will note that only 1 of the private hire vehicles inspected were found to be non-compliant and as a result, suspended with immediate effect.

On 7 August 2014, a two day joint working enforcement operation took place, again involving Enforcement Officers from the Licensing Service and Vehicle Examiners from Smithies Lane Depot. In 49 licensed vehicles (8 hackney carriage and 41 private hire) were inspected, the results of which are as follows:

#### Hackney Carriage:

- 3 vehicles found to be compliant
- 5 vehicles issued with suspension notices for defects i.e. inoperative head and brake lights and cleanliness of vehicles of which 1 driver was issued with a written warning for falsifying the completion of daily check sheet

Taking the above into account, again whilst only a small number of hackney carriage vehicles were inspected, Members will note that 5 of the 8 hackney carriage vehicles inspected were found to be non-complaint and as a result, suspended with immediate effect and 1 driver was issued with a written warning.

### Private Hire

- 30 vehicles found to be compliant
- 11 vehicles issued with suspension notices for defects i.e. defective tyres, no door signage, inoperative lights and cleanliness of vehicles of which 10 drivers were issued with written warnings for failing or falsifying the completion of the daily check sheet

Taking the above into account, Members will note that 11 of the 41 hackney carriage vehicles inspected were found to be non-compliant and therefore suspended with immediate effect. Furthermore, 10 drivers were issued with written warning for reasons which cannot be excused.

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 a further 1%. This is a slightly encouraging statistic and one that is welcomed by all. However, it must not be ignored that a failure rate of 46% 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 2% and currently stand at 44%. 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. In an attempt to help remedy a particular prominent failing, from 1 October 2014 the Licensing Service will be issuing free tyre gauges to the licensed trade, enabling officers to educate drivers, vehicle proprietors and operators alike on how to confidently measure the depth of a tyre tread ensuring it is being used within the scope of the law.

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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