

**Report of the Assistant Director to the
General Licensing Regulatory Board
to be held on the 1 July 2015**

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

On 29 January 2015, Licensing Enforcement Officers alongside Vehicle Examiners from the Smithies Lane Depot, took part in a day time operation focusing their attention on our smaller licensed Operators. It is important sufficient time is taken to inspect each and every business to ensure compliancy. During the day only a small proportion of vehicles were available for inspection. In total 6 licensed vehicles were inspected, the results of which are detailed as follows:

- 5 vehicles found to be compliant
- 1 vehicle was in a dirty condition inside and out and so the driver was spoken to and advised accordingly.

It is pleasing to report that all of the vehicles inspected on this occasion were found to be mechanically compliant.

On 10 April 2015, a joint multi agency night time operation took place in Barnsley town centre involving Licensing Enforcement Officers, colleagues from Smithies Lane Depot and South Yorkshire Police. (Officers were also accompanied by members of the General Licensing Regulatory Board). This road side operation focused attention on all licensed vehicles that were in the vicinity of Sheffield Road during the course of the evening. Working collaboratively, Officers inspected a high volume of licensed vehicles (both hackney carriage and private hire) as well as two alleged illegal vehicles. In total 25 vehicles were inspected the results of which are detailed as follows:

- 15 vehicles were found to be compliant
- 10 vehicles were issued with immediate suspension notices for defects including:
 - 5 illegal tyres
 - Inoperative top sign
 - Inoperative headlights
 - ABS fault
 - Inoperative side lights
 - Inoperative number plate lights
 - White Indicators
 - Door panel missing

In addition to the above, 3 drivers were also issued with written warnings for failing to complete or falsifying their daily vehicle inspection books.

Also during the same operation Police Officers issued the following notices to Barnsley MBC licensed drivers and vehicles:

- 3 Prohibition Notices
- 3 tickets for illegal tyres
- 1 fixed penalty notice for "Failing to Stop"

Members will note the serious and unacceptable conditions that licensed vehicles were found in during the evening and also the disregard paid to Officers during the operation, hence why one driver received a fixed penalty notice for ignoring a Police Officer and failing to stop when requested to do so.

Also during the course of the evening 2 alleged illegal taxis who are known to Licensing Officers were stopped, their vehicles inspected and the drivers spoken to. Both drivers were subsequently invited to attend a tape recorded interview under caution to explain the alleged illegal activity and both declined to attend. They have now been given the opportunity to apply for a Private Hire/ Hackney Carriage drivers licences.

Taking the above into account, Members will note that 40% of vehicles inspected during this operation were found to be non-compliant and as a result, suspended with immediate effect. Also 12% of drivers were issued with a written warning, warnings for reasons that could have been simply avoided through the accurate completion of a daily inspection check sheet.

On the 23 April 2015 Licensing Enforcement Officers alongside Vehicle Examiners from the Smithies Lane Depot, took part in a day time 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 day only a small proportion of vehicles were available for inspection. In total 4 licensed vehicles were inspected, the results of which are detailed as follows:

- 2 vehicles found to be compliant
- 2 vehicles were issued with a suspension notice for defective lights and 1 driver received a written warning for failing to complete his vehicle inspection sheet

Taking the above into account, Members will note that 50% of vehicles inspected were found to be non-compliant and as a result, suspended with immediate effect and 25% of drivers were 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 an MOT test. 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. 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. **Background Papers**

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

6. **Officer Contact**

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