

MEETING:	General Licensing Regulatory Board
DATE:	Wednesday, 9 September 2015
TIME:	2.00 pm
VENUE:	Reception Room, Barnsley Town Hall

MINUTES

Present Councillors C. Wraith MBE (Chair), Burgess, J. Carr, Davies, Ennis, S. Green, Hampson, Johnson, Lamb, Millner, Richardson, Sheard and Tattersall

5 Declarations of Interest

There were no declarations of pecuniary and non-pecuniary interest from Members in respect of items on the agenda.

6 Minutes

The minutes of the meeting held on the 1st July, 2015 were taken as read and signed by the Chair as a correct record.

Arising out of the discussion of the minutes reference was made to the following:

- (a) Training – a training session for all Members of the Board had been arranged for Wednesday 14th October, 2015. Further details would be sent out in due course but Members were asked to make a note of the date in their diary
- (b) Facebook Taxi Operation – interviews had been held with three individuals and appropriate prosecution files were being prepared by both the Police and by Licensing Enforcement Officers.

7 Licensing Enforcement - Update

The Assistant Director Regulatory Services submitted a report providing an overview of the work of Licensing Enforcement Officers undertaken recently.

Since the last meeting, Licensing Enforcement Officers had proactively embarked on a further three taxi enforcement operations. These were categorised by licence type as follows:

- (a) 3rd July, 2015 – a daytime exercise involving Licensing Enforcement Officers together with Vehicle Examiners from the Smithies Lane Depot focusing on Hackney Carriage Ranks and larger Private Hire Operators.
 - 7 Hackney Carriages and 22 Private Hire Vehicles inspected
 - 22 found to be compliant
 - 5 vehicles issued with immediate suspension notices for inoperative/defective lights and one vehicle for a missing wheel nut. All vehicles were rectified and the suspension notices lifted within the day
 - Advice offered to various drivers in relation to

- cleanliness of the vehicle
- defective carpeting – causing a trip hazard
- No smoking signs and legislation
- Plates ineffectively adhered to vehicles
- Scrubbing tyres due to poor wheel alignment
- 2 written warnings issued for failure to display drivers badge and for failing to complete the daily check sheet

(b) 7th August, 2015 – a daytime exercise involving Licensing Enforcement officers together with Vehicle Examiners from the Smithies Lane Depot focusing on smaller licensed Operators. It was stressed that it was important that sufficient time was taken to inspect each and every business to ensure compliance with licensing conditions.

- 12 Licensed vehicles inspected
- 7 found to be compliant
- 5 vehicles issued with immediate suspension notices for defective lights, inoperative screen wash and absence of internal plate. All vehicles were rectified and the suspension notices lifted within the day
- Advice offered to various drivers in relation to cleanliness of the vehicle and tyres being close to the legal limit
- 2 written warnings issued for failing to complete daily check sheets and for smoking in a licensed vehicle

(c) 28th August, 2015 – a daytime operation involving Licensing Enforcement Officers together with Vehicle Examiners from the Smithies Lane Depot focusing again on a number of smaller Licensed Operators & the Hackney Ranks.

- 25 Licensed vehicles inspected
- 4 vehicles issued with immediate suspension notices for defective lights, a defective passenger window and an airbag warning light. All vehicles were rectified and the suspension notices lifted within the day with the exception of the vehicle with a faulty window. This vehicle remained suspended for the entire Bank Holiday Weekend which it was felt should act as a deterrent and encourage the driver (as well as other drivers) to ensure that vehicles were adequately and appropriately maintained
- 2 written warnings issued for failure to complete the daily check sheets

Vehicle Compliance continued to be an issue and was at the forefront of every enforcement operation and with every Vehicle Examiner whilst undertaking MOT Tests. It was pleasing to note, however, that vehicle compliance was improving and was a testament to the hard work of the staff involved with enforcement.

Proactive enforcement operations would continue to be undertaken on a quarterly basis.

In the ensuing discussion, and in response to questioning, particular reference was made to the following:

- Whilst the majority of vehicle ‘failures’ were minor (relating to faulty or inoperative lighting) it was important to note that such matters were, nevertheless an MOT failure. It was noted that the type of faults encountered was becoming less ‘severe’ and, therefore, whilst a number of vehicles had been suspended, it would appear that the taxi fleet was largely found to be kept in a reasonable condition. It was suggested that in future consideration be given to the wording of reports to reflect the severity of defects found. Arising out of this the Board was informed that many drivers were now carrying spare bulb kits which meant that faults could be rectified immediately and vehicles returned to the road.
- It was noted that licensed vehicles remained ‘licenced’ even when they were being used ‘privately’. It was important to note that vehicle plates should remain displayed at all times
- Members were pleased to note the improvements in vehicle compliance with licensing conditions. Arising out of this discussion it was noted that driver attitudes to Enforcement Staff also appeared to be improving
- It was noted that if drivers were found to be habitual offenders, appropriate action would be taken and those drivers would be required to attend a General Licensing Panel to explain their behaviour
- In response to detailed questioning, the Licensing Enforcement Officer explained the differing responsibilities of Enforcement Officers and the Police when undertaking joint operations
- An explanation was given of the statutory requirements for vehicle examinations. It was noted, however, that ‘spot check’ inspections including those at the rank and at Operators premises had a positive impact on compliance and were a key element of ensuring improvements continued and that members of the travelling public were kept safe. All vehicles were subject to at least one ‘spot check’ inspection per year
- Members were encouraged to attend an enforcement exercise so that they could see, at first hand, the type of work undertaken and the issues faced by Enforcement Officers
- The importance of daily check sheets was outlined. It was noted that their introduction was at the request of the trade. Some Operators suspended drivers if they were found to be failing to comply with this requirement
- Members were reminded that they could contact the Licensing Service if they required details of and an update of any types of enforcement operation undertaken

RESOLVED:

- (i) That the report be received; and
- (ii) That the Board place on record their thanks and appreciation to the staff within the Licensing Service and Smithies Lane Depot for all their hard work in undertaking Enforcement activities and ensuring the continued safety of the travelling public and for the outstanding results currently being achieved.

Note: at the conclusion of the meeting the Board received an update on the following:

- **The music event held over the Bank Holiday Weekend on land off Old Mill Lane, Barnsley**
- **The action taken to prevent an unlicensed Music Event taking place in woods on land off Engine Lane, Shafton.**

Chair