

7. Enforcement Update - Street Trading, Taxi's and Alcohol Licensing

Executive Portfolio Holder: Peter Seib
Asst Director: Laurence Willis
Lead Officer: Colin Chown, Licensing Enforcement Officer
Contact Details: Colin.chown@southsomerset.gov.uk or (01935)462135

Purpose of the Report

To update members on the work of the licensing enforcement team and the various issues they are currently involved with.

Recommendation

- (1) That the report is noted.

Background

Officers carry out a number of enforcement activities under the various legislative provisions that relate to licensing, in particularly with regard to taxi's, alcohol licensing and street trading. This report seeks to brief members on the current issues that are being dealt with by the enforcement team.

Report Detail

Taxis

General

Enforcement officers and the Police have carried out regular late night taxi checks throughout the last three months, 52 vehicles being given roadside inspections.

This has resulted in two drivers being given advice regarding first aid and fire extinguisher signage. Three drivers being given advice regarding meters not working in conjunction with roof lights, one driver failing to use the meter and one driver parking on double yellow lines another driver was issued with a stop notice for excessive wear of brake pads.

A mystery shopper exercise was carried out with the assistance of officers from Mendip District Council. This has resulted in three drivers who failed to use the taximeter called into the Council offices to be interviewed under caution.

Further taxi checks were carried out at various schools in joint operations with VOSA and Somerset County Council, all vehicles checked were satisfactory.

Weekly daytime checks have also been carried out throughout the past three months on taxis in and around the centre of Yeovil to ensure compliance with our Hackney Carriage Policy and Bylaws.

Monthly taxi checks are carried out at the Pen Mill, Yeovil Junction and Castle Cary railway stations in order to ensure that vehicles that do not tend to use the ranks in and around the main towns are also subject to ad hoc inspections.

We have received nine taxi/private hire related complaints in the past three months.

Scrap Metal Dealers & Motor Salvage Operators

Working with the Police, enforcement officers carried out a number of inspections at registered scrap metal dealers and motor salvage operators as part of a force wide Operation Relentless, One dealer had failed to renew his registration. I am pleased to report that this dealer has since registered and now all premises are in compliant.

Licensing Act 2003

Regular inspections of licensed premises continue to be conducted throughout the year.

Street Trading

Seventeen permanent street traders have applied for and been granted consent to trade, one trader did not apply and legal action was taken against her, the trader was found guilty and fined £800.00 plus £15.00 surcharge plus the council were awarded costs of £1250.00 in the Magistrates Court and following an appeal to the crown court the verdict was upheld and a further £2939.50 costs awarded to the Council.

A further prosecution was taken on behalf of Yeovil Town Council on 11/10/2011 at Yeovil Magistrates Court, the trader was found guilty and fined £280.00 in the Magistrates Court plus the council were awarded costs of £280.00, an appeal to the Crown Court is due to be heard in January 2012.

Over fifty casual street traders have applied for and been granted consent to trade on individual days including the following at local carnivals.

South Petherton Carnival – 10 September 2011

Two traders without consent paid when challenged and consent given.

Three pedlars were challenged; all three had the necessary permits and were allowed to trade.

Ilminster Carnival - 1 October 2011

Nine traders applied for and were granted consent in advance. Four traders without consent paid when challenged and consent given.

Approximately twenty pedlars were challenged. Three without permits told to cease trading and to pack up and leave the area, which they all did.

Chard Carnival – 08 October 2011

Thirteen traders applied for and were granted consent in advance, three traders without consent paid when challenged and consent given.

Approximately twenty-five pedlars were challenged. Two without permits were told to cease trading and to pack up and leave the area, which they both did.

Castle Cary Carnival – 15 October 2011

Two traders without consent, paid when challenged and consent given.

Three pedlars were challenged: all three had the necessary permits and were allowed to trade.

Streetfest 16-17 July 2011

Seven traders with consent paid and consent given in advance.

Complaints

We dealt with numerous complaints regarding animal welfare, street collections, hackney carriage/private hire drivers, gambling, body piercing/tattooing, smoking in the workplace and licensed premises. In the past three months we received 29 complaints that required investigation.

Financial Implications

It is important for the Council that all fees from Street Traders are collected to enable the ongoing street trading enforcement. This could be checking legitimate traders are complying with the conditions of their consent or taking action against those that try to operate without first obtaining a consent.

Implications for Corporate Priorities

Ensure safe, sustainable and cohesive communities and increase economic vitality and prosperity by ensuring that all complaints are dealt with quickly, thoroughly and fairly, and by checking that all street traders are compliant with current food safety and health and safety legislation.

Equality and Diversity Implications

None

Other Implications

None

Background Papers: *None*
