

DEPARTMENT OF ENVIRONMENT AND LEISURE

ORIGINATING SECTION: PUBLIC PROTECTION SERVICE

REPORT TO : LICENSING COMMITTEE 6 December 2016

TITLE : UPDATE ON THE WORK OF PUBLIC PROTECTION AND ENVIRONMENTAL HEALTH SERVICE

1. PURPOSE

The purpose of this report is to provide an update on the work of the Council's Public Protection and Environmental Health Service (PPS) where there is a connection with businesses and persons who require a licence from the Council. This report covers the time period April – October 2016.

2. RECOMMENDATIONS

That members note the report.

3. KEY ISSUES

3.1 Under age sales test purchasing.

Trading standards officers regularly carry out test purchasing operations with under age volunteers to check whether retailers will sell them alcohol. Operations are typically targeted at shops which complaints have been made about.

During this period 3 operations have been carried out with 36 attempts to buy alcohol made in off-licences across Blackburn and Darwen. On 4 occasions the sale was made.

Test purchasing is controlled by a Home Office Code of Practice and the Regulation of Investigatory Powers Act 2000, which controls surveillance activity.

Generally, if a member of staff sells (and it's the first time they have done so) they are offered a place on a responsible alcohol retailing course at their expense as an alternative to receiving a fixed penalty notice. Officers make enquiries into the due diligence arrangements of the licensed premises, and if they are found wanting formal action can be taken. Retests at the premises which failed are carried out to check whether the improvements required have been made.

3.2 Safeguarding Awareness training

Work to roll out safeguarding training for existing taxi trade has begun with 2 seminars taking place over the summer months. At the training there were guest speakers from Children's Services who delivered the safeguarding training, Victims Voice who spoke about hate crime, and Connect – community travel.

The events were well received by those who attended.

3.3 CSE awareness week

Licensing Officers, together with the Police and Engage visited hotels within the borough to advise the management about Child Sexual Exploitation. Hotel managers were given training on what to look out for and where to report any concerns.

3.4 Elton John Concert at Ewood Park 2017

Staff from across PPS have been involved in initial meetings about the Elton John concert at Ewood Park on 10 June 2017. Advice had already been given to Blackburn Rovers in relation to their Safety of Sports Grounds Licence in the event of them wishing to put on a concert on the pitch and changes made to the Premises Licences in readiness for staging this type of event.

The concert is likely to attract 16-17,000 people; all will be seated on the pitch and on the stands.

PPS has several roles in relation to this concert:

- To ensure that the event within the footprint of the club takes place safely especially with regard to crowd safety, movement, stewarding and structural suitability of the stands.
- To minimise the noise disturbance to people who live near to the stadium
- To ensure the event is fully compliant with all the terms on their Alcohol/Entertainment licence. This will promote the licensing objectives of prevention of public nuisance, prevention of crime and disorder and public safety.
- Nearer the time the Trading Standards staff will be making sure merchandise is not counterfeit and comes up to the correct safety standards.

Multi-agency meetings have already taken place regarding this event with further meetings scheduled.

3.5 Taxi safety operations

There have been 4 evening taxi safety operations in Blackburn and Darwen. These are joint operations with the Police, Licensing enforcement officers and a vehicle examiner from the Council's motor vehicle service station.

In total 57 vehicles have been stopped for vehicle safety checks. In addition driver licences are checked.

3.6 The Immigration Act 2016

The Immigration Act 2016 comes into effect on 1 December 2016. The licensing team will be required to do checks on a licence applicant's right to work in the UK. This applies to taxi and alcohol licensing. The Act brings in a range of offences. Licensing officers have received training on the new requirements.

3.7 Update on Penalty Point Scheme

The penalty point scheme was introduced in January of this year for a 12 month trial. The scheme records points for a variety of minor offences and breaches of licence conditions. Should 20 points be accrued the driver will be referred to General Licensing Sub-committee for a review of their licence.

Since the introduction, 23 penalty point notices have been issued. No drivers have appealed the points, and none have reached the 20 point trigger which would mean a referral to the Licensing Committee.

3.8 Appeals against committee decisions

There have been 3 appeals to the Magistrates' Court against the decisions made by General Licensing Sub-Committees. In 2 cases the Court dismissed the appeal agreeing with the decision made by committee; in 1 case the appeal was upheld.

3.9 Noise complaints about pubs and clubs

Over the summer there have been a small number of complaints about licensed premises. The Environmental Protection team have worked proactively with the managers/tenants of the establishments to resolve problems informally before they escalate into more serious problems for residents living near-by. The Pennine Lancashire Night time noise service has been key in monitoring noise levels to give a picture of the extent of the problems complained about.

This proactive work means no legal action has been taken against our licensed premises this year.

3.10 Routine work carried out

The following table provides some of the key figures on work carried out by members of staff working in the Licensing Team from 1 April to November 2016.

Vehicle licences processed	1183
Driver licences processed	639
Licensing Act licences processed	137
Visits to new DPSs	93
Inspections of premises carried out -	191

4. RATIONALE

To inform members of the Licensing committee about the key work carried out by staff working within the Council's Public Protection and Environmental Health Team where there is a connection with businesses and people needing a licence from the Council.

5. POLICY IMPLICATIONS

None.

6. FINANCIAL IMPLICATIONS

None

7. LEGAL IMPLICATIONS

None.

8. RESOURCE IMPLICATIONS

None

9. CONSULTATIONS

None

10 . CONTACT OFFICER

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