

DEPARTMENT OF ENVIRONMENT AND LEISURE

ORIGINATING SECTION: PUBLIC PROTECTION SERVICE

REPORT TO : LICENSING COMMITTEE 13 March 2018

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. It also brings provides an update for members on national policy changes and proposals affecting licencing work.

This report covers the time period November 2017 to February 2018.

2. RECOMMENDATIONS

That members note the report.

3. KEY ISSUES

3.1 Taxi Safety Operations

A joint taxi safety operation has been carried out with Licensing Officers and School Transport at a school in the Borough. The purpose was to check that all vehicles and drivers were properly licensed and that passengers who use wheelchairs were safely secured into the vehicles.

3.2 Under Age Sales Test Purchase Operation

An underage sale of alcohol test purchase operation took place in December where 9 on and off licensed premises were tested to see if they would sell alcohol to the underage volunteers. On this occasion 2 of the businesses did sell and appropriate action has been taken against them.

The latest operation took place in February with eight premises visited by the Trading Standards team. Five alcohol sellers refused to sell alcohol to the under age volunteer, but three retailers sold single cigarettes, charging between £0.85 and £1 per cigarette.

The Public Protection Service takes seriously illegal activity which exploits young people. Further investigations will be carried out with a view to prosecution for the offences of selling tobacco products to a person under the age of 18 and selling single cigarettes.

3.3 Private Hire Driver revocations

The private hire licences of two private hire drivers have been revoked in the last month due to intelligence received by the Council.

The Licensing Team takes all allegations against drivers very seriously, and where evidence permits, will always put public safety first when considering what action should be taken.

3.4 Safeguarding Awareness Training for taxi drivers

Safeguarding awareness training is now mandatory for all hackney carriage and private hire drivers in Blackburn with Darwen. A final series of training sessions was held in January for existing hackney and private hire driver licence holders. The training was delivered by the Safeguarding Team. Only a small number of drivers have not received the training and steps will now be taken to review their driver’s licences. The aim is to have all Blackburn with Darwen’s drivers having completed this course by the end of the financial year.

3.5 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 November – 28 February 2018.

Vehicle licences processed	538
Driver licences processed	116
Licensing Act licences processed	46
Visits to new DPSs	52
Inspections of premises/vehicles carried out	166

3.6 National Issues

Taxi guidance

The Institute of Licensing (IoL) has launched a consultation on proposed guidance on determining the suitability of applicants and licensees in the hackney and private hire trades. The IoL has worked in partnership with the Local Government Association, the National Association of Licensing and Enforcement Officers (NALEO) and Lawyers in Local Government on the project.

The document is intended to provide guidance on determining suitability of applicants for taxi and private hire licences taking into account the character of the applicant or licensee and would be available for use by local authorities as a basis for their own policies. The guidance considers how regard should be had to the history of the applicant or licence holder which would include previous convictions and other information coming to light for the licensing authority to consider. Widespread adoption of the standards in the guidance would achieve a level of consistency between licensing authorities when considering applications for taxi and private hire licences.

Further details can be found here:
<https://www.instituteoflicensing.org/NewsJobsArticle.aspx?NewsID=10621&NewsOrJob=news>

Animal welfare

The Government has published proposed new rules to modernise and enhance animal welfare requirements applying to dog breeding and other animal activities licensed by local authorities in England and Wales.

- These reforms include:
- All licensed dog breeders and sellers of pets, to adhere to strict mandatory welfare standards.
 - Prohibition of the sale of puppies, kittens, ferrets or rabbits below 8 weeks of age.

- Pet sellers to advertise their licence number in the advert and which local authority issued it, a photo of the pet, its age, country or residence & origin.
- Requirement for dog sales to be completed in the presence of the purchaser on the premises where the licensed seller/breeder has been keeping the dog (bans online sales).
- Ensures licenced dog breeders show puppies alongside the mother before a sale is made and only sell puppies they have bred themselves.

The above reforms address the majority of concerns about pet sales and breeding.

Some licensed pet sellers are not the licensed breeders - these are known as third party sellers. Some organisations have suggested that a complete ban on third party sellers of puppies and kittens should take place. A ban would mean that pet shops, pet dealers and other outlets licensed to sell puppies and kittens would be unable to sell these pets unless they themselves have bred them.

A ban on third party sales would further protect the welfare of puppies and kittens and is an important step to improving standards in breeding establishments.

There is a call for evidence taking place which ends on 2 May 2018. More information is available at: <https://www.gov.uk/government/consultations/banning-third-party-sales-of-pets-in-england-call-for-evidence>

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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