

## RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

Agenda Item No.

meeting date: TUESDAY, 20 MARCH 2012  
 title: CHANGES TO THE INFRINGEMENT SCHEME  
 submitted by: DIANE RICE – HEAD OF LEGAL AND DEMOCRATIC SERVICES  
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### 1 PURPOSE

1.1 The Council has an Infringement Scheme which was last amended on the 17 December 2007.

1.2 The current Infringement Scheme can be viewed on the Council's website.

1.2 Relevance to the Council's ambitions and priorities:

- Council Ambitions - }
- Community Objectives - } The Council aims to be a well-managed Council, regular review of its enforcement procedures contributes to this objective.
- Corporate Priorities - }
- Other Considerations - }

### 2 BACKGROUND

2.1 The Council introduced an Infringement Scheme in August 2006, the purpose of which was to provide a way of quantifying the frequency and relative severity of breaches of Council licence conditions by licence holders, and to provide an enforcement tool which was less severe/more flexible than prosecution.

### 3 ISSUES

3.1 The Council's Enforcement Officer has identified several areas where he is unable to take any action as the conditions of the Council's licences are not accurately reflected in the Infringement Scheme.

3.2 As has been discussed at agenda item 6 the Council is considering consulting licence holders about changes to the licence conditions.

3.3 The purpose of bringing this report to Committee is to seek Committee's authorisation to simultaneously consult in relation to consequential changes to the infringement scheme eg in relation to smoking in vehicles, smoking on operators premises and other issues such as use of vehicles in breach of conditions about driving outside the area and any other conditions which are not currently reflected in the scheme.

3.4 A report would be brought back to Committee for final approval once the consultation exercise has been completed with recommendations based on the responses received.

- 3.5 The Council last consulted about changes to the hackney carriage driver and vehicle licence in 2010 to deal with the complaints the Council was receiving about drivers from outside the area using their vehicles to carry out private hire work outside Ribble Valley.
- 3.6 A recent survey of hackney drivers has been carried out in connection with this and other issues. The purpose of the survey was to ensure that the Council, in the absence of a public meeting kept under review issues affecting hackney carriages.
- 3.7 The following issues were raised:
1. A review of the hackney carriage fee tariff – the overwhelming response of hackney carriage drivers that they do not request that the tariff be reviewed at this stage.
  2. Possible implementation of additional ranks, all 16 agreed that there should be additional ranks if this could be arranged with the Highway Authority.
  3. A fee increase to fund a survey as to unmet demand. Only four of those who responded to the survey were supportive of fee increase to fund a survey.
  4. Use of hackney vehicle outside Ribble Valley. Only three of the respondents indicated that they intend to use the hackney vehicle outside Ribble Valley.

This information is provided in order that Members can be satisfied that the Council continually monitors the operation of its licensing system, not only in response to administrative issues identified by licensing staff, but also provides regular opportunities for licence holders to influence the licensing process.

#### 4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – N/A.
- Technical, Environmental and Legal – N/A.
- Political – N/A.
- Reputation – N/A.

#### 5 RECOMMENDED THAT COMMITTEE

5.1 Authorise the Head of Legal and Democratic Services to consult licence holders about changes to the Taxi Infringement Scheme to ensure that the scheme matches the existing licence conditions and proposed changes to licence conditions.

HEAD OF LEGAL AND DEMOCRATIC SERVICES

For further information please ask for Diane Rice, extension 4418.