

Authors Title Public Protection Team

Which Committees is this report intended for? (Please state dates) Regulatory Committee: 1 March 2023

Is the report Exempt?  Yes  No

Why is it exempt? N/A

Does the report concern a Key Decision?  Yes  No

If a Key Decision is it on the Forward Plan?  Yes  No

Ward(s) affected All

Responsible Committee Member name Cllr Nigel Lloyd

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Are there Non-electronic appendices?  Yes  No

List of Background Papers, including committee papers, used in drafting this report. N/A

### Implications/Risks

Have you identified and explained within the report the implications of the options available to Members? (Implications should include financial, legal and links to the Council's existing policies and strategies)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> None
Have you highlighted the risks to the Council? <b>Financial Implications and Risks to the Council</b> should have their own separate headings. It is not acceptable to simply state that financial implications or risks have been alluded to in the main body of the report.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> None
Have you considered <b>Sustainability</b> issues in relation to this report? <b>Sustainability</b> should have its own separate heading. It is not acceptable to simply state that Sustainability has been alluded to in the main body of the report	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> None

Have you considered <b>Equality and Diversity</b> issues in relation to this report? <b>Equality and Diversity</b> should have its own separate heading. It is not acceptable to simply state that Equality and Diversity has been alluded to in the main body of the report.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> None
Have you considered <b>S17 Crime and Disorder</b> issues in relation to this report? <b>Crime and Disorder</b> should have its own separate heading. It is not acceptable to simply state that Crime and Disorder has been alluded to in the main body of the report.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> None
Have you considered <b>Health and Wellbeing</b> issues in relation to this report? <b>Health and Wellbeing</b> should have its own separate heading. It is not acceptable to simply state that Health and Wellbeing has been alluded to in the main body of the report.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> None

**This report has been subject to the following processes:**

Consultations with:		
Committee Member	<input checked="" type="checkbox"/> Yes	If not please state reason below
Local Member	<input checked="" type="checkbox"/> Yes	If not please state reason below
S151 Officer	<input checked="" type="checkbox"/> Yes	If not please state reason below
Monitoring Officer	<input checked="" type="checkbox"/> Yes	If not please state reason below
Democratic Services Team Leader	<input checked="" type="checkbox"/> Yes	If not please state reason below
Communications Manager	<input checked="" type="checkbox"/> Yes	If not please state reason below
Other Head(s) of Service:	Director of Environmental Health and Leisure	
Others:		
Please confirm this report has been signed off by:		
Management Team	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not apt
Relevant Corporate Director	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not apt
The Chief Executive	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not apt

## Public Protection - Licensing Update

Summary: The report highlights current licensing matters and presents information to the Committee regarding all licensing matters except for those dealt with by the Licensing and Gambling Committee.

Conclusions: N.A

Recommendations: None

Cabinet Member(s) Councillor Nigel Lloyd – Portfolio Holder Councillor Dr Pierre Butikofer - Chair of the Licensing Committee	Ward(s) affected - All
Contact Officer, telephone number and email: James Windsor 01263 516289	

### 1. Introduction

1.1 This reports updates on work within the Public Protection Team in respect of the Licensing function. It concentrates on the Regulatory function and not on the matters covered by the Licensing and Gambling committee. It aims to update and inform members of relevant licensing matters.

1.2 The Licensing updates include;

1.2.1 Update on current team structure

1.2.2 Updates on each of the different areas of licencing work including Taxi Regulation, Animal Welfare, Scrap metal, Street Trading, Caravan sites, Skin Piercing and Sexual Entertainment Venues.

### 2. Licensing Updates

#### 2.1 Team Structure

#### 2.2

A wider restructure in the Environmental and Leisure Services Team has resulted in some changes to the team over the past year.

Licensing falls into the remit of the Public Protection Team. This team covers a wide range of responsibilities including food safety, health and safety, sampling and licensing. Two team leaders have been appointed to manage the functions of this team, reporting directly into the Assistant Director for Environmental and Leisure Services.

The Licensing Enforcement Officer left NNDC in 2022. This post has been replaced by promoting Nicola Davison internally to the post of Licensing Enforcement Officer. Nicola Davison previously held the position of Licensing Administration Officer within the team for the past eighteen years.

We currently have two part time Licensing Administration Officers who take all of the initial licensing enquiries and who process all of the licences granted by the Council.

The team also currently has a member of staff who is on a temporary contract. This post is a full time Public Protection Officer position. This member of staff has been heavily involved with caravan sites but also has a health and safety regulation, food safety and sampling function.

As demonstrated above there is a relatively small team of people delivering a critical regulatory function for the Council.

### **2.3 Animal Welfare**

Animal Welfare now presents a significant amount of work within the Council.

All inspections have to be conducted using the DEFRA approved forms which are very comprehensive. Each form comprises around 50 pages of criteria that have to be assessed when issuing new, or renewing existing, licenses.

The Team deals with the licensing of pet shops, dog breeding establishments, dog boarding establishments, home boarding establishments, riding establishments, the keeping of animals for exhibition, zoos and dangerous wild animals.

At present the District has the following number of active animal licences in operation.

<b>Type of Animal License</b>	<b>Number in Operation</b>
Animal Boarding (home boarding, day boarding, dog kennels and catteries)	22
Riding Schools	6
Pet Shop	3
Exhibition	5
Dog Breeding	5
Dangerous Wild Animals	1
Zoos	2

In 2022 the Team were successful in obtaining a prosecution against a number of linked defendants for offences relating to the keeping of dangerous wild animals, and breeding and selling cats without a pet shop licence. This prosecution was obtained by working closely with partners at Norfolk Constabulary. Two dangerous wild animals (Servals- (big cats native to the plains of Africa)) were seized as part of this action and were rehomed. We are waiting for the sentencing hearing for this matter which is due to take place in March of this year. There is likely to be considerable press interest in the matter at this time.

The team has noted a significant increase all animal welfare applications.

The Team regularly has to undertake detailed investigations into reports of unlicensed animal related activities. Recently the Team investigated

allegations of an unlicensed dog breeder in the District which discovered a premises with in excess of 40 dogs that were being used for commercial purposes. This investigation highlighted the fact that large scale issues are still carrying on in the District. As a result of our intervention, the breeding has stopped, and the unlicensed breeder has moved to rehome the majority of dogs that were used in the illegal breeding activity.

The newly appointed Licensing Enforcement Officer is currently undertaking a Level 3 qualification to become qualified to undertake animal licensing inspections.

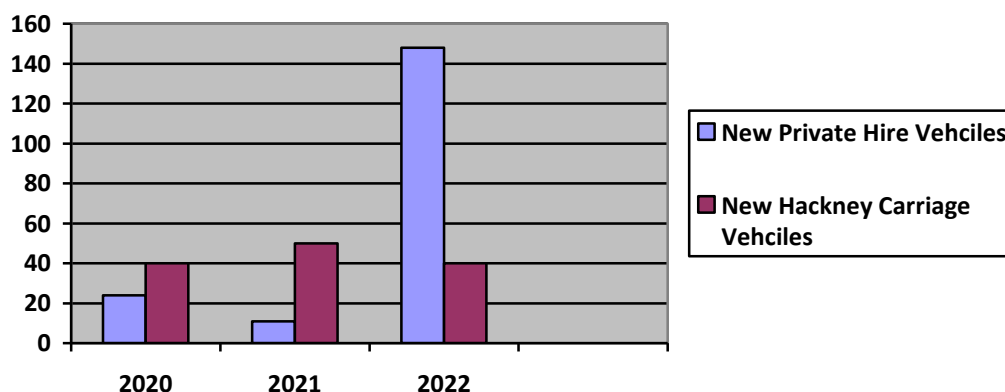
There is an Eastern Animal Welfare Licensing forum which NNDC attends. This forum enables all Local Authorities in Norfolk and Suffolk to meet to share good practice and to benchmark standards.

New legislation is imminent that will increase our involvement with primate keeping (marmosets and tamarin monkeys are not covered under the Dangerous Wild animal regime) to ensure welfare. Animal sanctuaries are also likely to be incorporated into the regulatory regime imminently and there is early discussion about regulating dog walking as a licensed activity.

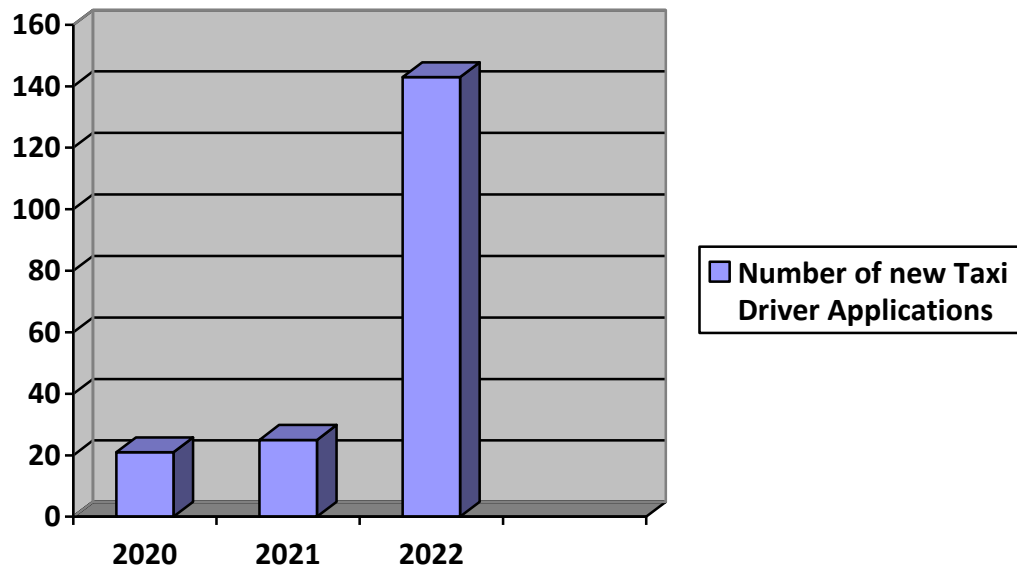
## 2.4 Taxi Licensing

It has been a very busy year for Taxi licensing. Details of the numbers of Taxi related interactions can be seen in the attached appendix.

The following graph shows how the number of applications has increased over the past three years. The most significant increase has been in respect of the number of new private hire vehicle applications that have been received.



The number of new Taxi Driver applications has also increased significantly over the past three years as can be seen in the following graph.



A new operator recently moved into North Norfolk who have been licensing a significant number of vehicles and drivers and this has caused a significant increase in Taxi related work for the Team (as can be seen from the graphs above). Processing this increased level of work with just two part time administration officers is becoming increasingly challenging and measures will need to be taken to ensure that the increase in work can be properly managed. It is anticipated that the number of new vehicles and drivers that need to be processed in 2023 will increase further as the new operator referenced above continues to expand their operations as well as new businesses moving into the market. In theory, an increase in applications will result in an increase in fees taken which must be used to support the work of the licensing function. Licensing income should be ring fenced and cannot be used to support functions elsewhere in the Council.

At present the District has the following number of active licences in operation relating to taxi and private hire.

Licence Type	Number
Drivers (dual licence)	329
Private Hire Vehicles	170
Hackney Carriage Vehicles	146
Private Hire Operators	27
Hackney Carriage Operators	52

The Team have started the process of reviewing the Taxi Testing Station contract which expires in June this year. We currently have four testing stations across the district and we are hoping to increase this number to increase choice for applicants and to better serve the west of the District.

The team work closely with the Local Authority Designated Officer (LADO) process and this resulted in one driver having their driver's badge removed in 2022 to ensure that the potential risk to the public was properly managed.

The Team are hoping to review the hackney carriage taxi fare table following a number of requests to do so from the trade. The last increase in fare prices was undertaken in 2018 and since that time fuel prices have increased significantly. Currently North Norfolk District Council are ranked 307<sup>th</sup> out of

344 Local Authorities for the level of fares as can be seen in the table below taken from Private Hire Taxi Magazine showing the national Hackney Carriage fare tables for a journey of 2 miles (standard day rate -tariff 1).

HACKNEY CARRIAGE FARE REVIEW			
Local Authority	2-mile fare £	Last Increase	Ranked out of 344
Great Yarmouth BC	£ 8.50	2022	12
East Suffolk North	£ 8.40	2022	13
Breckland DC	£ 8.00	2022	36
West Suffolk	£ 7.20	2022	120
Kings Lynn and WNBC	£ 7.00	2022	144
East Cambs	£ 6.80	2022	168
Norwich City	£ 6.60	2018	212
Mid Suffolk	£ 6.40	2020	239
East Suffolk South	£ 6.20	2020	255
Fenland	£ 6.20	2022	257
<b>North Norfolk DC</b>	<b>£ 5.80</b>	<b>2018</b>	<b>307</b>

The team are currently working with East Law to move the position of the rank in Market Street, North Walsham following the start of the Heritage Action Zone project. .

The team are currently moving towards the introduction of knowledge tests for drivers. This will form a part of the revised application procedure for drivers and will ensure that they have sufficient understanding of the policy handbook, the geography of the area, the highway code and have a good understating of English to be a fit and proper driver. In addition, we will be requesting safeguarding training of all new driver applications to ensure that they know how to identify and report children, or vulnerable adults, who may appear to have safeguarding concerns.

The team undertakes a number of investigations relating to driver conduct, hire vehicle standards and fare disputes.

The team works closely with the local taxi and private hire association who represent a number of the licensed driver's operating within the District.

## 2.4 Scrap Metal Licensing

The table below shows the current number of scrap metal licenses

Type of Scrap Metal Licence	Number of Active Licenses
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Sites	6
Collectors	9

The Team have recently undertaken a number of joint visits to the licensed scrap collectors in the district with Norfolk Police.

This was an opportunity to ensure that all licensed operators were complying with their licence conditions.

An unlicensed scrap metal operator working from a domestic premises was visited with Norfolk Police and this operation has now stopped as a result of our intervention. The premises will continue to be monitored to ensure maintained compliance.

## **2.5 Caravan Site Licensing**

A temporary post was created in 2022 to allow work to be undertaken to visit caravan sites in the district. This post has recently been extended following a business case having been approved.

In the short time that the post holder has been undertaking the work, around 50 caravan sites have been visited. All of the visits have identified non-compliance with the conditions attached to licences and have identified significant health and safety issues.

The post holder has prioritised working with cliff side caravan site where there are concerns about cliff erosion. They have noted that, in a number of locations, caravans are situated in close proximity to the cliff edge and are at potential risk of falling over the edge when further erosion takes place.

Some caravans have already been moved back to a place of safety. On other sites we are moving towards taking formal action to ensure that we do not lose a caravan over the cliff edge.

The post holder has also identified issues with gas safety, electrical safety, fire safety, asbestos management that they have acted to resolve.

The post holder has also identified very vulnerable residents living in terrible conditions on caravan sites and has worked with others to ensure that they obtain the support that they require.

A number of unlicensed sites have been identified.

The requirement for all residential sites to have a nominated Fit and Proper Manager has created a significant amount of additional work.

The recent sale of Parklands by NNDC into the private sector has required significant amount of officer input to move the licensing of the site forward.

## **2.6 Sex Establishment Licensing**

The issues that were being experienced in an unlicensed sexual entertainment venue that was under investigation within the district have been resolved as the owner has bought an additional premises in an adjacent Local Authority's area.

We do not currently have any premise licensed as sex establishments at the current time.

## **2.7 Skin Piercing Registration**



The table below shows the current number of skin piercing registrations that are active within North Norfolk.

<b>Type of Registration</b>	<b>Number of Active Registrations</b>
Premises	65
Practitioners	142

The team have been busy with new registrations for tattooing, ear and body piercing, electrolysis and acupuncture.

We are receiving a significant number of complaints about people undertaking Botox and Dermal fillers. This area of work is currently unregulated, and we are waiting for new legislation to be enacted that will enable us to deal with this high-risk area of activity. The legislation was expected to be enacted in 2022 but has been unexplainedly delayed.

## **2.8 Street Trading**

A new street trading policy has been drafted and started the journey through the approval process. This process will involve a period of public consultation for all interested parties to give their view on the proposed content. At present we continue to regulate street trading within the existing legal framework.

## **3 Implications and Recommendations**

N/A

## **4 Financial Implications and Risks**

4.1 Not Applicable to this report.

## **5 Sustainability**

5.1 Not Applicable to this report.

## **6 Equality and Diversity**

6.1 Not Applicable to this report.

## **7 Section 17 Crime and Disorder considerations**

7.1 Not Applicable to this report.