

Committee: Licensing & Environmental Health

Date:

Title: Enforcement & Compliance Update

Tuesday

17 June 2025

Report Author: Jamie Livermore, Licensing & Compliance Manager, 01799 510326

Item for decision:
No

Summary

1.1. This Enforcement Update report is to inform the Committee of the enforcement and compliance activities carried out by Licensing Officers during the period of 1 January to 30 April 2025.

Recommendations

2.1. It is recommended that Members note the contents of this report.

Financial Implications

3.1. There are no financial implications arising from this report. The Licensing service is fairly unique compared to other teams within Regulatory Services in that the service charges fees for the various permissions administered with the aim for the Council to be able to recover its costs.

Background Papers

4.1. None

Impact

5.1.

Communication/Consultation	None
Community Safety	Licensing matters must be dealt with within strict, statutory timescales with a clear separation of duties between the officer 'administering' an application and the officer acting as the responsible authority, with a view to avoiding corporate risk and more importantly protecting the public. In addition with respect to enforcement activity the Council must act in a fair and even handed manner.

<p>Equalities</p>	<p>Under the general equality duty as set out in the Equality Act 2010, public authorities are required to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation as well as advancing equality of opportunity and fostering good relations between people who share a protected characteristic and those who do not.</p> <p>The protected grounds covered by the equality duty are: age, disability, sex, gender reassignment, pregnancy and maternity, race, religion or belief, and sexual orientation. The equality duty also covers marriage and civil partnership, but only in respect of eliminating unlawful discrimination.</p> <p>The law requires that this duty to have due regard be demonstrated in decision making processes. Assessing the potential impact on equality of proposed changes to policies, procedures and practices is one of the keyways in which public authorities can demonstrate that they have had due regard to the aims of the equality duty.</p> <p>Licensing Policies and Licensing decisions all have regard to the Council's Equalities duties.</p>
<p>Health and Safety</p>	<p>Licensing matters must be dealt with within strict, statutory timescales with a clear separation of duties between the officer 'administering' an application and the officer acting as the responsible authority, with a view to avoiding corporate risk and more importantly protecting the public.</p>
<p>Human Rights/Legal Implications</p>	<p>Unlike most other areas of 'regulation' there are distinct responsibilities on the Council in its role as the 'licensing authority' under many different areas of licensing. This is not just simply relating to the processing of applications, but also includes:</p> <ul style="list-style-type: none"> • setting the local framework through a statement of licensing policy • considering applications with a view to promoting the licensing objectives under

	<p>the Licensing and Gambling Acts, or the public protection and economic growth aspects of other licensing regimes. • undertaking inspection and enforcement activities to ensure conditions of licences are being met, and to ensure that any operator whom requires a licence has one • maintaining the required statutory registers.</p> <p>The principal work areas, the Licensing Act and Taxi and Private Hire regimes set out very clearly a legislated obligation for the Council to carry out its duties to promote the licensing objectives (preventing crime and disorder, preventing nuisance, public safety and protecting children). The statutory guidance also requires that the Council be sufficiently resourced to achieve this aim.</p>
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	None

Situation

6.1. This report outlines the statistics and general activities of the compliance and enforcement team during the latest period of the 1 January 2025 to 30 April 2025.

6.2. There were an approximate total of 47 proactive taxi and private hire related visits to a range of sites including schools, Stansted Airport, Audley End Railway station as well as towns in and out of the Uttlesford District. This amounted to 53 checks of drivers and 93 checks of vehicles licensed by UDC.

6.3. Of the checks carried out on drivers, there were a range of lower-level compliance issues identified including the failure to display ID and unacceptable dress – for example sportswear.

6.4. Of the checks carried out on vehicles, there were again a range of lower-level compliance issues identified which includes failure to display signage and/or failure to display signage in the appropriate place. However, two vehicles were suspended with immediate effect for having been found with a tyre displaying a tread depth below the legal limit.

6.5. The compliance issued referenced above did not warrant further action beyond verbal and/or written warnings, though will be considered in the event of further

breaches.

6.6. There were an additional 14 visits made to the offices of Private Hire Operators where their records were inspected for compliance with UDC rules and regulations. There were no concerns raised resulting from these inspections.

6.7. Of the 8 visits made to Stansted Airport, 4 were dedicated 'touting' operations in partnership with TfL and Police colleagues. 2 individuals were found to be suspected of tutoring, both of whom were registered with TfL.

6.8. With regards to licensed premises, further Pubwatch meetings have taken place for the Saffron Walden, Great Dunmow and Stansted Mountfitchet areas and have had regular attendance from Licensing and Community Safety Officers, providing an valuable opportunity for information sharing between the premises and partners.

6.9. Visits were made to 62 premises where Officers checked for compliance with licence conditions and advice was given to staff where necessary. Only a few minor issues were identified such as there being no licence summary on display.

6.10. After a lengthy process of attaining funding through the Community Safety Partnership, UDC has now been issued with 22 bleed kits, with the vast majority of these going to premises who registered an interest through Pubwatch. The kits include the materials needed to stem life-threatening bleeding following an injury, such as a road traffic accident or a serious fall. They have also been used to help victims of violent crime.

6.11. In respect of hackney carriage and private hire drivers, there have been 8 licence revocations, 1 licence refusal, and 117 licence suspensions. These are broken down as follows;

- 5 of the revocations were made by Licensing Panel on the 9 January and 8 April, whilst the other 3 were made using delegated powers of the Environmental Health Manager (Commercial) in conjunction with the Chair & Vice-Chair of the Licensing & EH Committee.
- Of the 117 suspensions approximately 79% were as a result of failure to maintain an active subscription to the DBS Update Service. Other matters include 18 suspensions for medicals and 6 for having had notification of new information on the DBS record.

6.12. In respect of licensed hackney carriage and private hire vehicles, there have been 122 licence suspensions.

- 87 (76%) vehicles were suspended following either the failure of their compliance tests or having not taken a compliance test by the required deadline. The others ranged from accident damage to failure to provide current insurance certificates. 29x insurance.

6.13. A total of 25 recorded complaints have been received during this period. These

are broken down as follows;

- 20 complaints relating to drivers. The majority of these were found to be unsubstantiated, and those which were resulted in minor action dealt with at Officer level.
- 4 complaints relating to licensed premises. Some of these remain ongoing though at the time of writing there is no evidence to suggest any licensing offences.
- 1 related to a report of an unlicensed scrap metal site but following several site visits by Officers it was determined that no business activity was taking place.

6.14 It is good practice to provide an overview of information to Committee Members, which will thus enable Members to be informed about licence enforcement action including suspensions and revocations, and future work planned by the licensing area.

6.15 This information enables Members to be informed and to aid decision making in the future.