

LICENSING AND ENVIRONMENTAL HEALTH COMMITTEE held in the COMMITTEE ROOM - COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, ESSEX CB11 4ER, on WEDNESDAY, 21 MARCH 2018 at 7.30 pm

Present: Councillor R Chambers (Chairman)
Councillors A Anjum, G Barker, A Gerard, T Goddard, E Hicks and S Morris

Officers in attendance: T Cobden (Environmental Health Officer - Commercial), B Ferguson (Democratic Services Officer), E Smith (Solicitor), A Turner (Licensing Team Leader) and M Watts (Environmental Health Officer - Protection)

Also Present: B Drinkwater (representing ULODA)

LIC44 PUBLIC SPEAKING

1. Barry Drinkwater made a public statement to the Committee.

The Chairman thanked Mr Drinkwater for attending and said the review of fees and charges would take the comments from the trade and ULODA into account.

A summary of the statement has been appended to these minutes.

LIC45 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies were received from Councillors Davey, Gordon and Sell.

LIC46 MINUTES OF PREVIOUS MEETINGS

The minutes of the extraordinary meetings held on the 24 January, 12 February and 19 February 2018 were received and approved as correct records.

LIC47 FEES FOR DRIVERS, HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES AND PRIVATE HIRE OPERATORS

The Licensing Team Leader said further work was required following the consultation relating to the revision of fees and charges for hackney carriage and private hire vehicles. She said once the figures had been formulated a further extraordinary meeting would be called for Members to review and approve the revised charges.

LIC48 ENVIRONMENTAL HEALTH (PROTECTION) UPDATE

The Chairman brought item 5 forward in proceedings.

The report was presented by the Environmental Health Manager (Protection).

In response to a Member question, the Environmental Health Manager (Protection) said EU directives relating to Air Quality had been adopted nationally and local authorities were responsible for monitoring and enacting action plans for areas perceived to be a problem. In those cases where an Air Quality Action Plan was implemented, the Environmental Health team would report to DEFRA who were empowered to call for additional reviews if air quality was not improved.

With regards to planning applications, the Environmental Health Manager (Protection) said a formal objection would be raised by Environmental Health if modelling data suggested that a new development would push air quality levels towards the unacceptable legal threshold.

The Environmental Health Manager (Protection) said he would report back to the committee with data relating to fly-tipping in the district and would identify any trends. He said additional resources had been allocated and new measures introduced to combat the issue, such as CCTV surveillance on sites known to be a problem.

LIC49 **ENVIRONMENTAL HEALTH (COMMERCIAL) UPDATE**

The Environmental Health Manager (Commercial) presented his report which updated the committee on work undertaken by the Environmental Health Commercial Service between October and December 2017.

The Environmental Health manager (Commercial) said public health and consumer safety were central to his team's activity and their remit included food hygiene, food control, occupational health and safety and the prevention of infectious diseases.

In response to a Member question, the Environmental Health Manager (Commercial) confirmed that restaurants did not have to display their 'Food Hygiene Rating Scheme' award, although this is something he would like to change. He said food hygiene inspections were mandatory and always unannounced. He added that only one premises in the district had been awarded the lowest rating available.

LIC50 **CROSS BORDER OPERATIONS**

The Environmental Health Manager (Protection) presented his report on cross border operations work, held in partnership with the police in and around Stansted Airport.

The Environmental Health Manager (Protection) said the exercises had been useful in ascertaining levels of compliance of licensed private hire and hackney carriage vehicles, which on the whole had been good. These operations would

continue in future although they were resource intensive and generated a lot of work for the Enforcement team. He said updates would be provided on the success of future operations in his quarterly enforcement report.

Councillor Barker requested that the data for the total number of cars 'stopped and searched' to be included in the next update report.

The Chairman thanked officers and asked for an update report on the work of the Environmental Health team on a biannual basis.

The meeting ended at 8.40pm.

LIC51 **PUBLIC STATEMENT(S)**

Public Statements – Licensing and Environmental Health – 21 March 2018

Barry Drinkwater (representing ULODA)

Good evening, Chairman, Members and Officers

My colleagues Doug Perry, Andy Mahoney, Robert Sinnott and Richard Ellis send their apologies for absence.

Amanda Turner's update report on your agenda tonight on fees and charges refers to the consultation which you voted for at your last meeting on 24 January. You will have noted that there have been 9 responses to the consultation and details will be provided at a further extraordinary meeting of the committee. Let me put meat on the skeleton of Amanda's "short and sweet" report.

The proposals were duly advertised on the UDC website and in the local press on 1 February with a deadline for responses to be received within 28 days.

ULODA added its own weight to the public advertisement by placing it on the home page of its website as the FEBRUARY MONTHLY MESSAGE and inviting members to have their say, either directly to Tony Cobden as requested or via executive committee members. Each member received a personal email from the Chairman with a copy of the public advertisement and the original email sent out to operators and proprietors by Julie Howe in the Licensing Team.

We also ran a 12 minute video on YouTube and on the ULODA website. This took the form of a Q and A session with ULODA's Communications Officer, Ryan Cordall, asking the questions and Doug Perry, ULODA's Hon President, and I giving the answers, all scripted and rehearsed. Doug addressed the history of licence fees going back to his time as this committee's appointed leader of the Licensing Task Group in 2009/10, including creating the Licensing Reserve. I was able to build on the work behind the figures and costings by officers including the accountant, as detailed for you in Amanda's report at the last meeting.

The video had over 120 views during the consultation period and comments from operators, proprietors and drivers were gratefully received and considered by the trade delegation when we met together early in March. This meeting was attended by Andy Mahoney from 24x7, Robert Sinnott from Acme Transport, Richard Ellis from Barnston Luxury Travel and ULODA's Vice Chairman, plus Cllr Doug Perry and myself.

By this time, Tony had kindly agreed to meet with us face to face. The meeting took place on 9 March with the trade represented by Andy, Robert and myself and the council by Tony, Amanda, Roz Millership and Brian Stuart (Jo Jones taking notes). It was an excellent meeting, each of the consultation responses was reviewed in detail and there was much discussion and food for thought for all of us. The outcome you (and we!) will have to wait a little longer to see and consider at the further extraordinary meeting of this committee - which is still to be arranged, according to Amanda's report, following officers' further work.

Let me close by reinforcing the trade delegation's bona fides. Below is an enhanced extract from my 1 March email to Tony Cobden following the consultation:

Dear Tony

Doug Perry, Andy Mahoney, Robert Sinnott, Richard Ellis and I met this week to consider and develop our collective response to the consultation. Doug is ULODA's Honorary President and ex-Chairman of UDC's Licensing Committee, and a Saffron Walden Town Councillor. Andy is Managing Director of the 24x7 Group. Robert is Managing Director of Acme Transport. Richard is Managing Director of Barnston Luxury Travel and ULODA's Vice Chairman. I was for some years Managing Partner of Direct Connections before retiring and still am ULODA's Chairman.

Together we ... form the "trade delegation" which meets with the council on behalf of the taxi and private hire trade. With the exception of Doug who at the time was a District Councillor, we met with your predecessor as Lead Licensing Officer and his accountant every year from 2010 to 2016 to review the Licensing Accounts and the Budget for the year ahead and in effect together sign them off. For whatever reason, this annual review meeting was discontinued on your predecessor's retirement in 2016, despite his and our best efforts to continue with it as a valid, reliable and open mechanism....

You heard the public statements made by Andy and myself at the last LEHC meeting on 24 January in anticipation of Amanda's report. Regrettably, we had no knowledge of this document or its contents until the agenda for the meeting was posted on UDC's website a few days beforehand, thus giving us little time to prepare. In earlier years the trade delegation was always consulted on the council's Licensing Accounts and the Budget along with the supporting calculations ahead of their being presented to committee for approval....

[Five responses from the trade delegation detailed will be provided along with 3/4 individual objections to the extraordinary meeting.]

Having volunteered to be the author of this email, I assure you that its content has been agreed with all the trade representatives named in the opening paragraph. We thus choose to be showing what Doug calls "a united front". You can sense, we all hope, that we are looking forward to a full, frank and open discussion [on 9 March} which will allow us to "clarify any issues or address concerns raised as part of the consultation", to quote from your email of 26 February. In your email of 27 February you say "I think it would be beneficial to try and ensure that the meeting is as representative as possible of the Local Trade which will allow the widest spectrum of views to be considered."

I will forward separately one ULODA member's objection and you are thought to have at least one other from a member who has forgotten or chosen not to copy it to us.

Others, who have replied to prompts or the video interview with a one word comment, Richard and I have chosen to exclude on the basis that they haven't specified any grounds for their objections.

Kind regards

Barry Drinkwater
Chairman, ULODA