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LICENSING AND ENVIRONMENTAL HEALTH COMMITTEE held at COMMITTEE ROOM - UTTLESFORD DISTRICT COUNCIL, COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, ESSEX CB11 4ER, on WEDNESDAY, 20 SEPTEMBER 2017 at 19:30pm

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

Officers in attendance: A Bochel (Democratic Services Officer), T Cobden (Environmental Health Officer - Commercial), J Jones (Licensing Officer), C Nicholson (Solicitor), A Turner (Licensing Team Leader) and M Watts (Environmental Health Officer - Protection)

Also present: Councillor H Asker and Barry Drinkwater (ULODA)

LIC17 **PUBLIC SPEAKING**

Barry Drinkwater gave a public statement to the committee. A copy of this statement is appended to these minutes.

LIC18 **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies were received from Councillor Loughlin who could not attend the training after the meeting.

LIC19 **MINUTES OF PREVIOUS MEETINGS**

The minutes of the meetings held on 2 February, 12 June, 22 June, 31 July and 29 August were received and signed by the Chairman as a correct record.

LIC20 **REVISED STATEMENT OF POLICY**

The Licensing Team Leader said the Council was required to review its Statement of Licensing Policy every five years. It was last reviewed in 2012, so it was time to review it again. The revision contained additional supportive information and relevant updates brought in by recent legislation.

Councillors Barker and Chambers asked the Licensing Team Leader to write a letter on their behalf thanking the sole respondent to the review.

Councillor Chambers thanked the Licensing Team Leader and the Solicitor for their work on the revised statement.

RESOLVED to approve the proposed amendments to the Policy and recommend to full council that the amended Policy be adopted.

LIC21 **DETAILS OF SCOPING FOR THE PROPOSED REVIEW OF LICENSING POLICY**

The Environmental Health Officer (Commercial) read out the report.

In relation to paragraph 18, the Chairman said he didn't want members to take up more time than necessary. He would look to arrange a date that as many members as possible could make.

In response to a question from Councillor Sell asking if the driver of the review was the aim to prevent licenses being issued to companies based outside of Uttlesford, the Chairman said the review was driven by a need to have a policy which was up to date, effective and more similar to other districts nationally. The main aim was to make sure drivers were fit and proper people in order to ensure public safety.

In response to questions about charges for licensing in the district, the Licensing Team Leader said she would not be surprised if their charges were some of the lowest in the country. The Solicitor said it would not be appropriate to discriminate between those applying for licenses who live in the district and those who live outside the district. Companies based outside the district would not be issued with licenses.

In response to questions from Councillor Barker, the Environmental Health Officer (Commercial) said Mr Rawlings had been identified by peer review, and that between 15-20 days' worth of his salary would be back paid to him. The wording 'full autonomy' on paragraph 16 would be changed to reflect that Mr Rawlings would not have complete autonomy during his review.

In response to a question from Councillor Barker, the Environmental Health Officer (Commercial) said it would not be an officer review, but one of policy. No judgement would be made on staff, and the review would only look at present actions. He would change the wording to reflect this.

In response to a question from Councillor Gerard regarding a comparison with other districts with operating airports, the Environmental Health Officer (Commercial) said the review would not look specifically at this because Stansted Airport was not problematic for licensing. The growth of Uber was probably the biggest challenge for the Licensing Team. He said Uttlesford was a cheap district to be registered in, and at the moment the Council did not require prospective drivers to take a knowledge test. The team was looking to raise standards of drivers, and there was the possibility to raise fees.

The Chairman said any fees raised from Licensing charges would be used in for other Licensing matters in the future. The Council's fees were cheap because

the department was efficient and because it was right not to charge more than was necessary.

Members asked that the review incorporate a comparison between what Uttlesford District Council did for the £50 it charged for licensing fees, and what other councils that were charging more did for their licensing fees. The Environmental Health Officer (Commercial) said this was covered by the mention of benchmarking in paragraph 20.

In response to a question from Councillor Sell, the Environmental Health Officer (Commercial) said he believed the high number of taxi drivers licensed in the district did not negatively impact on the Licensing Team's focus on premises licenses.

In response to a question from Councillor Morris regarding where the money for the review was coming from, the Chairman said the committee did not have its own budget, but the funds were coming from the department.

The committee noted the report.

LIC22

RIGHT TO WORK CHECKS - VIDEO CONFERENCING TRIAL REVIEW UPDATE

The Licensing Officer read out the report. She said the trial had generally gone well, and the team saw no reason to discontinue the video conferencing. They would also be willing to extend it to other large operators on request provided that the same procedure is followed.

In response to questions asking if there was a way of confirming the identity of an individual over a video conferencing link, the Licensing Officer said she had their original identification documents in front of her and photographs of each driver were sent up by the operator

The committee noted the report.

The meeting ended at 8.45pm.

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Statement by Barry Drinkwater

Chairman, Members

A very good evening from us all in the trade, depleted though we are due to operational pressures and personal issues. Doug Perry, ULODA's Honorary President, has been unavoidably detained by the birth of his first great granddaughter, and has asked me to speak briefly for him - he did register his intention to address you, as Alistair will confirm, but events today have overtaken him! He was going to reinforce his previously very strong messages to this and to other committees including Cabinet and Full Council, that our trade is reasonably healthy (but not necessarily very wealthy with its low profit margins!) and contributing to the Uttlesford Economy in the region of £50 million annually with its revenues from journeys in UDC licensed taxis, private hire vehicles (including massively its schools contract operations) and chauffeur service limos at the luxury and executive end of the market. Doug continues to be committed - as we all are in the ULODA family and have been since our formation in 2004 - to partnership working with you, Chairman and Members, and your colleague Officers, and we all look forward to increasing the close collaboration and co-operation already in place on matters of mutual interest, many of which we are delighted to see on your agenda this evening. These include Tony Cobden's scoping report on the proposed review of Licensing Policy for the trade and Jo Jones's update report on Right to Work Checks, the video conferencing trial, both of which make excellent reading, although I have to say the content is still being digested in all its fine detail....

A quick overview from me as Chairman of ULODA and one of its founder members. We built our reputation during Murray Hardy's time as Licensing Officer and established our credentials as the "go-to guys" for drivers, operators and proprietors in trouble with the council. As you have acknowledged in public, Chairman, we retain the services of an excellent legal adviser steeped in taxi licensing, Antony Schiller, founder of Dennings Solicitors, whose expertise has served us, and those in need of his specialist help, extremely well. In fact, I was present at a recent hearing when you were moved to compliment him personally on his professional ways of working in dealing with you and the panel in representing a driver in distress. This advice and legal support service to our members has always been the core offer and our personal business cards show the words "Protect your licence" (by belonging to ULODA). Several of our licensed larger operators and proprietors are among our loyal and satisfied customers, along with many of their drivers.....

Increasingly, particularly over the last 2/3 years, ULODA's executive has been helping selected member operators and proprietors to champion business excellence and by so doing advising and supporting them to develop and grow their core offering to their customers, both retail and corporate and public service. We have become seamless (if occasional!) members of companies' management teams by invitation, helping them improve their internal processes, secure new contracts and enhance their marketing. We have also enhanced our own marketing and developed the ULODA brand by designing and launching a totally new website this year - and our very sincere thanks are due to Tony Cobden for including in the new issue of Taxi Chat the latest leaflet and flyer to promote our pop-up event next week,

if we may say so an excellent example of partnership working with the council. We hope you've also noted that we've sponsored and then supported two of our best chauffeur service companies, Carriages and SL Executive, for the inaugural Uttlesford Business Awards this year. They both made it through to the final five in their respective categories following a tough judging process, for which we helped prepare them, and they now use the "finalist 2017" logo in their marketing. This year we've also started to attend business breakfast networking events, two sponsored by UDC so far in the council Chamber (Meet the Town) and four hosted by well known local business centres with a Go Networking theme. Doug and I along with Ryan Cordall from Five Star, recently co-opted onto ULODA's executive committee, have been giving out business cards (as you do!) as well as promoting ULODA's Approved List of Taxi, Private Hire and Chauffeur Service Providers. We've currently qualified 15 such firms and we have been promoting them extensively, and will continue to do. It's what we do for our members...

You may not know that ULODA's chairman was appointed to the Board of the National Private Hire & Taxi Association in May 2017 at its AGM. He is thus in a unique and privileged position to influence the work of our national trade body in its discussions with government on matters such as the regulatory framework, in particular options going forward to amend it which include those proposed by the Law Commission in 2014 and since kicked into the long grass! The NPHTA's Director, Donna Short, who also edits PHTM, has been newly invited to sit on the Minister of State's task and finish group on taxi and private hire licensing, and but for health issues I would have been in her small trade delegation which met John Hayes, CBE, MP, earlier this month at the DfT. We will of course keep you and Officers closely advised on developments.

Finally, we hope you have a good constructive meeting. We will as ever listen intently to your discussions. Tony Cobden's paper on the Licensing Policy for the trade has been eagerly and patiently awaited. (ULODA and senior trade colleagues have been looking forward to it since we first met with him and Dawn French a year ago! Following the trade's representations to the Scrutiny Committee last year, we had expected more rapid progress, as Councillor Sell will appreciate as one of its and now this committee's members.) A notable omission from your agenda is an update on enforcement activity since your last meeting in April. This was a regular, standing report in Doug Perry's time as Chairman of the Licensing Committee, and Marcus Watts has admitted privately that the omission tonight is an oversight. I have said to him that I might be partly to blame as we agreed in the summer that I would share openly the analysis ULODA has kept over several years based on Officers' committee reports, meetings which I have sadly twice had to cancel for health reasons.

Thank you, Chairman. This brings me nicely to a close - and within your allowed time!