

**LICENSING AND ENVIRONMENTAL HEALTH COMMITTEE held at
COUNCIL CHAMBER - COUNCIL OFFICES, LONDON ROAD, SAFFRON
WALDEN, CB11 4ER, on MONDAY, 10 MAY 2021 at 7.00 pm**

Present: Councillor P Lavelle (Chair)
Councillors C Day (Vice-Chair), R Freeman, V Isham, P Lees,
B Light and L Pepper

Officers in attendance: T Cobden (Environmental Health Manager - Commercial),
J Livermore (Senior Licensing and Compliance Officer),
S Mahoney (Senior Licensing and Compliance Officer),
C Shanley-Grozavu (Democratic Services Officer), E Smith
(Solicitor), M Watts (Environmental Health Manager - Protection)
and R Way (Licensing and Compliance Manager)

LIC32 PUBLIC SPEAKERS

Mr Doug Perry and Mr Andy Mahoney addressed the Committee, and a statement from Mr Barry Drinkwater was read out.

Summaries of their statements have been appended to these minutes.

LIC33 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received by Councillors Barker, Loughlin and Tayler.

Councillor Pepper declared a non-pecuniary interest as she knows Mr Mahoney, one of the speakers.

LIC34 MINUTES OF PREVIOUS MEETINGS

The following minutes of previous meetings were approved as true and correct records:

- 10 February 2021
- 20 April 2021

LIC35 HACKNEY CARRIAGE FARE INCREASE

The Licensing and Compliance Manager presented a report on a fare increase for Uttlesford Licenced Hackney Carriage vehicles.

The report was noted by the Committee.

LIC36 UPDATE FROM ENVIRONMENTAL HEALTH

The Environmental Health Manager (Protection) gave a verbal update to the Committee about the Environmental Health Team's activity. They said that there has been very little enforcement activity since the relaxation of the government's

Covid-19 restrictions as many of the regulations are self-regulating. They thanked the staff across the departments for their work during the pandemic.

The Environmental Health Manager (Commercial) also updated the Committee. They highlighted that there had been 108 new businesses registered and their team were working through the inspection backlog, whilst continuing to do the utmost to ensure that service levels are maintained.

The Chair thanked the officers for their informal update.

LIC37 **NEW UP-TO-DATE POLICY RELATING TO TAXI AND PRIVATE HIRE TRADES**

The Licensing and Compliance Manager presented a report on the progress by the Licensing Team to implement the latest updates to the Hackney Carriage and Private Hire Trades policy. Going forward updating will be carried out on a regular basis to take account of legislative and caselaw developments.

In response to questions from members, officers clarified that the compulsory (non-driving) driver training course for taxi and private hire drivers had to be undertaken in-person, due to security reasons, as the course covers DfT standards and an English test which would be difficult to conduct remotely. In addition, drivers licensed by Uttlesford District Council could not be required to work solely in the area, and some choose to work remotely away from the district.

Members raised safety concerns regarding Uttlesford licensed drivers working a considerable distance from the district. It was noted that current legislation dictates that if an applicant meets the criteria for a licence, then it cannot be refused on the grounds of their geographical location only.

The report was noted by the Committee.

LIC38 **BRIEF ON THE PROGRESS BY THE LICENSING TEAM TO MEET THE DFT STANDARDS**

The Licensing and Compliance Manager presented a report about the progress of the Licensing Team in delivering the new Department for Transport Taxi and PHV Standards which were imposed under statute in July 2020.

The Chair explained that the Licensing Team had dealt with a significant body of work to meet the new Standards and were now actively recruiting for additional staff.

The report was noted by the Committee.

LIC39 **PRIVATE HIRE PLATE EXEMPTIONS**

The Senior Licensing and Compliance Officer presented a report on amendments to the Plate Exemptions policy. The amendments to the policy included changes to the application fees so that the current one-off fee of £11 for

processing plate exemptions would be payable each time the vehicle plate is renewed.

During discussion, it was confirmed that there were over 100 private hire vehicles which currently held a plate exemption; however the Council did not hold a record of the locations in which the drivers worked due to their “right to roam”. Despite not displaying a plate on the vehicle, the drivers were still required to carry their licence plate, personal badge and a letter of exemption in the vehicle.

Councillor Day proposed that the drafted amendments to the Private Hire Plate Exemptions Policy be adopted. This was seconded by Councillor Pepper.

RESOLVED to adopt the draft amendments to the Private Hire Plate Exemptions Policy

LIC40 **LICENSED VEHICLE COMPLIANCE TESTING STATIONS**

The Senior Licensing and Compliance Officer presented a report about the current work being undertaken by the Licensing Team with MOT testing stations authorised by Uttlesford District Council to carry out licensed vehicle compliance tests on its behalf.

The report was noted by the committee.

LIC41 **ENFORCEMENT UPDATE**

The Senior Licensing and Compliance Officer presented a report on the enforcement activities carried out by the Licensing Team during the period of 1st February 2021 to 21st April 2021.

The report was noted by the committee.

Meeting ended at 20:03

APPENDIX: PUBLIC SPEAKERS

Mr Barry Drinkwater (statement read out by Mr Doug Perry)

Mr Drinkwater said that the Corporate Consultation strategy was first issued in 2010 and then revised and reissued in 2015, 2018 and 2021. They have submitted written responses to all recent consultations which affect the taxi trade, but there has been no dialogue with officers beyond the initial discussion of proposals or written exchanges. An example of this was the Licensing Fees and Charges for 2021/22, an agenda item on 10th February. The trade expected due interrogation from the Council, as it was a key decision, but officers said that they were unable to respond to political questions. He added that there was a written consultation for the policy amendments to private hire plate exemptions, but they did not receive an officer acknowledge and there was no further dialogue, despite the trade contributing to the development of the initial policy.

Mr Drinkwater concluded by saying that we have lived in extremely difficult times and with the ease of Covid-19 restrictions, they hope to see the return of informal dialogue, best practice consultations and proper interrogation.

Mr Doug Perry

Mr Perry reflected on how the Covid-19 pandemic had affected millions of people and business, including the trade which will not recover for some considerable time. He said that as we come out of the current crisis, the only way forward is to work together; something which the Council does not appear to want to do.

He said that so much was being ignored, such as best practice procedure and facts supported by law, and officers appear to be making decisions and changing the goal post at a whim. He highlighted that the Licensing and Environmental Health Committee is the regulating decision maker in all licensing policy and the officer's responsibility was to research optimism for change, as well as to have early and proper dialogue with the trade. There has also been some confusion around the use of delegated authority from the new Licensing Manager's arrival.

He said that tonight's agenda was over 150 pages, mostly to note changes at an advanced stage. Previous best practice was to invite the committee to approve any changes, following consultation. He felt far from convinced that the trade's input into the consultations was more than a tick-box exercise; an example being the Private Hire plate exemptions where there was no dialogue with the trade and the first time that they saw the proposed amendments was in the agenda pack.

Mr Perry concluded by saying that the outlook for the trade was bleak and that they are fearful that they will cease to exist as companies, such as Uber, take over. They believe that the only way forward is to work together for the benefit of everyone.

Mr Andy Mahoney

Mr Mahoney requested that there be regular dialogue between operators and the Council, as the regulator. He said that there have been many changes that have resulted in expensive and over-burdensome rules that could affect the taxi sector, to the point that they are not able to operate, and it is only with regular dialogue that everyone will be able to understand the best way forward.

He highlighted an example of a premeeting with officers about Euro Six Compliance, where it was confirmed that Euro Six accessible vehicles would come under designated powers and would be exempt from the requirements. Following the meeting, there was a brief change in the rules, which left one operator in £1.1 million of finance and made others uncompetitive.

To summarise, Mr Mahoney asked that operators be involved in dialogue and that they are willing to spend as much time as was needed to go through proposals and explain what is happening within their industry.

Following a question from Councillor Lees, Mr Mahoney clarified that he believed some implemented policies did go against government policy. He said that there should be more dialogue with officers and members so that the trade can state their position on different matters, help the Council understand where they have problems, and the Council can explain where compliance is best sort.