

**LICENSING AND ENVIRONMENTAL HEALTH COMMITTEE held at ZOOM -
HTTPS://ZOOM.US/, on WEDNESDAY, 10 FEBRUARY 2021 at 7.00 pm**

Present: Councillor P Lavelle (Chair)
Councillors S Barker, C Day, R Freeman, V Isham, P Lees,
B Light, J Loughlin, L Pepper and M Tayler

Officers in attendance: T Cobden (Environmental Health Manager - Commercial),
J Livermore (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)

LIC19 CHAIR'S OPENING REMARKS

Mr Andy Mahoney and Mr Doug Perry addressed the Committee. Summaries of their statements have been appended to these minutes.

The Chair opened the meeting and reflected on the impact which COVID-19 and new guidance on safety and safeguarding standards was having on the Hackney Carriage and Private Hire Vehicle Trade.

LIC20 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

There were no apologies for absence.

Councillor Pepper declared that she knew one of the public speakers, Mr Mahoney.

LIC21 MINUTES OF PREVIOUS MEETINGS

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

- 15th December 2020
- 4th November 2020
- 29th September 2020

LIC22 REVIEW OF LICENSED VEHICLE EMISSIONS POLICY

The Senior Licensing and Compliance Officer presented a report regarding a review of Council's Licensed Vehicle Emissions Policy. They highlighted that from 1 April 2021, vehicles that are currently licensed by Uttlesford District Council will be required to conform to a minimum Euro Emission Level 5 upon their subsequent licence renewal, otherwise they will be refused.

Members discussed a possible 6- or 12-month delay for implementing the new minimum Euro Emission Level 5 standard, as well as the costs associated with the conversion of non-compliant vehicles. It was noted that in many cases where

a vehicle did not meet the standards, the engine would have to be replaced entirely which would be a great cost to the owner and in reality would mean a replacement vehicle.

Councillor Day proposed that the implementation of the Licensed Vehicle Emissions Policy be postponed for one year. This was seconded by Councillor Barker.

RESOLVED: To postpone the implementation of the minimum Euro Emission Level 5 standard for vehicle renewals in the Licensed Vehicle Emissions Policy by one year.

The motion was carried 8 for and 1 against

LIC23 **TAXI AND PRIVATE HIRE FEES 2021-22**

The Licensing and Compliance Manager presented a report regarding a change of fees for Drivers, Hackney Carriage and Private Hire Vehicles and Private Hire Operators which are scheduled to take effect from 1 April 2021.

The increase in licence fees was required to fully recover the underlying costs associated with the issue and recoverable administration costs of each licence type. This included covering the costs of an additional 0.5 FTE safeguarding post who will work to develop a working relationship and information sharing platforms with Essex County Council, plus an additional enforcement officer needed to carry out compliance checks with garages.

In response to members' questions, officers clarified the following:

- The change of fees could be subject to a judicial review should a party, such as an Operators Association or Local Education Authority, feel that they have been adversely impacted illegitimately.
- The waiting time for processing licence documentation is impacted by the activity of third parties such as the DBS, as well as the seasonal fluctuation of applications. For example, companies who applied for school contract tenders would not employ new drivers until they had heard that they have been awarded the contract. This meant that the service was typically hit with applications for new drivers in the late summer time.
- Officers were speaking to drivers about moving the cycle of renewals to spring, to help even out the seasonal fluctuation of waiting times.
- The Uttlesford District Council website would be updated to streamline the application process which would speed up waiting times. When addressing members' concerns about the waiting times, officers clarified that there was a balance between speeding up the processing of applications and risking the reputation of UDC, as well as the safety of the public.
- In response to the public speaker's request for an electronic licence to be made available immediately following an application's approval, officers reminded the Committee that they approved the implementation of a new signs and dash badges scheme for Uttlesford vehicles. As part of the

scheme, it was agreed that a new badge would be available to be collected any day from the Printroom and they hoped that this arrangement could be implemented by the summer, pending logistics arrangements and any upcoming legislative changes.

- The service was provided on a costs recovery only basis, so the costs had to be allocated correctly. The varying levels of fees increase was proportional to the rising costs in certain areas of administration.

Members discussed whether the increase in fees was necessary, given the ongoing impact that the Covid-19 pandemic has had on the trade. It was noted that the licensing service worked at neither a loss nor profit, and the rise was necessary to fully recover costs. Furthermore, despite the ongoing pandemic, there were still a large number of drivers providing needed services in remote areas which will inevitably require the administration of licenses.

Councillor Day proposed that the proposed fees be approved. This was seconded by Councillor Tayler.

RESOLVED: To approve the licence fees in respect of Hackney Carriage, Private Hire and Operator Licences with effect from 1 April 2021.

The motion was carried 6 for, 1 against and 3 abstentions.

LIC24 **TRAINING DAY IMPLEMENTATION AND DRIVER LICENSE OPTION**

The Licensing and Compliance Manager presented an update of the changes to Private Hire and Operator Licences and policy with effect from Spring 2021. This included information regarding the introduction of an Uttlesford driver' training programme and a Private Hire Licence for drivers.

The report was noted by the Committee.

LIC25 **ENFORCEMENT UPDATE**

The Senior Licensing and Compliance Officer presented an update to inform the Committee of the enforcement activities carried out by Licensing Officers during the period of 30 September 2020 and 28 January 2021.

The report was noted by the committee.

Following the Enforcement Update, a short update was given from the Environmental Health Manager (Protection) about the activities of the Environmental Health Team during Covid-19.

Members raised questions regarding the impact of Brexit and Covid-19 on the service. The Environmental Health Manager (Commercial) reported that Brexit regulations had to date offered minimal disruption to the Stansted Airport imported food service, and that Covid-19 was having a bigger impact due to staff sickness. The impact of EU Exit would however be kept under constant review as we move towards and through the next implementation phases currently scheduled for 1 April and 1 July .

Members expressed thanks to officers for work undertaken over a difficult year and providing a good service to the trade.

Councillor Lees left the meeting at 20:03

Meeting Closed at: 20:13

APPENDIX: PUBLIC SPEAKERS

Mr Andy Mahoney

Mr Mahoney said that trade was continuing to be impacted by the ongoing COVID-19 pandemic and many companies are in desperate trouble. The airport has been particularly impacted with 425 passengers being recorded on Saturday, the worst day on record, and there are only 175 passengers estimated for the upcoming week. With low air traffic, officers were urged to review the implementation of the new emission policies and consider postponing it for another year to help taxi drivers.

He requested that license applications are turned around as quickly as possible and asked the committee if it was possible for an electronic version of a licence plate to be emailed to an operator as soon as a licence plate is validated so that the vehicle is able to go straight into service before the proper plate is collected. This request was also echoed for drivers' licences so that drivers can work whilst awaiting a hard copy of their licence and badge.

He also requested that any driver who transfers to Uttlesford is automatically accepted as a licenced driver and brought up the District Council's specifications as soon as possible.

During his address, Mr Mahoney thanked Russ Way, the Licensing and Compliance Manager, for his support working with the Department for Transport and unions to ensure that taxi drivers are priorities for the Covid-19 vaccination. The proposal is due to be voted on by ministers shortly.

Mr Doug Perry

As President of Uttlesford Licensed Operators and Drivers Association, Mr Perry congratulated Mr Mahoney for recently being awarded an MBE.

The following points were made on each agenda item:

- Item 3: Mr Perry highlighted that the Licensing Team had been approached by several operators who were vocal about the new Licensed Vehicle Emissions Policy. At a time when the trade is detrimentally impacted due to the pandemic, it was good to be working in partnership with UDC.
- Item 4: It was highlighted that after an informal meeting with officers, respondents were not given any further chances to discuss their replies.

The committee report includes new information which wasn't previously justified.

- Item 5: The mandatory safeguarding training would have to be completed by drivers within 18 months, and not the government requirement of 3 years.
- Item 6: It was good to note a clean bill of health for four vehicle UDC drivers that had been stopped. They were pleased that UDC was working together with operators in some elements, but not in others.