

LICENSING PANEL HEARING held at COUNCIL CHAMBER - COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on WEDNESDAY 2 MARCH 2022 at 7.00 pm

Present: Councillor P Lavelle (Chair)
Councillors S Barker, R Freeman, G Smith and M Tayler

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

LIC25 PUBLIC SPEAKING

Due to a technology issue it was agreed that the public speaker would join the meeting once the issue was resolved and that consideration of agenda item LIC28 would be delayed to try to allow the public speaker the opportunity to speak prior to consideration of the item.

LIC26 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillor Lodge.

There were no declarations of interest.

LIC27 MINUTES OF THE PREVIOUS MEETING

The minutes of the meetings held on 16 November 2021, 14 December 2021 and 26 January 2022 were approved as correct records.

The Chair requested nominations for the position of Vice-Chair following Councillor Day's recent resignation from the Committee.

Councillor Tayler nominated Councillor Freeman for Vice-Chair.
This was seconded by Councillor Driscoll.

RESOLVED that Councillor Freeman be elected Vice-Chair.

LIC29 IMPLEMENTATION OF TAXI PLUS

The Licensing and Compliance Manager presented the report regarding the implementation of Taxi Plus from 1 April 2022.

He informed Members that the Licensing team would be moving to a new

preferred service provider, TaxiPlus to carry out:

- Enhanced DBS checks
- Driver License checks
- Multi checks of drivers DBS on the update service (phased in all drivers from March 2021)

The Chair acknowledged that this was an enhancement of the work currently undertaken by Officers and was financially advantageous for the Council.

Members asked;

- Whether the system was led following the allocation of points or randomly and periodically
- Whether TaxiPlus offers alerts from DVLA when points are allocated
- Whether this system is what most licensing authorities use

The Licensing and Compliance Manager confirmed that:

- Checks can be undertaken at any time
- No current system offers alerts from DVLA when points are allocated
- The Licensing team are changing provider not system

The report was noted.

LIC30 MANUAL ENHANCED DBS CERTIFICATES

The Licensing and Compliance Manager presented the report regarding the manual DBS policy implementation.

He informed Members that the Licensing Team would undertake interim DBS checks on 'Manual' DBS holders at least every 18 months. It was anticipated that no more than 5% of drivers would be affected.

The report was noted.

LIC31 NEW DRIVERS GREEN PENNY COURSE OUTSIDE UTTLESFORD

The Licensing and Compliance Manager presented the report regarding the provision of training for new drivers, existing licensed drivers and the Continual Professional Development Course.

Members were asked to consider whether new drivers could attend training days in other locations arranged by Green Penny and approved by the Licensing Manager in England.

The Chair proposed that this decision should be revisited in two years. Members agreed unanimously.

RESOLVED that new drivers would attend training days in other locations arranged by Green Penny and approved by the Licensing Manager in England. It was agreed that this decision would be revisited in two years.

LIC32 NEW MEDICAL PROCESS FOR DRIVERS

The Licensing and Compliance Manager presented the report regarding the new medical process being implemented for drivers.

He explained that it was a mandatory requirement that all drivers licences were subject to the production of a satisfactory DVLA Group 2 medical certificate.

Currently drivers attended a medical appointment to see a GMC registered medical practitioner who assessed their suitability. He/she did not have access to the driver's medical records. The process relied on the driver being honest about their medical history and their identity.

The following process was agreed and would be implemented from the 4 April 2022 :

- Drivers must bring their driving licence with them to the medical assessment
- Drivers must take their NHS Summary care record with them to the assessment (or provide access through the NHS app)
- Drivers must complete the government medical report form prior to attending the medical.

Once adopted the new process would bring the Council into line with best practise as recommended by the Institute of Licensing.

Assessing practitioners would be required to complete the government medical form and a new simplified UDC form which would indicate whether the driver is or is not fit to drive. The driver would keep their completed government medical form and submit the simplified UDC form to the Council with the rest of their application.

Members discussed;

- The need for the driving license taken to the medical assessment to include their photograph.
- Support for the use of the NHS Summary care record as accurate and incorruptible.

The report was noted. Members wholeheartedly supported the initiative.

LIC33 UPDATE ENVIRONMENTAL HEALTH COMMERCIAL SERVICE

The Environmental Health Manager - Commercial presented the report regarding the work of the Environmental Health (Commercial) Service as undertaken between April 2020 and January 2022, covering the period from the

commencement of the pandemic and the introduction of national controls to the present.

The Chair asked what was being done to support businesses in the lowest four categories to improve their food hygiene standards.

The Environmental Health Manager confirmed that it was not unexpected to see increases as businesses were under significant pressure. He went on to explain that graduated enforcement was used to identify risk, and they then work with businesses to rectify risks and where necessary use the graduated enforcement to secure improvement.

Members thanked the Environmental Health Manager and his team for their hard work in difficult circumstances.

LIC34 **ENVIRONMENTAL HEALTH PROTECTION SERVICE - AIR QUALITY UPDATE**

The Environmental Health Manager – Protection presented the report regarding the status of air quality in Uttlesford.

He highlighted changes in guidelines introduced by the World Health Organisation and outlined the implications of the Environment Act 2021.

The latest Annual Status concluded that there have been no measured exceedances of the national Air Quality Objectives for four consecutive years.

Members thanked the Environmental Health Manager for his detailed report.

Councillor Tayler thanked the Environmental Health Manager for installing the meter reader in Thaxted and asked whether he was surprised by the values demonstrated. He expressed an interest in reviewing the peaks during rush hours at some future points.

Councillor Tayler raised concerns that the guideline value of PM2.5s was given as 5 micrograms per cubic metre, yet in 2020, at the start of the pandemic when traffic was significantly reduced London Road UTT3 reported 15 micrograms per cubic metre and Hill House in Thaxted reported 9.5 and 11 micrograms per cubic metre respectively. He suggested that the real time values as we move away from Covid restrictions could be very problematic.

The Environmental Health Manager agreed to look at real time levels when the new guidelines are released in October 2022.

Councillor Tayler acknowledged the legal obligation regarding pollution, and noted that whilst we are producing the Local Plan we should not be encouraging areas that potentially risk the health and wellbeing of residents.

Councillor Barker requested that the whole Council get the opportunity to debate this matter once the Air Quality report is back.

The Chair acknowledged that the Committee were not looking to remove the Air Quality Management Area currently as the data collected has been useful for residents and the Council.

LIC25 PUBLIC SPEAKING (CONTINUED)

Mr Mahoney addressed the Committee.

The Chair returned to item 3 on the agenda.

LIC28 TAXI AND PHV FEES 2022-23

Licensing and Compliance Manager detailed the proposed increases in respect of Hackney Carriage and Private Hire Vehicle Licences and Private Hire Operators Licences and confirmed that they have been duly advertised for the required period of 28 days.

Councillor Barker proposed the approval of the fee structure proposed in Appendix B to come into effect as of 1 April 2022. This was duly seconded by Councillor Tayler.

RESOLVED to approve the proposed licence fees in respect of Hackney Carriage, Private Hire and Operator Licences with effect from 1 April 2022.

LIC35 REVISED POLICY RELATING TO THE HACKNEY CARRIAGE & PRIVATE HIRE TRADES

The Senior Licensing and Compliance Officer presented the report to inform Members of the revisions to the Hackney Carriage and Private Hire Policy following the Committee's adoption of the Service Level Agreement with the MOT testing stations that have been or are to be approved to undertake the Council's vehicle compliance test on its behalf. 6 out of 8 previously approved testing centres signed up.

Members noted the content of the report.

LIC36 ENFORCEMENT UPDATE

The Senior Licensing and Compliance Manager presented the Enforcement Update report to inform the Committee of the enforcement activities carried out by Licensing Officers during the period of 01 November 2021 to 11 February 2022.

Members noted the content of the report and asked whether there would be any follow up regarding the shop with reports of underage alcohol sales.

The Senior Licensing and Compliance Manager confirmed that the shop remains on the complaints system and additional compliance checks will be undertaken. He noted that ideally Test Purchasing from Essex County Council would get involved but they do not appear to have resumed activity following the pandemic.

The Chair thanked the entire Licensing and Environmental Health team for their professional approach during an extremely difficult period.

The meeting concluded at 20.10