

**LICENSING AND ENVIRONMENTAL HEALTH COMMITTEE held at
COMMITTEE ROOM - COUNCIL OFFICES, LONDON ROAD, SAFFRON
WALDEN, ESSEX CB11 4ER, on TUESDAY, 29 JANUARY 2019 at 7.30 pm**

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

Officers in attendance: A Bochel (Democratic Services Officer), T Cobden
(Environmental Health Manager - Commercial), R Millership
(Assistant Director - Housing, Health and Communities), E Smith
(Solicitor), B Stuart (Accountant) and A Turner (Licensing Team
Leader)

Public speakers: B Drinkwater and D Perry (Uttlesford Licenced Operators and
Drivers Association), R Sinnott

LIC84 MINUTES OF PREVIOUS MEETINGS

The minutes of the meetings held on 27 June, 30 August, 11 September, 12
September, 30 October, 6 November, 19 November, 27 November and 18
December were approved and signed by the Chairman as a correct record.

**LIC85 FEES FOR HACKNEY CARRIAGE & PRIVATE HIRE DRIVERS, VEHICLES
AND OPERATORS**

The Licensing Team Leader gave a summary of the report, which considered the
responses to the consultation on the proposed increases to fees relating to
hackney carriage and private hire vehicles and private hire operators licences.
Objections on the matter had been received and therefore the Committee had to
consider whether the variation to fees would come into force with or without
modification.

The Chairman asked for copies of legal advice obtained by ULODA with regards
to the variation in fees to be circulated to Members.

In response to a Member question, the Environmental Health Manager –
Commercial said the costs of safeguarding training were not being included in
the proposed fees increase. This training would be outsourced to an external
provider. Instead the costs of a Safeguarding Officer which had been included in
the fees increase related to the costs of an internal post which dealt with pre-
application administration and issue.

Members noted issues raised by ULODA included the use of a percentage to
ascertain the cost to the Council's call centre attributable to licensing enquiries
and the inclusion of the cost of inspecting vehicle testing stations. Legal advice
to ULODA had concluded both points were acceptable to be incorporated into
the proposed fee rise.

In response to a Member question, the Chairman and the Solicitor said officers were satisfied that they could defend the policy if it was challenged. The Council had obtained legal advice which stated that the costs incorporated into the proposed fees were legitimate.

In response to a Member question, the Accountant said the change in fees was attributable to the costs of the Safeguarding Officer's work on licensing, a rise in overheads and a reassessment of staff time required. The Environmental Health Manager – Commercial said if a variation in fees was approved, it would be reviewed in a year and there was the potential they could be lowered if they were deemed to be too high.

In response to a Member question, the Chairman said adequate weight had been given to all consultation responses. The Council's priority ultimately had to be providing an excellent service at a reasonable cost.

Members noted that there was provision for the Council to recoup the losses it had incurred from licensing over the past three years, although the Council had no plans to do this at present.

RESOLVED that the Licensing and Environmental Committee approve the proposed fee structure attached at Appendix A, to take effect on 1 April 2019, notwithstanding the objections received during the consultation period.

The Environmental Health Manager – Commercial said it was intended to hold half yearly meetings with the trade. Meetings between the trade and officers had so far been constructive and beneficial.

The meeting ended at 8.20.

Summary of statement by D Perry:

D Perry said that it was the proposed fees had to be fair and reasonable. He said ULODA (Uttlesford Licensed Operators and Drivers Association) had been told the increased staffing within the Licensing Team was to maintain current staffing levels. If the proposed fees were voted for, the trade would ask for a regular review to check actuals against forecasts. ULODA also wanted to be satisfied that any spend being charged to the trade was as in accordance with legislation.

Summary of statement by B Drinkwater:

B Drinkwater summarised D Perry's statement, and said the trade continued to give intelligent consideration and response. ULODA appreciated the time officers had given to meet with representatives to go through figures and answer questions. It was however a mistake to think of ULODA's response to the consultation as only one response. It was furthermore concerning that James Button's legal advice to the trade was not attached to the report.