

**LICENSING AND ENVIRONMENTAL HEALTH COMMITTEE held at
COUNCIL CHAMBER - COUNCIL OFFICES, LONDON ROAD, SAFFRON
WALDEN, CB11 4ER, on TUESDAY, 16 NOVEMBER 2021 at 7.00 pm**

Present: Councillor P Lavelle (Chair)
Councillors M Caton, C Day, A Dean, P Lees and G Smith

Officers in attendance: T Cobden (Environmental Health Manager - Commercial),
B Ferguson (Democratic Services Manager), J Livermore
(Senior Licensing and Compliance Officer), B Stuart
(Accountant) and E Smith (Solicitor)

Public
speaker(s): Mr A Mahoney

LIC18 PUBLIC SPEAKING

Mr Mahoney addressed the Committee. A summary of his statement has been appended to these minutes.

LIC19 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Barker and Pepper.

LIC20 MINUTES OF PREVIOUS MEETINGS

The minutes of the meetings held on 15 June 2021, 13 July 2021, 12 August 2021 and 28 September 2021 were approved as correct records.

LIC21 LICENSED VEHICLE COMPLIANCE TESTING STATIONS

The Chair moved proceedings to Item 4 as the required officer was having technical issues.

The Senior Licensing and Compliance Officer presented the report regarding Licensed Vehicle Compliance Testing Stations, which set-out the proposed Service Level Agreement between Uttlesford District Council and any MOT testing station that wanted to undertake the compliance testing of Hackney Carriage and Private Hire vehicles on behalf the Council.

In response to a question from Councillor Smith, the Senior Licensing and Compliance Officer said he did not anticipate any issues with garages not meeting the necessary criteria within the 28 day window. He said the department had worked with prospective testing stations and measures to ensure compliance were largely already in place.

In response to a question from Councillor Caton, the Senior Licensing and Compliance Officer said there would be between 2000-3000 tests carried out per year by eight testing stations.

Councillor Smith proposed the recommendation set out in the report; this was duly seconded by Councillor Lees.

RESOLVED to adopt the Service Level Agreement relating to Roadworthiness Testing of Licensed Hackney Carriages & Private Hire Vehicles in the District of Uttlesford.

LIC22 **ENFORCEMENT UPDATE**

The Senior Licensing and Compliance Officer presented the Enforcement Update report, which informed the Committee of the enforcement activities carried out by Licensing Officers during the period of 01 July 2021 to 31 October 2021.

In response to a question from Councillor Caton regarding PubWatch and issues surrounding data protection, the Senior Licensing and Compliance Officer said the Council and Police were not involved in the administration of the scheme.

Councillor Day said a multi-agency approach was taken with such schemes and he would be happy to discuss details with Councillor Caton at a later date. The Council had a role in setting up such schemes but not in maintaining them.

In response to a comment from Councillor Dean regarding an incident outside of a pub in Stansted, the Senior Licensing and Compliance Officer said it would be difficult to answer without specific details but he would be happy to discuss the matter after the meeting.

The report was noted.

LIC23 **REVIEW OF DRIVER TRAINING COURSE**

The Senior Licensing and Compliance Officer presented the late item 'Review of Driver Training Course' report, which outlined a request from the trade to defer the requirement for existing licensed hackney carriage & private hire drivers to undergo the mandatory driver training course upon renewal of their licence. He said it was widely recognised that the taxi and private hire trade was one of the many sectors negatively affected by the Covid-19 pandemic and Licensing Officers had been approached by several members of the Uttlesford taxi and private hire trade who were deeply concerned about their ability to fulfil vital contracted services, in particular Home-to-School Transportation. The trade had stressed that the Council's requirement for their existing licensed drivers to undergo the mandatory training course was exacerbating an already difficult situation. This was primarily due to drivers having to commit a full day to undergo the training course, resulting in a replacement driver having to be sourced to fulfil any booking, at a time when the trade was facing staff shortages.

In response to a question from Councillor Smith, the Senior Licensing and Compliance Officer said the trade had requested this 6 month deferral and would be content with the proposal.

In response to a further question by Councillor Smith, the Senior Licensing and Compliance Officer said he had consulted with the training provider, Green Penny, who did have concerns regarding the deferral.

Councillor Day said safeguarding was the most important role of this Committee and this did represent a risk. However, the pandemic had brought forward unprecedented pressures on the trade and there was also a duty to the parents and children who relied on taxis and private hire cars to travel to school. He would support the deferral of 6 months.

In response to a question from Councillor Lees regarding the logistical arrangements of the training, the Senior Licensing and Compliance Officer said there were many licensed drivers across the country and a half-day training was not feasible due to travel time. Furthermore, he said the policy agreed by the Licensing and Environmental Committee had stipulated that the training had to take place in Uttlesford.

Councillor Caton raised a number of issues faced by the training provider and expressed concern regarding the impact this deferral could have.

The Chair summarised the debate and was mindful of the unintended consequences that a deferral could cause, such as a period of “feast and famine” for the training provider and an impact on safeguarding, as well as the needs of the trade and the children reliant on Home to School Transportation.

Councillor Day proposed to permit a 6 month deferral for existing licensed hackney carriage & private hire drivers to undergo the mandatory driver training course.

Councillor Lees duly seconded.

RESOLVED to permit a 6 month deferral for existing licensed hackney carriage & private hire drivers to undergo the mandatory driver training course.

Regardless of the decision, the Chair said he strongly encouraged drivers to undergo the training as soon as possible.

Councillor Day said this should not set a precedent and if there was any need for a further deferral, the issue should be brought back to this Committee for discussion.

LIC24

FEES FOR DRIVERS, HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES AND PRIVATE HIRE OPERATORS

The Chair returned to item 3 on the agenda.

The Environmental Health Manager – Commercial presented the report regarding Fees for Drivers, Hackney Carriage and Private Hire Vehicles and Private Hire Operators as the Senior Licensing and Compliance Officer (Compliance) had not been able to connect to the meeting. The report asked the Committee to review and approve the licence fees for the purpose of consultation and advertising requirements in respect of Hackney Carriage, Private Hire and Operator Licences with effect from 1 April 2022 – 31 March 2023. If approved, the proposed fees would be duly advertised for the required period. Following the consultation, a further report would be brought to this committee with a recommendation to implement the final proposed fees and charges, subject to any amendments following consultation. He said Members would note that the proposed fees would not be going up significantly this year, although the Operators fee would rise to reflect genuine costings in the department.

Councillor Lees proposed the recommendation set out in the report; this was duly seconded by Councillor Caton.

RESOLVED to review and approve the licence fees set out at Appendix B in respect of Hackney Carriage, Private Hire and Operator Licences with effect from 1 April 2022 – 31 March 2023.

The proposed fees will be subject to a full consultation process with the licensed trade and other relevant parties. Section 70 of the Act sets out statutory advertising requirements in relation to vehicle and operator licences, which require that an advert must be published within a local newspaper and at least 28 days provided for comments to be made. It is proposed that this consultation period will begin in January 2022, after the seasonal holiday period has ended.

Following the statutory consultation process, a further report will be presented to this committee at the next meeting, setting out the results of the consultation and any amendments made to the proposed fees as a result. If approved, the final proposed fees will take effect from the 01 April 2022.

The meeting was closed at 7.52pm.

Summary of Public Statement(s) – 16 November 2021

Andy Mahoney

Mr Mahoney began by passing on his best wishes to Mr Drinkwater who had given his apologies for the meeting. He said staffing issues had hit the trade and one of his driver's had tragically passed away due to Covid-19. He then spoke on the length of time it took to get a license; this was exacerbating the problem of attracting new staff who could find similar driving work in other industries e.g. pharmaceutical deliveries. He said this was having a major impact on school runs, and he provided an example of a recent plea to help 86 children who needed to be taken to school. A further 300 children were being taken by operators who were not on the tender list. Another problem he faced was getting drivers across the country to come to Uttlesford for training. The organiser of the training had said they were willing to conduct training across the country and he asked that this be looked in to.