

**LICENSING AND ENVIRONMENTAL HEALTH COMMITTEE held at
COUNCIL CHAMBER - COUNCIL OFFICES, LONDON ROAD, SAFFRON
WALDEN, CB11 4ER, on TUESDAY, 18 OCTOBER 2022 at 7.00 pm**

Present: Councillors M Caton, G Driscoll, R Freeman (Vice-Chair),
P Lees, G Smith and M Tayler

Officers in attendance: A Lindsell (Democratic Services Officer), E Smith (Solicitor) and
R Way (Licensing and Compliance Manager)

LIC25 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Dean, Lavelle, Lodge and Pepper.

There were no declarations of interest.

LIC26 MINUTES OF PREVIOUS MEETINGS

Councillor Smith noted that Councillor Driscoll was not acknowledged in the minutes as being in attendance at the Licensing and Environmental Health Committee meeting held on 2nd March 2022, although he had been in attendance. It was agreed that the minutes would be amended to include this information.

The minutes of the meetings held on 2nd March, 30th June, 12th July and 30th September 2022 were approved as correct records, subject to the revision detailed above.

LIC27 TAXI AND PRIVATE HIRE VEHICLE FEES 2023-24 PRE-CONSULTATION

The Licensing and Compliance Manager presented the report regarding the Taxi and Private Hire Vehicle Fees 2023-24 Pre-Consultation.

He recommended that Members noted the consultation.

The Licensing and Compliance Manager said that the consultation would be undertaken in the next couple of months and that the fees would be recommended to Members at the January 2023 Licensing and Environmental Health committee meeting.

Following questions from Members the Licensing and Compliance Manager confirmed:

- Although the number fluctuated daily, there were 2000 licensed drivers and 1600 licensed vehicles currently in the district
- He did not know how many major operators there currently were with over ten vehicles

Members raised concerns that drivers working for the new company at the airport reportedly lose half their takings to the operator, before they have to pay for the hire of the vehicle, fuel, tax and insurance. They said that the proposed fee increase of 7.25% seemed high for a relatively low earner to accommodate.

The Licensing and Compliance Manager said that the fee increase was necessary to absorb the £2000 and 3% salary increase awarded to all Local Government Officers and that the cost of the fees was unchanged and remained at cost recovery.

Members asked whether the £100,000 drop in income was as a result of the award of the airport contract to Street Cars.

The Licensing and Compliance Manager said:

- There was a number of challenging reasons that contributed to the loss of income and included a lack of drivers that want to work unsociable hours and individual operators' choices on occasion to be licensed in other areas
- Street Cars have expanded their company and could set their prices as they wished
- Drivers could obtain their license in any district they chose and the Council had licensed drivers in a variety of districts, which was permitted as long as the Council adhered to the individual district's conditions
- The legislation relevant to drivers and private hire vehicles was not fit for purpose

Following a question from Members the Chair said that the Council had historically been overly competitive, which had resulted in drivers being attracted from elsewhere.

The Licensing and Compliance Manager said:

- Safeguarding the public was the priority, and that the fee covered the execution of that duty.
- It was difficult to compare different authority's fees as there were often additional costs incurred that were not initially evident, such as the Green Penny Course or private medical checks.
- They were investigating alternative fee calculation methods to find the most efficient and appropriate as there was a lot of additional work undertaken to make sure that licensed drivers were fit and proper.

The report was noted.

LIC28 **ENFORCEMENT UPDATE**

The Licensing and Compliance Manager presented the Enforcement Update report.

He recommended that Members note the report.

He noted that they were starting to build effective relationships with the Airport Police and Transport for London.

Following questions from Members the Licensing and Compliance Manager said:

- Events held on the Common required an individual license for the relevant location to serve alcohol. The time limit relating to music would be addressed within the terms of the individual license
- The Ask Angela campaign had been rolled out by Essex Police

Members raised concerns about the management of unlicensed airport parking that was operating outside of the airport boundary. There had been a recent fatal crash near the airport which had resulted from the reckless driving of an individual operating an unlicensed airport parking service.

The Chair said that they were meeting with Officers and members of the public on Thursday to discuss what action could be taken to resolve unlicensed airport parking issues.

The Licensing and Compliance Manager said:

- Licensing were only involved if there was a car park and that members of the public were being transported from the car park to the airport
- Operators and drivers required licenses when that service was provided
- There were a number of operators that worked that way at the airport
- The recent fatal case involved an individual from a company who offered a different park and ride service where members of the public drove to the airport, handed over their vehicle and the company drove the car to be parked somewhere else. The company did not need to be licensed as a private hire vehicle or an operator. However this company had also set up a park and ride where they were parking in the airport and were not licensed to do so. There were also questions over whether the land being used to park the cars had the correct permissions. It had been a partnership operation and had resulted in the company returning to only offering the initial park and ride service
- It was difficult for members of the public to identify legitimate licensed operators, although the airport did try to signpost appropriate operators

Members discussed:

- Stansted Airport being reportedly the second most expensive airport in the world for weekly car parking
- Members of the public who hire out their drives and take people from their house to the airport were acting as a private hire vehicle operator and should be subject to licensing regulations

Following comments from the Leader of the Council regarding her disappointment at the high number of license suspensions, the Licensing and Compliance Manager said:

- He would report back with the percentage of complete complaints that were upheld
- The number of complaints received was high because members of the public could easily complain about missing door stickers and signs inside vehicles

- Complaints relating to driving were reported to the Police as the statutory investigators of driving standards, and that they continued to build relationships with other statutory bodies to ensure that they learn about all their drivers wherever they are

The Solicitor responded to a question from Members regarding whether the agreement with Stansted Airport stipulated that all airport related parking should be within the boundaries of the airport.

She said that:

- The airport operator could only regulate their own premises
- The behaviour of members of the public parking badly was a matter for the Police.
- There was not much that could be done if the companies operating chose to seek cheaper sites to hold the cars in their care
- Taxi Touting was a specific offence where unlicensed drivers approach members of the public offering taxi services in an unlicensed vehicle for which they charge a fee.

The report was noted.

The meeting concluded at 19:42