

**LICENSING AND ENVIRONMENTAL HEALTH COMMITTEE held at
COMMITTEE ROOM - COUNCIL OFFICES, LONDON ROAD, SAFFRON
WALDEN, ESSEX CB11 4ER, on TUESDAY, 6 NOVEMBER 2018 at 7.30 pm**

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

Officers in attendance: T Cobden (Environmental Health Officer - Commercial),
B Ferguson (Democratic Services Officer), E Smith (Solicitor)
and A Turner (Licensing Team Leader)

Also present: R Ellis, D Perry and R Sinnott (Uttlesford Licensed Operators and Drivers Association – ULODA).

LIC64 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

There were no apologies for absence.

LIC65 PUBLIC SPEAKING

Doug Perry and Robert Sinnott spoke to the Committee. Statements were also read out on behalf of Andy Mahoney and Barry Drinkwater. Summaries of all statements are appended to these minutes.

In response to these statements, the Chairman said the increased percentages referred to by the public speakers were misrepresentations of the reality of the situation. He said that even if the proposals came into effect, Uttlesford would remain one of the most inexpensive licensing authorities in the country. He emphasised that the officer recommendation before Members was not the final determination of the variation in licensing fee charges; this would only occur after the advertisement period of 28 days had ended, which was in effect a consultation, and the Committee would reconsider the proposals if any objections were received. He said the Committee had a duty to the tax payer to recoup administration costs when processing licences, which had become higher due to the increase in number of driver checks carried out to enhance public safety. He said the number of recent revocations were proof that that these additional checks were necessary. In summary, he assured ULODA members present that consultation would occur.

**LIC66 FEES FOR DRIVERS, HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES
AND PRIVATE HIRE OPERATORS**

The Committee considered the Licensing Team Leader's report, which stated that the current fees charged did not cover the costs incurred by the service in issuing licences. It was anticipated that the current fee structure would result in an under recovery of costs relating to taxi licensing of over £100,000 for 2018-19. The proposed increase to fees were considered appropriate to recover the

administration and associated costs of the service, in light of deregulation and, consequentially, the large increase in applications received that required proper assessment to ensure that the safety of users of hackney carriages and private hire vehicles was not compromised. Subject to consultation, the proposed change to licensing fees would come into effect on 1 April 2019.

In response to a Member question, the Licensing Team Leader confirmed that this was an annual process, although it was being carried out earlier than in previous years.

Councillor Gerard said even with the proposed increase, the fees would be competitive and were necessary to ensure the proper checks were carried out and to maintain public safety.

Councillor Barker asked whether the licensing department could maintain its current productivity without an increase in resources.

The Licensing Team Leader said if fees were not raised to cover the costs of increased resources, then all licences would take longer to process and the service would not be able to function properly.

RESOLVED to:

- 1) Approve the fee structure proposed in Appendix B to come into effect on 1 April 2019
- 2) That the fees in respect of Hackney Carriage and Private Hire Vehicle Licences and Private Hire Operators Licences be advertised for a period of 28 days in at least one local newspaper circulating in the district.
- 3) If any objections are received then Members will need to meet to consider the same and must then set a further date (not being later than two months after the first) on which the variation to fees will come into force with or without modification. They will be reported back to the Licensing and Environmental Health Committee for consideration.

The meeting ended at 8.00pm.

Public Speaking

Doug Perry said the proposed rise in fees and charges was astronomic, ranging between 11.9% and 150% for the next financial year, and strongly urged Members to vote against them until Council officers met with the Trade to discuss them in detail. He asked why there had been no consultation with the Trade as there had been in previous years when he was Chairman of the Licensing Committee. He said for a consultation to be 'proper' it must be undertaken at a formative stage and requested Members to defer the decision.

Richard Ellis read out a statement on behalf of Barry Drinkwater. The statement said that in the past the Trade was properly involved in forming licensing policy and played an important check and balance role, as demonstrated by participation in Licensing Task Groups and joint annual reviews. This was no longer the case. The Trade wanted to understand the reasons for the licensing team's under resourcing and invited Members to give time and consideration to the Trade's statements.

Doug Perry read out a statement on behalf of Andy Mahoney. The statement asked Members to uphold an agreement made between the Trade and Council leadership back in 2010, which stated that each set of annual Licensing budgets would be discussed with the Trade. The Trade had also agreed for UDC to repay the £138,000 surplus without interest and now that the money was repaid, the 'shutters were coming down' on this working relationship. He said there was no risk in deferring the decision and urged Members not to vote until the Trade was properly consulted.

Robert Sinnott said a decade ago the Trade and Council used to enjoy a collaborative and co-operative relationship when reviewing licensing costs and agreeing fees for the year ahead. He said this had now stopped, without consultation, and that this was disrespectful to those who had worked hard in the past to establish this working relationship. Furthermore, until details had been discussed with the Trade, and the assertions in the report substantiated, he would not be able to trust the proposals put before Members. He asked the Committee to defer their decision and said if this was approved, ULODA would consider approaching the Local Government Ombudsman.