

# Public Document Pack



Chairman and Members of the  
Council

Your contact: Martin Ibrahim  
Ext: 2173  
Date: 18 July 2013

cc. All other recipients of the Council  
agenda

Dear Councillor

## **COUNCIL - 24 JULY 2013: SUPPLEMENTARY AGENDA NO 1**

Please find attached the following reports which were marked "to follow" on the agenda for the above meeting:

16. Human Resources Committee: Minutes - 3 July 2013 (Pages 3 - 6)

*Chairman: Councillor C Woodward*

17. Audit Committee: Minutes - 10 July 2013 (Pages 7 - 18)

*Chairman: Councillor J Ranger*

18. Licensing Committee: Minutes - 11 July 2013 (Pages 19 - 30)

*Chairman: Councillor R Beeching*

*To consider recommendations on the matter below:*

(A) Taxi Licensing Policy: Feedback from Consultation with the Licensed Taxi Trade

*Minute 115 refers*

*Note – Members are asked to note that the revised policy is available to view as a background paper on the Council's website at:*

<http://online.eastherts.gov.uk/moderngov/mglIssueHistoryHome.aspx?Id=12003>

Please bring these papers with you to the meeting next Wednesday.

Yours faithfully

Martin Ibrahim  
Democratic Services Team Leader  
Democratic Services  
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**MEETING** : COUNCIL  
**VENUE** : COUNCIL CHAMBER, WALLFIELDS, HERTFORD  
**DATE** : WEDNESDAY 24 JULY 2013  
**TIME** : 7.00 PM

MINUTES OF A MEETING OF THE  
HUMAN RESOURCES COMMITTEE HELD  
IN THE COUNCIL CHAMBER,  
WALLFIELDS, HERTFORD ON  
WEDNESDAY 3 JULY 2013, AT 3.00 PM

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PRESENT: Councillor C Woodward (Chairman).  
Councillors P Ballam, Mrs D Hone, J Ranger,  
P Ruffles, J Thornton and N Wilson.

OFFICERS IN ATTENDANCE:

Glenda Bennett	- Interim Head of People and Property
Martin Ibrahim	- Democratic Services Team Leader
Preksha Patel	- Human Resources Officer
Adele Taylor	- Director of Finance and Support Services

94 APPOINTMENT OF VICE-CHAIRMAN

It was moved by Councillor P Ruffles and seconded by Councillor P Ballam that Councillor J Ranger be appointed Vice-Chairman of the Committee for 2013/14.

RESOLVED – that Councillor J Ranger be appointed Vice-Chairman for the Human Resources Committee in 2013/14.

95 MINUTES – 20 MARCH 2013

In respect Minute 708 – Pay Policy Statement, it was noted that an e-mail had been sent to Members explaining that 34 employees had a lease car currently and that scheme would be closed on 16 January 2014.

In respect of Minute 711 – Senior Pay Review February

2013, the Committee was advised of an error in recommendations (B) and (C). The Director of Finance and Support Services reminded the Committee of its deliberations which had been correctly recorded in the narrative. However, the recommendations did not reflect properly, the decisions made by the Committee.

It was agreed that these recommendations be amended to read as follows:

(B) the Chief Executive/Director and Directors remain on fixed spot salaries and a review of the Chief Executive/Director base pay be undertaken; and

(C) the Chief Executive/Director of Customer and Community Services base pay be included in "E pay Check".

RESOLVED – that the Minutes of the Human Resources Committee meeting held on 20 March 2013, as now amended, be approved as a correct record and signed by the Chairman.

## 96 HUMAN RESOURCES – QUARTERLY PERFORMANCE REPORT

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The Head of People and Property Services submitted a quarterly performance report for the period April – June 2013. It was noted that 97% of PDRs had now been completed.

The Committee was further advised that a calendar of policy reviews would be submitted to the next meeting, which would be based on three year reviews and not two. Councillor J Ranger suggested that, when appropriate, this should include a review of mileage rates.

The Committee noted the report.

RESOLVED – that the report be noted.

97 EMPLOYING AND MANAGING PEOPLE WITH DISABILITIES POLICY

The Committee considered a report seeking to update the Employing and Managing People with Disabilities Policy. The proposed revisions, necessitated by recent legislative changes, had been considered and supported by the Local Joint Panel, at its meeting held on 3 July 2013. The Panel had commented that strengthening the guidance on what constituted a disability was needed.

The Committee Chairman suggested, in respect of paragraph 2.7 of the policy, adding the word “necessarily” after the words “will not”.

The Committee approved the revised policy subject to the comments now detailed.

RESOLVED – that the revised Employing and Managing People with Disabilities Policy, as now submitted and amended, be approved.

98 RECRUITMENT POLICY

The Committee gave consideration to a revised Recruitment Policy that had been updated to take account of recent legislative changes. The updated policy had been considered and supported by the Local Joint Panel, at its meeting held on 3 July 2013. The Panel had also suggested three additions as follows:

- The need to check the list of countries for eligible workers in paragraph 3.1;
- paragraph 6.16 should include reference to the Redeployment Register; and
- the need to include reference to Apprentices within the policy.

The Committee supported all of these comments.

In response to a question by Councillor P Ballam, the Head of People and Property Services undertook to

check the legal position in respect of copying passports.

Councillor N Wilson queried the use of consultants, agency workers and sole traders and undertaking CRB checks. The Head of People and Property Services advised that such checks would be undertaken by the Agency through which such workers were engaged. The Committee Chairman suggested that this caveat be included in the policy.

The Committee approved the revised policy as submitted subject to the comments now detailed.

RESOLVED – that the revised Recruitment Policy as now submitted, be approved, subject to the comments now detailed.

99 HEALTH AND SAFETY : LONG TERM FAULTS AND DEFECTS

The Committee considered a report of the Health and Safety Officer in respect of high priority concerns identified following a monthly inspection of offices at Wallfields, Charringtons House and Buntingford Service Centre. The report had already been considered by the Safety Committee and its agreed actions had been included in this report.

The Committee noted the report.

RESOLVED – that the report be noted.

The meeting closed at 4.05 pm

Chairman	.....
Date	.....

MINUTES OF A MEETING OF THE  
AUDIT COMMITTEE HELD IN THE  
COUNCIL CHAMBER, WALLFIELDS,  
HERTFORD ON WEDNESDAY 10 JULY  
2013, AT 7.00 PM

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PRESENT: Councillor J Ranger (Chairman).  
Councillors W Mortimer, M Pope, R Sharma  
and N Wilson.

ALSO PRESENT:  
  
Councillor D Andrews.

OFFICERS IN ATTENDANCE:

- |                    |                                   |
|--------------------|-----------------------------------|
| Lorraine Blackburn | - Democratic Services Officer     |
| Simon Chancellor   | - Head of Finance and Performance |
| Chris Gibson       | - Manager of Corporate Risk       |

ALSO IN ATTENDANCE:

- |                    |                                 |
|--------------------|---------------------------------|
| Terry Barnett      | - Shared Internal Audit Service |
| Paul Grady         | - Grant Thornton                |
| Margaret Mulkerrin | - Shared Internal Audit Service |
| Nick Taylor        | - Grant Thornton                |

100 GOVERNANCE – MEMBER TRAINING

The External Auditor provided a presentation on Good Governance and the Audit Committee Role. The presentation covered the need to look at governance, the scope of the External Auditor’s reviews, key messages for Councils and the role of the Audit Committee.

The Chairman referred to reputational matters and

whether the External Auditor considered this a key issue for consideration in terms of the Annual Governance Statement. The External Auditor confirmed that matters for review were not just financial, but did indeed include the Council's reputation but that it was always a "balancing act" of the Council's key priorities.

In response to a query from Councillor R Sharma, the External Auditor confirmed that the explanatory notes in the Council's Statement of Accounts could include more information as a means of making them more user friendly, but to bear in mind that the accounts were a statutory document and needed to follow a specific format.

In response to a query from Councillor N Wilson, the External Auditor confirmed that the Annual Governance Statement report could include highlights on the positives of what the Council had achieved and the negatives.

The Chairman, on behalf of Members, thanked the External Auditor for the presentation.

The Committee received the presentation.

RESOLVED – that the presentation be received.

101 APPOINTMENT OF VICE-CHAIRMAN

It was moved by Councillor J Ranger and seconded by Councillor N Wilson that Councillor W Mortimer be appointed as Vice-Chairman for the 2013/14 Civic Year.

RESOLVED – that Councillor W Mortimer be appointed Vice-Chairman for the 2013/14 Civic Year.

102 APOLOGY

An apology for absence was submitted on behalf of Councillor J Wing.



103 MINUTES – 13 MARCH 2013

RESOLVED – that the Minutes of the meeting held on 13 March 2013, be confirmed as a correct record and signed by the Chairman.

104 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed new Members of Audit Committee and new Officers representing the External Audit Services and the Shared Internal Audit Service.

The Chairman, on behalf of Members, thanked Margaret Mulkerrin of the Shared Internal Audit Service for her hard work in supporting East Herts internal audit processes. He welcomed Terry Barnett to his new role.

105 EXTERNAL AUDIT – INTERIM AND AUDIT APPROACH REPORT

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The External Auditor submitted a report setting out the audit planned approach for 2013/14 which formed a key part of the Council's accounts, the detail of which was set out in the supporting appendix. The plan highlighted key risks and financial challenges for the Council and how these would be dealt with.

The Chairman thanked the External Auditor for their detailed report which had made it clear what the Council was paying for.

The Committee received the report.

RESOLVED – that the report be received.

106 DRAFT STATEMENT OF ACCOUNTS 2012/13

The Executive Member for Finance submitted a report setting out the Council's draft statement of accounts for 2012/13. The Head of Finance and Performance

explained that presenting the accounts at this stage provided Members and the public with an early opportunity of viewing and questioning the accounts. It was noted that the accounts would be submitted to Audit Committee at its meeting on 18 September 2013 for approval.

The Head of Finance and Performance explained that the accounts were prescriptive in style and content, but that there was an opportunity to give context to them within the explanatory forward and headline information.

The Head of Finance and Performance provided Members with an overview of the main sections of the Council's accounts and summarised where main changes had occurred on the balance sheet.

In response to a query from Councillor M Pope regarding the Council's pension liability and volatility issues, the Chairman provided a summary of how the pension calculations were applied to the Council's accounts.

The Chairman referred to two long term loans which had been taken out many years ago at rates of interest around 8%, adding that to repay them early, the Council would have to pay a prohibitive premium.

The Chairman referred to the earlier debate regarding making the accounts as user friendly as possible and suggested that the Statement of Accounts include an introductory paragraph summarising the Council's financial situation over the last two or three years. He added that it might be helpful if the pie chart setting out Government Grants of £49.4Million was broken down to differentiate between housing related grants and other grants. This was supported.

In response to a query from Councillor J Wyllie regarding bank statements being provided to the Portfolio Holder for Finance, the Head of Finance and Performance explained that this would not normally be the case. He explained

that the “cash and cash equivalents” in the balance sheet, included short term investments that met this definition of cash. The Chairman added that he was a Member of the Investment Panel which met regularly to be updated on the Council’s investments.

In response to a query from Councillor M Pope, the Head of Finance and Performance agreed to review narrative denoting an item as a (surplus)/ deficit when a single figure was shown.

The Committee received the report and agreed that in an effort to make the Statement of Accounts more user friendly, they should include an introductory paragraph summarising the Council’s financial situation over the last 2 or three years and that the pie chart setting out Government Grants of £49.4Million should be broken down to differentiate between Housing related and other grants.

RESOLVED – that (A) the completion and authorisation for issue, of the Council’s 2012/13 accounts, in line with statutory processes, be noted; and

(B) the Statement of Accounts include an introductory paragraph summarising the Council’s financial situation over the last two or three years and that the pie chart setting out Government Grants of £49.4Million be broken down to differentiate between housing related and other grants.

107 2012/13 ANNUAL ASSURANCE STATEMENT AND  
INTERNAL AUDIT ANNUAL REPORT

The Shared Internal Audit Service (SIAS) submitted a report providing their overall opinion on the adequacy and effectiveness of the Council’s control environment, summarising the audit work and the performance of the internal audit service, the detail of which was set out in

the report now submitted.

The SIAS explained that six of the seven performance indicators had been met. The Chairman, on behalf of Members, congratulated the service on this performance. The SIAS drew Members' attention to a statutory new requirement (Public Sector Internal Audit Standards) for Members to provide assurances that the scope and resources for internal audit were not subject to inappropriate limitations. In response to a query from Councillor J Wyllie, the SIAS explained that there had not been any limitations placed on them.

The Manager of Corporate Risk explained that the Council's relationship with the SIAS had worked very well and gave an assurance that the scope and resources for internal audit had not been subject to inappropriate limitations.

The Committee approved the report.

RESOLVED – that (A) the Annual Assurance Statement and Internal Audit Annual report be approved; and

(B) the scope and resources for internal audit had not been subject to inappropriate limitations.

108 PUBLIC SECTOR INTERNAL AUDIT STANDARDS  
(INCORPORATING THE SHARED INTERNAL AUDIT  
SERVICE AUDIT CHARTER)

The Shared Internal Audit Service (SIAS) submitted a report setting out the requirements of the Public Sector Internal Audit Service Standards (PSIAS) and the need to adopt an Audit Charter, which set out the framework within which internal audit discharges its responsibilities to those charged with governance in the Council.

In response to a query from Councillor J Wyllie, the SIAS explained that there had not been any limitations placed

on them.

The Committee approved the report.

RESOLVED – that (A) the Public Sector Internal Audit Service Standards (PSIAS) be adopted with effect from 1 April 2013;

(B) the Shared Internal Audit Service (SIAS) Charter be approved as part of a compliance requirement, as contained in the Public Service Internal Audit Standards 2013; and

(C) it be noted that management assurance had been given that there had been no inappropriate scope or resource limitations on internal audit activity.

## 109 SHARED INTERNAL AUDIT SERVICE – PROGRESS REPORT

The Shared Internal Audit Service (SIAS) submitted a report setting out the progress made in delivering the Council's Annual Audit Plan for 2013/13, and proposed amendments to the approved 2013/14 Audit Plan. SIAS also provided the status on previously agreed high priority audit recommendations and an update on performance management information, the detail of which was set out in the report now submitted.

In response to a query regarding the follow up on ICT reviews being assessed when the outcomes of the IT Business Continuity Plan audit review were agreed, the Chairman explained that an officer from Stevenage was temporarily acting as the Head of Service and that a decision would shortly be taken by both East Herts and Stevenage Councils regarding shared services which included ICT as a service. Members supported the suggestion that an item on IT Business Continuity Plan be added to the Agenda for the next meeting in September 2013.

The Committee approved the report.

RESOLVED – that (A) the Internal Audit Progress Report be noted;

(B) the amendments to the 2013/14 Audit Plan as at 14 June 2013, as submitted, be approved; and

(C) the removal of implemented high priority recommendations be approved.

110 UPDATE ON PAYMENTS TO MEMBERS FOR ICT EXPENSES – OBJECTION TO THE 2011/12 ACCOUNTS

The Director of Finance and Support Services submitted a report setting out the Council's response to the External Auditor's recommendations in relation to payments to Members for ICT expenses, the detail of which was set out in the report now submitted.

Councillor D Andrews drew Members' attention to the fact that not all current Members were affected by the £35/month payments made outside the Members Allowance Scheme from May 2011 to 31 March 2012, as not all current Members had claimed the allowance and that this should be noted accordingly. The Manager of Corporate Risk acknowledged that this was correct.

The Committee noted the report.

RESOLVED – that the current position regarding the recovery of monies in relation to payments made outside the Members Allowance Scheme be noted.

111 UPDATE ON IMPLEMENTATION OF 2012/2013 ANNUAL GOVERNANCE STATEMENT ACTION PLAN

The Director of Finance and Support Services submitted

a report updating Members on the implementation of the 2012/13 Annual Governance Statement Action Plan, the detail of which was set out in the report now submitted and supporting Essential Reference Papers.

The Manager of Corporate Risk advised that two actions had recently turned “green” relating to the web-site efficiencies and Data Protection. On the issue of data protection, Councillor D Andrews referred to the “umbrella” protection now afforded by the Council to Parish Councillors.

The Committee noted the progress made.

RESOLVED – that the progress made in implementing the action plan contained in the 2011/12 Annual Governance Statement, as submitted, be noted.

112 DRAFT ANNUAL GOVERNANCE STATEMENT 2012/13

The Leader of the Council submitted a report setting out proposals for taking forward the 2012/13 Annual Governance Statement, the detail of which was set out in the report now submitted, and supporting Essential Reference Paper.

The Chairman referred to an earlier discussion on risk in relation to damage to the Council’s reputation, specifically regarding the implementation of the District Plan which was progressing slowly, resulting in subsequent planning problems which had occurred in his ward. The Chairman felt that this was creating a negative public perception which could damage the Council’s reputation. The External Auditor agreed that should a risk be identified then that risk should be included within the risk register and that the Annual Governance Statement could also be used to move this forward. Members supported this approach.

The Committee approved the report.

RESOLVED – that (A) the proposed process for taking forward the 2012/13 Annual Governance Statement be approved; and

(B) due consideration be given to reflecting the reputational risks identified through delays in implementing the District Plan both within the Annual Governance Statement and the Risk Register.

113 RISK MANAGEMENT MONITORING REPORT –  
(FEBRUARY TO APRIL 2013)

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The Leader of the Council submitted a report setting out the action taken to mitigate and control strategic risks during the period February to April 2013, the detail of which was set out in the report now submitted and supporting Essential Reference Paper “B”.

Members noted the earlier discussions regarding the potential impact and damage to the Council’s reputation following delays in implementing the District Plan and the need to consider the inclusion of this issue within future Risk Management Monitoring reports. This was supported.

The Committee approved the report.

RESOLVED – that (A) the action taken to mitigate and control strategic risks, as submitted, be approved; and

(B) due consideration be given to the risk register being amended to include the District Plan and the potential damage to the Council’s reputation which might ensue, as a result of delays in its implementation.



114 AUDIT COMMITTEE WORK PROGRAMME 2013/14

The Director of Finance and Support Services submitted a report detailing the proposed work programme for Audit Committee. The Chairman drew Members' attention to the earlier request for a report on the ICT Business Continuity Plan review at the next meeting. This was supported.

RESOLVED – that the work programme, as now amended, be approved.

The meeting closed at 9.00 pm

Chairman	.....
Date	.....

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MINUTES OF A MEETING OF THE  
LICENSING COMMITTEE HELD IN THE  
COUNCIL CHAMBER, WALLFIELDS,  
HERTFORD ON THURSDAY 11 JULY 2013,  
AT 4.30 PM

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**PRESENT:** Councillor R Beeching (Chairman).  
Councillors P Ballam, E Bedford,  
E Buckmaster, Mrs R Cheswright, K Crofton,  
Mrs D Hone, J Jones, M McMullen, J Taylor,  
A Warman and B Wrangles.

**ALSO PRESENT:**

Councillors D Andrews and P Ruffles.

**OFFICERS IN ATTENDANCE:**

Richard Kalu	- Senior Specialist Licensing Officer
Peter Mannings	- Democratic Services Officer
Paul Newman	- Licensing Manager
Brian Simmonds	- Head of Community Safety and Health Services
Michelle Whittaker	- Licensing Officer

**115 TAXI LICENSING POLICY: FEEDBACK FROM  
CONSULTATION WITH THE LICENSED TAXI TRADE**

**The Director of Neighbourhood Services submitted a report that summarised the responses to public consultation in respect of the proposals for amendments to taxi licensing policy.**

**Members were advised that the Leader of the Council had made a commitment to a review of taxi licensing. Community Scrutiny Committee had subsequently set up a Task and Finish Group to review Taxi**

## **Licensing in East Herts.**

**The Task and Finish group had reported back on 20 November 2012 and Community Scrutiny Committee had resolved to recommend to Licensing Committee that a robust convictions policy be introduced, with some powers delegated to Officers.**

**Members were advised that Licensing Committee had supported the recommendations of Community Scrutiny Committee in March 2013 and had agreed to further proposals for amendments from Officers for incorporation in the revised Taxi Licensing policy.**

**The Licensing Committee was invited to consider the responses to public consultation and whether the draft revised policy should be altered before being recommended to Council for approval.**

**The Licensing Manager detailed the questions that had been asked by the public consultation in respect of the revised policy. Members were provided with a summary of the consultation responses.**

**Members were advised that the Authority was now permitted to suspend a taxi driver's licence where a taxi driver had accrued penalty points on his or her licence. There was a general discussion regarding the ongoing problem of taxi drivers parking irresponsibly and blocking pavements in Hertford. Members were advised that a replacement Enforcement Officer had recently been recruited by the Authority.**

**Councillor Mrs R Cheswright commented on whether notices should be displayed in private hire vehicles explaining that the occupant was not insured if the taxi had not been pre-booked. The Licensing Manager confirmed that the occupant of a private hire vehicle would not be insured in such situations.**

**Members requested that the Taxi Licensing Policy be**

**amended so that all private hire vehicles must display a warning notice in respect of this issue. This was supported. The Committee recommended the Taxi Licensing Policy, as now revised.**

**RECOMMENDED – that (A) the report be received; and**

**(B) the revised Taxi Licensing Policy, subject to the inclusion of wording that ensured that private hire vehicles must display a warning notice stating that occupants were not insured if the private hire Taxi had not been pre-booked, be approved.**

116 **APPOINTMENT OF VICE-CHAIRMAN**

It was moved by Councillor K Crofton and seconded by Councillor J Taylor that Councillor M McMullen be appointed Vice-Chairman of the Licensing Committee for the 2013/14 civic year.

After being put to the meeting and a vote taken, Councillor M McMullen was appointed Vice-Chairman of the Licensing Committee for the 2013/14 civic year.

**RESOLVED – that Councillor M McMullen be appointed Vice-Chairman of the Licensing Committee for the 2013/14 civic year.**

117 **APOLOGY**

An apology for absence was submitted on behalf of Councillor W Ashley.

118 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman provided a detailed breakdown of some proposed changes for the way Licensing Sub-Committee hearings were conducted. The Chairman invited Members to give their views. Members made a number of comments in respect of the proposed changes.

The Chairman emphasised that objectivity on the part of Licensing Sub-Committee Members was of paramount importance. He stated that careful operation of procedures and policies was also very important. He concluded that Members should attend as many Sub-Committee meetings as possible to watch and learn from the process.

The Chairman stated that crime and disorder, public safety and the protection of children from harm, as well as residents' concerns, were all taken into account by Licensing Sub-Committees. He stressed that public health should also be considered and all of the Hertfordshire District Authorities would be invited to a seminar on this issue in September or October 2013.

Finally, the Chairman passed on the appreciation of the Licensing Committee to the Licensing Manager for his consistently sound grasp of the changing principles of Licensing Policy.

Councillor M McMullen added his thanks to those of the Chairman and he wished the Licensing Manager the best of luck for the future.

119 MINUTES – 14 MARCH 2013

RESOLVED – that the Minutes of the meeting held on 14 March 2013 be approved as a correct record and signed by the Chairman.

120 LICENSING SUB-COMMITTEE MINUTES – 11 MARCH 2013, 22 MARCH 2013, 24 APRIL 2013, 26 APRIL 2013, 31 MAY 2013 (AM) AND 31 MAY 2013 (PM)

RESOLVED – that the Minutes of the Licensing Sub-Committee meetings held on 11 March, 22 March, 24 April, 26 April, 31 May 2013 (am) and 31 May 2013 (pm), be received.

121 DECISION OF LICENSING SUB-COMMITTEE  
CONSIDERED ON APPEAL – DECISION TO REFUSE AN  
APPLICATION FOR A TAXI DRIVER'S LICENCE

The Director of Neighbourhood Services submitted a report updating Members in respect of the outcome of an appeal against a decision of the Licensing Sub-Committee to refuse an application for a taxi driver's licence.

Members were advised that a district court judge with expertise in taxi matters had presided over a magistrate court hearing that had upheld the decision of the Sub-Committee to refuse the application.

Councillor J Taylor commented that East Herts Council had been complimented in respect of the way the Licensing Sub-Committee hearing had been conducted. The Chairman stated that a scheme of delegation allowing Officers to refuse licence applications by taxi drivers was due to be implemented by the Authority.

Members received the report.

RESOLVED – that the report be received.

122 TAXI DRIVER ACCREDITATION SCHEME: IDEAS FOR  
DISCUSSION FOLLOWING SUGGESTIONS FROM  
COMMUNITY SCRUTINY TO RAISE STANDARDS AMONG  
THE LICENSED TAXI TRADE

The Director of Neighbourhood Services submitted a report that invited discussion in respect of ideas aimed at raising standards among the licensed taxi trade.

Members were reminded that Licensing Committee had agreed to consider recommendations from Community Scrutiny Committee and further proposals for amendment from Officers, for incorporation into a Taxi Licensing Policy.

Community Scrutiny Committee had recommended that

Officers should explore the idea of having a 'gold standard' driver accreditation scheme aimed at generally raising and maintaining high local standards amongst the licensed taxi trade.

Members were advised that a number of taxi drivers had approached Officers to enquire whether there was any way to restrict taxi driver numbers, as there was a reduced amount of work for them at present. Officers were aware that, as of 1 April 2013, there had been a net increase of 1 taxi vehicle.

The Licensing Officer stated that an accreditation scheme might have a number of elements and taxi drivers could achieve accreditation by fulfilling a number of different criteria. These criteria could include a pass in specified modules of the CQF or equivalent NVQ qualification in road passenger driving for hackney carriage and private hire drivers.

In response to a query from Councillor K Crofton, the Licensing Manager advised that there were no other Local Authority examples of a taxi driver accreditation scheme in Hertfordshire. A number of taxi drivers were in attendance and they raised the following points:

- Both private hire and hackney carriage drivers must pass the knowledge test before working as a taxi driver;
- Taxi Marshalls should be Enforcement Officers so that a code of conduct can be enforced in order to maintain high standards amongst taxi drivers;
- There should be set standards for taxi drivers' vehicles as some cars were being used which were unsuitable for carrying the driver plus 4 passengers;
- East Herts Council should raise the bar in terms of what was required in respect of general expertise amongst East Herts taxi drivers;



- Taxi drivers should all have access to CCTV to deter recurrences of a recent attack on a taxi driver in Stanstead Abbots.

The Licensing Manager stated that it was required that all taxis had a certain capacity of engine or minimum Brake Horse Power, and a minimum rear seat width. Members were advised that London style black taxis were generally less comfortable than a modern saloon car.

Members were advised however, that East Herts Council did not prevent London style taxis operating in the District. The Authority was not in a position to restrict the number of taxi drivers providing that applicants had met the required standards.

East Herts Council was also not permitted to restrict the number of private hire vehicles. The knowledge test was not expected of private hire drivers as these were co-ordinated by a central controller, whereas Hackney Carriage drivers were expected to know how to drive anywhere within the District.

The Licensing Manager advised that the Authority had subsidised 23 CCTV camera systems. Members were advised that there was insufficient funding for the provision of further systems but some taxi drivers had purchased their own equipment.

Members were also advised that East Herts Council had released CCTV footage to the police where a taxi driver had been recently attacked. Officers had been issued with a crime reference number relating to this incident.

Councillor K Crofton commented on whether a representative of East Herts taxi drivers should regularly attend Licensing Committee meetings. Councillor E Buckmaster stated that a public forum might be a sensible suggestion to address some of the concerns of taxi drivers. The Chairman thanked the taxi drivers present for their very useful feedback. Members received the report.

RESOLVED – that (A) the report be received;

(B) the suggested points from taxi drivers, as now detailed, be considered for incorporation into the taxi policy; and

(C) joint working with Broxbourne and East Herts Community Volunteer Service (CVS), with a view to establishing a driver assessment for use as part of a taxi driver accreditation scheme, be approved.

123 EXPRESSION OF INTEREST FROM A MEDICAL PRACTITIONER

The Director of Neighbourhood Services submitted a report that detailed an expression of interest from a medical practitioner to be added to the Council's approved list of taxi medical providers.

Members approved the report.

RESOLVED – that an expression of interest from a medical practitioner to be added to the Council's approved list of taxi medical providers, be approved.

124 CHANGES TO DEFINITION OF REGULATED ENTERTAINMENT UNDER THE LICENSING ACT 2003

The Director of Neighbourhood Services submitted a report that summarised the changes to the definition of Regulated Entertainment under the Licensing Act 2003. Members were advised that, with effect from 27 June 2013, the following activities no longer needed an entertainment licence:

- Performance of plays and exhibitions of dance, except performances of dance of an adult nature, taking place between 8 am and 11 pm for audiences of up to 500; and

- Indoor sporting events, other than boxing, wrestling, and other combined fighting sports including mixed martial arts, for audiences of up to 1000.

Members received the report.

RESOLVED – that the report be received.

## 125 DRAFT REVISED STATEMENT OF LICENSING POLICY

The Director of Neighbourhood Services submitted a report that presented a draft revised Statement of Licensing Policy. Members were advised that Section 5 of the Licensing Act 2003 required that the Licensing Authority determine its Licensing Policy and republish this document every 5 years.

The Licensing Manager advised that the Statement of Licensing Policy set out the principles that applied when the Authority exercised its functions under the Licensing Act 2003. The act also required that the Statement of Licensing Policy be kept under review.

Members were advised that the current policy had been determined in January 2011 for a period of 3 years. The Licensing Manager stated that Members must re-determine the Statement of Licensing Policy at Council by 31 January 2014. Members were provided with a detailed summary of the proposed changes to the East Herts Statement of Licensing Policy.

The Licensing Manager emphasised that East Herts Council was now classed as a responsible authority by the Licensing Act 2003 and could therefore object to premises license applications or apply for reviews of premises licenses. Members were advised that the Officers that dealt with such applications would have to be different from the Officers submitting reports to Licensing Sub-Committee.

The Licensing Manager concluded that, in addition to the Police, Environmental Health were also now permitted to

object to Temporary Event Notices (TENs). Members were advised that both the Police and Environmental Health were now permitted to make their objections on the grounds of any of the 4 Licensing Objectives.

Councillor K Crofton suggested that, when Council approved the draft revised statement of Licensing Policy prior to 31 January 2014, this should be for a period of 5 years. This was supported. Members received the report.

RESOLVED – that (A) the report be received; and

(B) Council be requested to approve the draft revised Statement of Licensing Policy prior to 31 January 2014, for a period of 5 years.

126 REPORT ON LICENSING ACTIVITY QUARTER 1 OF 2013

The Director of Neighbourhood Services submitted a report providing an update on processing licences, enforcement activity and the implementation of the Service Plan for Quarter 1, the detail of which was set out in the report now submitted.

Members received the report.

RESOLVED – that the report be received.

127 ATTENDANCE AT LICENSING SUB-COMMITTEE

The Director of Finance and Support Services submitted a report detailing Members' attendance at Licensing Sub-Committees including those attending as observers. Councillor P Ballam commented that she had not been recently invited to be a panel Member.

The Committee requested that Democratic Services Officers contact Members by e-mail as well as by phone when inviting Members to form the panel for Licensing Sub-Committee hearings.

Members received the report.

RESOLVED – that the report be received.

The meeting closed at 6.40 pm

Chairman	.....
Date	.....

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