

MINUTES OF A MEETING OF THE
LICENSING COMMITTEE HELD AS AN
ONLINE MEETING ON
WEDNESDAY 10 MARCH 2021, AT 7.00 PM

PRESENT: Councillor D Andrews (Chairman)
Councillors R Bolton, K Crofton, B Crystall,
M Goldspink, T Page, S Reed, D Snowdon,
N Symonds and C Wilson

OFFICERS IN ATTENDANCE:

James Ellis	- Head of Legal and Democratic Services and Monitoring Officer
Steven King	- Finance Management Trainee
Oliver Rawlings	- Service Manager (Licensing and Enforcement)
William Troop	- Democratic Services Officer

408 APOLOGY

An apology for absence was submitted on behalf of Councillor Jones.

409 MINUTES - 25 NOVEMBER 2020

It was moved by Councillor Bolton and seconded by

Councillor Crofton, that the Minutes of the meeting of the Committee held on 25 November 2020 be confirmed as a correct record and signed by the Chairman. After being put to the meeting and a vote taken, this motion was declared CARRIED.

RESOLVED – that the Minutes of the Committee meeting held on 25 November 2020 be confirmed as a correct record and signed by the Chairman.

410 CHAIRMAN'S ANNOUNCEMENTS

The Chairman said that the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 came into force on Saturday 4 April 2020 to enable councils to hold remote committee meetings during the COVID-19 pandemic period. This was to ensure local authorities could conduct business during the current public health emergency. This meeting of Licensing Committee was being held remotely under these regulations, via the Zoom application and was being recorded and live streamed on YouTube.

411 DECLARATIONS OF INTEREST

There were no declarations of interest.

412 LICENSING SUB-COMMITTEE MINUTES - 20 NOVEMBER, 9
DECEMBER 2020, 8 JANUARY, 5 FEBRUARY 2021

RESOLVED – that the Minutes of the Licensing Sub-Committee meetings held on 20 November, 9 December 2020, 8 January and 5 February 2021, be received.

413 DEPARTMENT FOR TRANSPORT (DFT) STATUTORY TAXI
AND PRIVATE HIRE VEHICLE STANDARDS – CONSULTATION
RESPONSES

The Service Manager for Licensing and Enforcement introduced the report. He said that there had been eight responses during the eight week consultation. Some amendments to policy had been made in response, such as recognising that it might not always be possible for a taxi firm to obtain a passenger's name prior to pick-up, particularly on corporate accounts or where the taxi had been booked for the passenger by someone else. It was also recognised that it might have been too onerous for drivers to demonstrate their English proficiency at each licence renewal, and proof of a suitable English qualification would be accepted instead. There had been broad support for the wider use of CCTV, and further work would be done on this issue and presented to the Committee in due course.

Councillors Wilson and Goldspink asked about the possibility of the Council being challenged on its more stringent standards on drug-related convictions and said this might leave the Council open to challenge if there was no 'compelling local reason' for this.

The Service Manager said that the current standards had been approved by the Committee, but he understood Members' concerns. It was agreed that he would establish the reason for the original decision and respond to Members outside of the meeting. However, the Council's policy on handheld devices was in line with the Department for Transport's (DfT) minimum standards and consultee's responses that the policy seemed harsh would not constitute a compelling reason to amend it.

The Chairman said that he was disappointed with the low level of engagement with the consultation given the careful consideration and work on these matters by Committee and Officers. He was also concerned that the DfT considered taxis to be high-risk environments.

Councillor Crofton said that taxis could potentially be high-risk environments, but he was satisfied that the work of the Committee and Officers had significantly reduced this risk.

The Chairman asked how the Council could regulate firms outsourcing their booking operations. The Service Manager said that the Council had a right of inspection and firms would have to show that any third-party contractor was operating to the same required standards if this was requested. However, it was not mandatory for firms to inform the Council that they were outsourcing work.

Councillor Goldspink asked what the specific suggested

steps to the Council were from response four in the consultation.

The Service Manager referred Members to Appendix B where the full wording of each response could be found and said Officers explained to the respondent the stringent standards the Council upheld and what checks were carried out on each taxi driver.

The Chairman and Councillor Bolton said that they were supportive of the increased use of CCTV within taxis across the District. This would protect both drivers and passengers, and could be gradually phased in alongside the requirement for drivers to have more environmentally friendly vehicles. The cost of in-vehicle CCTV systems was no longer prohibitive and could be used to record images with or without sound, in order to protect the privacy of passengers.

Councillors Crofton and Wilson said that the Council should be cautious not to place financially onerous requirements on firms and drivers, particularly in the current economic climate.

The Service Manager said that there was now a national register of drivers who had had a licence refused or revoked. This required each Council to sign up, but East Herts had been using information from this register and also sharing intelligence. He said that the Council had been championing CCTV for several years, and previously sourced funding to lower the cost of CCTV systems for licence holders. The Committee would receive a report on the possible further expansion of the use of CCTV later in the year.

Councillor Page said that it was clear the Council was doing good work to regulate licensed firms and drivers, but asked what was being done about unlicensed drivers.

The Service Manager said that the Council carried out night-time operations and did other work to discourage unlicensed pick-ups, as well as drivers from other districts touting for fares after a drop-off in East Herts. This was a difficult thing to prevent, but it was being addressed.

The Chairman commented that the Council had led on standardising regulation and enforcement across the county, and Officers had been supported in this by the Committee.

It was moved by the Chairman and seconded by Councillor Snowdon that the recommendations, as detailed, be approved. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the Policy changes detailed within Appendix A (a to f) be recommended to Council for adoption with a commencement date of 1 June 2021.

414 REVIEW OF LICENSING ACTIVITY IN QUARTER 3 OF 2020

The Service Manager for Licensing and Enforcement introduced the report and highlighted the main points to the Committee.

The Chairman thanked the Service Manager and Officers for their work. He asked about licenses for scrap metal collection and waste removal within the District and said it may be beneficial for licensed operators to have a badge to display on their vehicles in the same way that taxi drivers did.

The Service Manager said that there was a low level of this activity within the District. However, information was passed on to the police where intelligence was garnered about illegal practises or unlicensed operators. The Council did provide notices for display in operators' windscreens, as well as a badge to prove they were licensed.

Councillor Symonds said she had been unaware of the need for operators to be licensed for waste removal and suggested that awareness was raised amongst residents about this.

The Head of Legal and Democratic Services said that there was a legal obligation on residents to ensure that any operator collecting their waste was appropriately licensed.

Councillor Crystall asked for further details on the settling of the Jungle Bar licence application by a consent order.

The Service Manager and the Chairman explained that a compromise had been struck between the Licensing Authority and the applicant, both having taken a steer from Members of the relevant Sub-Committee. All of the conditions and restrictions had remained, but the

licensed hours had been slightly extended. This was agreeable to the applicant and the appeal had been withdrawn.

RESOLVED – that the report be received.

415 URGENT BUSINESS

There was no urgent business.

The meeting closed at 8.00 pm

Chairman
Date