

LICENSING COMMITTEE25 June 2012
10.00 - 11.30 am.

Present: Councillors Rosenstiel (Chair), Benstead (Vice-Chair), Brierley, Hart, Meftah, Pippas, Reiner, Saunders, Smith and Owers

Officers Present:

Environmental Health Manager – Yvonne O'Donnell
Licensing Manager – Robin Grey
Principal Scientific Officer – Jo Dicks
Solicitor – Carol Patton
Committee Manager – Martin Whelan

12/10/LIC Apologies for absence

Apologies for absence were received from Councillor McPherson and Councillor Gawthrope.

12/11/LIC Declarations of Interest

There were no declarations of interest.

12/12/LIC Minutes of the previous meeting

The minutes of the meeting held on 30th January 2012 were approved as a true and accurate record.

12/13/LIC Public Questions

Mr David Wratten addressed the committee regarding agenda items 5, 6 and 7.

Agenda Item 5 - Outcome of Consultation on the Age Limit & Emissions Policy

Mr Wratten made the following points:

- Supportive of the principle.

- The numbers of Euro 3 vehicles were already very low and would continue to fall.
- Vehicle replacement was expensive and consideration to extending the age limits for Euro 4 vehicles to 10 years was requested.

Agenda Item 6 - Review of Hackney Carriage Table of Fares and Update on mechanisms for implementing a fuel surcharge

Mr Wratten made the following points:

- Surcharge would provide a safety net in the event of the prices exceeding 179.9p per litre.
- The financial climate was recognised in the proposals from the trade, and only an increase in the drop fee (20p) was requested.

Agenda Item 7 – Hackney Carriage Fair Fare Scheme

Mr Wratten made the following points:

- The support of the committee was requested for the proposed scheme.

12/14/LIC Outcome of Consultation on the Age Limit & Emissions Policy

The committee received a report from the Head of Refuse and Environment regarding the outcome of consultation on the age limit and emission policy.

The committee made the following comments on the report.

- i. Clarification was requested on the mechanism for obtaining and recording information regarding the Euro status of a vehicle. The Principal Scientific Officer advised that the information was either contained on the V5 certification, or could be calculated from information on the V5.
- ii. Officers were also asked about the adoption of Euro 5 standard, and the availability of vehicles particularly at the higher end of the age range. The

Principal Scientific Officer advised that a number of manufacturers had adopted Euro 5 standard early, so there was a reasonable number of vehicles in the market, which met the standard.

- iii. Clarification was requested on the potential application of option 2, and whether it only applied to new licence applications. It was confirmed that it would only apply to existing licence holders, if they wished to licence a new vehicle.
- iv. It was questioned whether the four year age limit was superfluous if the vehicles met Euro 5 standard.
- v. Clarification was requested on the conflicting statements regarding the effectiveness of more regular testing in managing emissions. The Principal Scientific Officer explained that the MOT test had a different focus to the Euro standard testing, and that it was not economically viable to re-test vehicles at Euro standard due to the cost. It was noted that regular MOT testing would reduce the likelihood of vehicles running with significant engine problems.
- vi. The committee were reminded that the age limit policy was based on considerations wider than just emissions, and was also concerned with safety and the general mechanical construction.
- vii. Concern was expressed about the potential for companies to manipulate the Euro Standard results.
- viii. Officers were asked for an assessment of the implications of extending the life span of Euro 4 vehicles to 10 years. The Principal Scientific Officers explained that all Euro 3 vehicles would have left the fleet by early 2013, but that the effect of the delay would be to delay air quality improvements by up to 2 years. It was explained that this could compromise the ability of the city to meet its air quality targets.
- ix. Officers were asked whether any evidence was available on the extent to which emissions performance declines with time. The committee were advised that it was not disputed that emissions performance would decline with time, but that evidence particularly for diesel vehicles was limited. It was noted that more evidence was available for petrol vehicles, and that about 10% of the fleet were petrol vehicles.

- x. Clarification was requested on the relative difference between the Euro standards. An explanation was also requested on the types of engineering techniques used to reduce emissions. The Principal Scientific Officer explained that each of the Euro standards represented a step change in performance. The committee were advised of some of the more common engineering solutions to reduce emissions in diesel vehicles, such as exhaust gas re-circulation or selective catalytic reduction.

Resolved (Unanimously) to

To adopt Option 2 as amended which will address air quality by accelerating the improvement of new vehicles

The policy will therefore be as and from 01 September 2012:

- i. A new vehicle licence will not be granted in respect of a vehicle unless it is less than 4 years old AND it meets the Euro 5 standard or higher.
- ii. A vehicle licence will not be renewed unless the vehicle is less than 9 years old and meets Euro 4 standard or higher.

This will only affect those applying for a new vehicle license and those with a Euro 3 standard vehicle after 1 September 2012.

12/15/LIC Review of the Hackney Carriage Table of Fares and Update on mechanisms for implementing a fuel surcharge

The committee received a report from the Head of Refuse and Environment regarding the review of the Hackney Carriage Table of Fares and Update on mechanisms for implementing a fuel surcharge.

The committee made the following comments on the report.

- i. Noted that Cambridge prices were often higher than London prices, and questioned whether this was factored into the calculations. The Licensing Manager explained that average prices were calculated using a national average. It was explained that regional averages were available but that there is a 6-week delay in the publication of the figures.

- ii. Noted there was a perception amongst tourists that taxi fares were too high already.
- iii. Clarification was requested on the process if the fuel price threshold was exceeded and then fell below the threshold. It was explained that once the threshold was triggered, the enhanced charges remained in place until the table of fares was again reviewed. Members discussed the appropriateness of this arrangement, however it was noted that the main alternative would be very difficult to manage.

Resolved (Unanimously) to

i. Annual Revision of the “Hiring Charges” section of the Table of Fares

Vary the existing Table of Fares with effect from 15 August 2012 (subject to the statutory consultation process) by increasing the flag fall by 20p, i.e. the Table of Fares shown in Appendix D of the committee report.

ii. Mechanism for implementing a fuel surcharge

Approve the mechanism set out in paragraphs 3.7 & 3.8 of the report and decide to implement a 40 p fuel surcharge as an “Extra Charge” in the Table of Fares (subject to statutory consultation) to be implemented only if national retail diesel prices (as measured by the Arval index) reach the threshold level of 179.9 p/litre.

12/16/LIC Hackney Carriage Fair Fare Scheme

The committee received a report from the Head of Refuse and Environment regarding the review of the Hackney Carriage Fair Fare Scheme. It was explained that following publication of the report it had been established that it was not a regulatory decision, therefore the final decision would rest with the Executive Councillor for Environmental and Waste Services.

The committee supported the idea in principle, however it was agreed that supporting publicity would probably be necessary to ensure that the public understand the scheme. It was agreed that the scheme had the potential to deliver positive benefits.

Resolved (Unanimously) to recommend to the Executive Councillor for Environmental and Waste Services, they support the CCLT Ltd's 'Cambridge Fair Fare Scheme' and allow CCLT Ltd to use the Cambridge City Council Crest on the sticker that will be placed in the Hackney Carriages of drivers who have signed up to the scheme.

12/17/LIC Review of Statement of Licensing Policy under the Licensing Act 2003

The committee received a report from the Head of Refuse and Environment regarding the review of the Statement of Licensing Policy under the Licensing Act 2003.

Members requested greater clarification on the mechanism for the Licensing Authority to make representations on applications. Officers assured members that a clear separation of responsibilities would exist. Some members also questioned the appropriateness of the Licensing Authority making representations, however it was agreed that members of the public might be looking for the Licensing Authority to lead on or add weight to a public campaign. The committee were advised that the enhanced rights for the Licensing Authority would not affect or compromise the ability of residents or individual councillors to initiate reviews.

The following specific comments were made on the text

Page 71 – reference to “necessary, proportionate and reasonable” should be deleted and replaced with “appropriate” in paragraph 9.6.

Page 72 – The word “other” should be inserted prior to each reference to responsible authorities in paragraph 10.3

Page 73 – The word “officials” should be replaced with “officers” in paragraph 12.3.

Page 75/76 – Email addresses should be generic and not linked to a specific person.

Resolved (Unanimously) to

Incorporate those changes to the Statement of Licensing Policy identified in Appendix A as amended and agree to commence the statutory consultation process.

12/18/LIC Review of statement of Gambling Principles

The committee received a report from the Head of Refuse and Environment regarding the review of statement of Gambling Principles.

The lack of public nuisance as an objective in the policy was noted.

Resolved (Unanimously) to

Commence the statutory consultation process on the existing Statement of Principles (Appendix A of the committee report)

12/19/LIC Delegation of functions under the Licensing Act 2003

The committee received a report from the Head of Refuse and Environment regarding the delegation of functions under the Licensing Act 2003.

Clarification was provided on the wording relating to the decision to make a representation when the Licensing Authority is and is not the relevant Licensing Authority (page 142 of the committee agenda).

The Licensing Manager advised in response to a question that the reference to “the alternative licence condition” was correct,

Resolved (Unanimously) to

Delegate licensing functions under the Licensing Act 2003 to the Licensing Sub-Committees and the Head of Refuse and Environment as set out in paragraph 3.6 of the committee report.

The meeting ended at 11.30 am

CHAIR