



# Public Document Pack

## Cambridge City Council

### LICENSING COMMITTEE

**To:** Councillors Rosenstiel (Chair), Benstead (Vice-Chair), Boyce, Brierley, Gawthrop, McPherson, Meftah, O'Reilly, Owers, Pippas, Saunders and Stuart

Alternates: Councillors Bird and Brown

*Despatched: Friday, 17 January 2014*

**Date:** Monday, 27 January 2014

**Time:** 10.00 am

**Venue:** Committee Room 1 & 2 - Guildhall

**Contact:** Glenn Burgess

**Direct Dial:** 01223 457013

### AGENDA

**1 APOLOGIES FOR ABSENCE**

**2 DECLARATIONS OF INTEREST**

**3 MINUTES OF THE PREVIOUS MEETING** *(Pages 3 - 6)*

To approve the minutes of the meeting held on 7 October 2013.

**4 PUBLIC QUESTIONS**

**5 SETTING OF FEES FOR LICENSING FUNCTIONS** *(Pages 7 - 16)*

**6 CARD PAYMENTS FOR HACKNEY CARRIAGE JOURNEYS**  
*(Pages 17 - 22)*

**7 MEDICAL EXAMINATIONS FOR TAXI DRIVERS** *(Pages 23 - 26)*

# Information for the Public

## Location

The meeting is in the Guildhall on the Market Square (CB2 3QJ).

Between 9 a.m. and 5 p.m. the building is accessible via Peas Hill, Guildhall Street and the Market Square entrances.

After 5 p.m. access is via the Peas Hill entrance.

All the meeting rooms (Committee Room 1, Committee 2 and the Council Chamber) are on the first floor, and are accessible via lifts or stairs.

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Most meetings have an opportunity for members of the public to ask questions or make statements.

To ask a question or make a statement please notify the Committee Manager (details listed on the front of the agenda) prior to the deadline.

- For questions and/or statements regarding items on the published agenda, the deadline is the start of the meeting.
- For questions and/or statements regarding items NOT on the published agenda, the deadline is 10 a.m. the day before the meeting.

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Level access to the Guildhall is via Peas Hill.

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For further assistance please contact Democratic Services on 01223 457013 or [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk).

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reports**

on If you have a question or query regarding a committee report please contact the officer listed at the end of relevant report or Democratic Services on 01223 457013 or [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk).

**General  
Information**

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**LICENSING COMMITTEE**

7 October 2013

10.00 - 10.30 am

**Present:** Councillors Rosenstiel (Chair), Benstead (Vice-Chair), Boyce, Brierley, Gawthrope, McPherson, Meftah, Owers, Pippas and Saunders

**Officers Present:**

Carol Patton: Solicitor

Jas Lally: Head of Refuse &amp; Environment

Robert Osbourn: Licensing &amp; Enforcement Manager

Claire Tunncliffe: Committee Manager

**FOR THE INFORMATION OF THE COUNCIL****13/27/LIC Apologies for absence**

Apologies were received from Councillors O' Reilly and Stuart.

**13/28/LIC Declarations of Interest**

No declarations of interest were made.

**13/29/LIC Minutes of the previous meeting**

The minutes of the meeting held on 24 June 2013 were approved as a correct record and signed by the Chair.

**13/30/LIC Public Questions**

There were no public questions.

**13/31/LIC Fee Setting for Licensing Functions**

The Committee received a report from the Licensing & Enforcement Manager regarding setting fees for licensing activities.

The report advised that the Council was entitled to recover the cost of processing and issuing licences to businesses and others and, generally, to ensure that those issued with licences were complying with the conditions which may have been attached to the licence.

The Committee were advised that Licence fees should not make a surplus or subsidise businesses. However there were previous deficits and surpluses that could be brought into account when calculating the fees. The fees could also take into consideration the cost of staff time; supporting infrastructure; the cost of arranging hearings by the Licensing Sub-Committee to determine applications, when necessary, and compliance visits to licensed premises.

The Committee made the following comments in response to the report;

- i. Questioned how efficient the procedure was to ensure that there was compliance with the conditions attached to licences.
- ii. Queried if the fees would allow for an element of monitoring compliance.
- iii. Recognised that there was a grey area between enforcement and compliance but covering the cost of enforcement should be the Court's responsibility.
- iv. Enquired if Officers had an awareness of enforcement that would not be recovered.
- v. Questioned if compliance checks would be carried out using a risk based approach.

The Committee:

**Resolved (unanimously)**

- i. To calculate the licence fees on the basis of the full costs to the Council of processing applications for licences for renewal and transfers of licences including:
  - the costs of convening a sub-committee to consider applications where the decisions are not delegated to officers or where officers consider that members should decide on the suitability of and applicant for a licence or renewal
  - compliance monitoring during the course of a licence to ensure that the license holder is adhering to its licensing conditions
- ii. To authorise the officers to continue work on the calculation of fees, in accordance with the principles adopted above.
- iii. To undertake the necessary consultation with the taxi trade, as identified in 4.2 of the Officer's report.

- iv. To undertake the necessary consultation with the street traders, as identified in 4.3 of the Officer's report.
- v. To instruct officers to report back to Licensing Committee in January 2014, as proposed in 3.12 of the Officer's report.

### **13/32/LIC Scrap Metal Act 2013 - For Information**

The Committee received a report for information from the Head of Refuse and Environment regarding the Scrap Metal Act 2013.

Members noted the report with thanks.

The meeting ended at 10.30 am

**CHAIR**

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## CAMBRIDGE CITY COUNCIL

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REPORT OF: Head of Refuse & Environment

TO: Licensing Committee

27/1/2014

WARDS: All

### **SETTING FEES FOR LICENSING ACTIVITIES**

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#### **1 INTRODUCTION**

- 1.1 The City Council is responsible for processing and issuing licences for a wide range of activities. At its meeting on 7<sup>th</sup> October 2013 Licensing Committee approved the basis for determining fees and instructed officers to report back, with a view to adopting the fees to be applied with effect from 1<sup>st</sup> April 2014.

#### **2. RECOMMENDATIONS**

- 2.1 Members are asked to:
- a. agree the level of fees from 1st April 2014 as set out in Appendix A to this report and then to refer them for adoption by Full Council as part of the budget setting process;
  - b. agree that fees shall be reviewed on an annual basis and
  - c. advertise those levels, in accordance with taxi law

#### **3. BACKGROUND**

- 3.1 The Council is required to calculate fees on the basis of recovering the full costs of processing and compliance checks but neither to make a surplus nor subsidise those licensed. The fees charged should be capable of withstanding legal challenge, should the need arise.
- 3.2 The Licensing Committee agreed this in principle and authorised officers to undertake work to calculate the level of fees accordingly and also, in respect of taxi and private hire licences, to consult the trade, in advance of the fees being set by the Council.

- 3.3 The calculations have been completed and the proposed levels of fees are set out in Appendix A. In each case, the administrative work required for the various elements of the process has been taken into account and, where appropriate, allowance made for compliance checking.
- 3.4 Fees for Scrap Metal Dealers and Scrap Metal Collectors licences have been set by the Executive Councillor for Environment, due to an anomaly in the drafting of the Scrap Metal Dealers Act 2013 and are included in Appendix A for information only.
- 3.5 Fees for licences issued under the Licensing Act 2003 for premises and personal licences are currently fixed by the Government and are included in Appendix A for information only.
- 3.6 Permit fees under the Gambling Act 2005 are set by the Government and the Licensing Authority has no discretion. However, Premises Licence Fees are set subject to the maxima laid down by the Department of Culture, Media and Sport and delegated to officers to determine. They are included in Appendix A for information.
- 3.7 Fees for Street Trading were reviewed and agreed earlier in the year, subject to consultation with traders.

#### **4. CONSULTATIONS**

- 4.1 A letter of notification was sent to taxi and private hire drivers, vehicle owners and operators on 22<sup>nd</sup> November 2014, seeking written comments by 9<sup>th</sup> December 2013. This is attached as Appendix B. No written responses have been received.
- 4.2 The Council has undertaken a 6 week consultation with all Street Traders who currently have street trading consents, setting out the proposed fees for 2014-15. There have been no responses to this consultation.

#### **5. OPTIONS**

- 5.1 Members may adopt the fees as set out in Appendix A
- 5.2 Members may adopt fees at a different level to those set out in Appendix A, but, in doing so, should explain the reasons for departing from them, so as to enable the Council to withstand a legal challenge.

## 6. CONCLUSIONS

- 6.1 The Council needs to demonstrate that the fees it charges for licences have been set in accordance with the law and best practice, so as to recover its allowable costs in administering the various licensing regimes for which it is responsible.
- 6.2 Fees should be set so as avoid either a surplus or a subsidy, where possible, and adjusted, if necessary, in succeeding years to achieve and maintain the correct balance.
- 6.3 Members should determine which of the options, under Section 5 above, they wish to pursue or to determine such other course of action they consider appropriate.

## 7. IMPLICATIONS

### (a) Financial Implications

Fees for the processing of licences should cover the cost of the work required, but on a non-profit basis.

### (b) Staffing Implications

There should be no significant staffing implications

### (c) Equal Opportunities Implications

Nil

### (d) Environmental Implications

Nil

### (e) Consultation and communication

To be determined by committee

## APPENDICES

### Appendix A

Table of proposed fees

### Appendix B

Notification letter sent to taxi trade

**BACKGROUND PAPERS:** The following are the background papers that were used in the preparation of this report:

Calculation spreadsheets

To inspect these documents contact Robert Osbourn on extension 7894

The author and contact officer for queries on the report is Robert Osbourn on extension 7894.

**Report file:** M:LICENSE/Licensing Committee mtgs/2014/Committee Report – Setting Fees for Licensing Functions –  
27.1.14

Date originated: 15 January 2014

Date of last revision: 15 January 2014

## Appendix A

Type of licence	Current fee	Proposed fee
<b>Hackney and Private Hire Drivers</b>		
Application fee (new applicants)	£40.00	NA
Licence fee (new)	£50.00	£145.00
1year renewal fee	£50.00	£75.00
3 year renewal fee	£100.00	£150.00
Replacement badge / licence	£10.21	£15.00
Disclosure & Barring Service Check (DBS)	£44.00	£44.00
Knowledge Test	£30.00	£36.00
DVLA Data Check	£8.00	£8.00
<b>Vehicles</b>		
Change of ownership ("plate transfer")	£50.00	£80.00
Hackney Carriage Vehicle licence (new)	£195.00	£200.00
Private Hire Vehicle licence (new)	£195.00	£190.00
Vehicle licence renewal (HC & PH)	£195.00	£170.00
Transponder permit	£20.00	£20.00
Transponder deposit	£80.00	£80.00
Door crests (magnetic)	£7.40	£8.00
Door crests (adhesive)	£5.40	£6.00
Replacement plate	£10.21	£25.00
<b>Operators</b>		
Private Hire Operator's licence	£75.00 + fee per vehicle	£140.00
<b>Scrap Metal Dealers (for information)</b>		
Site Licence	£410	£410
Conversion to collector's licence	£50	£50
Change of licensee name	£50	£50
Addition of site	£410	£410
Removal of site	£50	£50
Change of Site Manager	£120	£120
Replacement of lost or damaged licence	£45	£45
Collector's licence	£175	£175
Conversion to site licence	£355	£355
Change of name (eg status)	£50	£50
Replacement of lost or damaged licence	£45	£45
<b>Licensing Act 2003 (main fees for information)</b>		
Personal licence	£37	37
New Premises licence (or full variation)	*£100 - £1,905	*£100 - £1,905
Annual fee	*£70 - £1,050	*£70 - £1,050
Minor variation	£89	£89
Temporary Event Notice	£21	£21
Change of Designated Premises Supervisor	£23	£23
<b>Street Trading (for information)</b>		
12 Month Consent - Food	£2,816	£2,886
12 Month Consent - Retail	£2,660	£2,727
8 Month Consent - Food	£2,112	£2,165
8 Month Consent - Retail	£1,995	£2,045
4 Month Consent - Food	£704	£722
4 Month Consent - Retail	£665	£682

<b>Sex Establishments</b>		
Sexual Entertainment Venues (new)	£4,916	£2,700
Sexual Entertainment Venues (renewal)	£755	£800
Sexual Entertainment Venues (transfer)	£4,916	£800
Sexual Entertainment Venues (variation)	£4,916	£2,700
Sex Shop / Sex Cinema (new)	£4,916	£2,500
Sex Shop / Sex Cinema (renewal)	£755	£800
Sex Shop / Sex Cinema (transfer)	£4,916	£800
Sex Shop / Sex Cinema (variation)	£4,916	£2,500
<b>Skin Piercing</b>		
Skin Piercing – Premises	£125	£130
Skin Piercing - Practitioners	£30	£45
<b>Animal Businesses (new and renewal)</b>		
Pet Shop Licence	£225	£275
Animal Boarding Establishment	£225	£275
Dog Breeding Establishment	£225	£275
Riding Establishment	£317	£275
Zoo	£424	£500
Dangerous Wild Animals	£252.50	£275
<b>Gambling – Premises (for information)</b>	DCMS Max.	CCC fee
Bingo Club (new)	£3,500	£2,625
Bingo Club (annual fee)	£1,000	£900
Betting Premises (new)	£3,000	£2,250
Betting premises (annual fee)	£600	£540
Family Entertainment Centre (new)	£2,000	£1,500
Family Entertainment Centre (annual fee)	£675	£500
Adult Gaming Centre (new)	£2,000	£1,500
Adult Gaming Centre (annual fee)	£1,000	£900

\* = linked to rateable value

## Appendix B

21st November 2013

Our Ref: RAO/S

Dear Sir / Madam,

### **Setting of fees for taxi licences - trade notification**

This letter is to notify you, as the holder of a licence or licences, under the legislation which regulates the taxi and private hire trade, that Cambridge City Council is currently reviewing the charges which it makes for all of the licences for which it is the responsible authority.

Whilst the level of charges have not been changed for some years, the Council is also taking the opportunity to ensure that the basis for which those charges are made is correct and soundly based in law, following recent cases in other parts of the country, where that basis had been challenged.

Essentially, the Council is required to cover its costs for administering licences, so that it is neither making a surplus nor subsidising the people and organisations required to be licensed. That administration can cover the cost of investigating information supplied with applications and of carrying out compliance checks to ensure that conditions attached to licences and the law related to the operation of vehicles and driver licences, for example, is being followed correctly.

The Licensing Committee has agreed the principles under which the charges are to be set and will be considering a report about the level of charges in each case, at its meeting on 27<sup>th</sup> January 2014.

I have attached a list of the charges which the Committee will be asked to adopt, for your information, alongside the current charges. In some cases, you can see that the proposed charge will be similar to the present level and in other cases there are variations, which reflect, as accurately as possible, the amount of work which goes into investigations, checking information and preparing licences accurately. If you have any comments which you would like me to take into account in the preparation of the report for the Committee, would you please let me have them, in writing or in an email, by Monday 9<sup>th</sup> December 2013.

Yours faithfully



Robert Osbourn  
Licensing & Enforcement Manager

## Taxi Licence Fees

Type of licence	Current fee	Proposed fee
<b>Drivers</b>		
Application fee (new applicants)	£40.00	Not applicable
Disclosure & Barring Service Check (DBS)	£44.00	£44.00
Knowledge Test	£30.00	£36.00
Licence fee (new)	£50.00	£145.00
Annual renewal fee	£50.00	£75.00
3 yearly renewal fee	£100.00	£150.00
Replacement badge / licence	£10.21	£15.00
DVLA Data Check	£8.00	£8.00
<b>Vehicles</b>		
Change of ownership	£50.00	£80.00
Hackney Carriage Vehicle licence (new)	£195.00	£200.00
Private Hire Vehicle licence (new)	£195.00	£190.00
Vehicle licence renewal (HC & PH)	£195.00	£170.00
Transponder permit	£20.00	£20.00
Transponder deposit (refundable on surrender)	£80.00	£80.00
Door crests (magnetic)	£7.40	£8.00
Door crests (adhesive)	£5.40	£6.00
Replacement plate	£10.21	£25.00
<b>Operators</b>		
Private Hire Operator's licence	£75.00 + fee per vehicle	£140.00





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CAMBRIDGE CITY COUNCIL

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REPORT OF: Head of Refuse & Environment

TO: Licensing Committee

27/1/2014

WARDS: All

**CARD PAYMENTS FOR HACKNEY CARRIAGE JOURNEYS**

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**1 INTRODUCTION**

- 1.1 The City Council is responsible for setting the maximum level of charges for journeys within the city taken in a Hackney Carriage.
- 1.2 A request has been received from Cambridge City Licensed Taxis (CCLT), one of the organisations which represent drivers of Hackney Carriages, for the Council to consider an amendment to the charges which would permit a surcharge to be added to fares where payment is made by means of a credit or debit card.

**2. RECOMMENDATIONS**

- 2.1 Members are asked to determine whether to allow a charge to be made for card payments for hackney carriage journeys and, if so:
  - a. in what form and at what level the charge is to be made and
  - b. to undertake the required consultations, as set out in Section 4, before the charge may come into force.

**3. BACKGROUND**

- 3.1 Fares charged for Hackney Carriage journeys within the city are regulated by the City Council. The maximum charge is set out in a table, known as the Fare Card, which must be displayed in all licensed vehicles.
- 3.2 Whilst many passengers pay in cash, there is a growing trend towards cashless transactions, as in commerce, generally. These can be used to overcome difficulties where passengers arrive at destinations without sufficient funds to settle the bill and the potential for conflict to occur.

- 3.3 Fewer people carry cash on a regular basis in modern times and there is an increased expectation of being able to pay by card for goods and services.
- 3.4 Many Hackney Carriage drivers are already using mobile card reader devices to charge passengers for journeys which are not wholly within the city, as the law does not require such journeys to be carried out “on the meter” and passengers are at liberty to accept a quotation for such journeys in advance of the journey commencing.
- 3.5 In most cases, the quotation will include a surcharge for the use of the facility to pay by credit or debit card.
- 3.6 Charges for journeys made by private hire vehicle are not regulated by means of the Fare Card and most local Operators are already including a card surcharge in their quoted prices.
- 3.6 CCLT has requested that the Council consider amending the charges to permit a surcharge of 5% on the fare as shown on the meter for journeys within the city. It is stated by CCLT that this is the fee which drivers are charged by the provider of the card reader system, and represents the cost incurred by drivers in offering the facility. CCLT’s letter is attached as Appendix A.
- 3.7 It is stated that many other licensing authorities already allow surcharges and that, in some cases, these are set at 10% - 20%. For example, Transport for London has set the level at a maximum charge of £1 or 12.5% of the metered fare, whichever is the greater.
- 3.8 Members may wish to consider whether to permit a surcharge to be levied in a different form, for example a flat fee, set at a level to be determined, for example £1 or £2 per journey. Whilst this might not, in every case, represent the actual cost to the driver, Members might consider it easier for passengers to understand the charge.
- 3.9 In the event that Members determine to permit a surcharge, in whatever form, it may be considered that passengers requesting or being offered the facility to pay by card, should be advised that a surcharge will be applied, in advance of the journey commencing.

#### **4. CONSULTATIONS**

- 4.1 In accordance with the statutory procedure set out in Section 65 of the Local Government (Miscellaneous Provisions) Act 1976, the Council is required to undertake a public consultation prior to making any amendment to the Hackney Carriage Table of Fares.
- 4.2 A notice must be published in at least one local newspaper circulating in the district setting out the variation and specifying the period, which cannot be less than fourteen days from the date of the first publication of the notice, within which and the manner in which objections can be made.

- 4.3 If no objection to the variation of the table of fares is made, or if all objections are withdrawn, the revised Table of Fares will come into operation on the date of the expiration of the consultation period. However, if any objections are made and not withdrawn, the Committee will consider the objections and set a further date, not later than two months after the first specified date, on which the table of fares shall come into force with or without modifications.

## **5. OPTIONS**

- 5.1 Members may determine to agree the principle of levying a surcharge for card payments for Hackney Carriage journeys within the city or not.
- 5.2 If the principle in 5.1 is agreed, the method of charging should be determined as either:
- a. a percentage of the metered fare, added at the end of the journey or
  - b. a flat fee for a credit card payment, added at the end of the journey or
  - c. another method which Members consider appropriate.

## **6. CONCLUSIONS**

- 6.1 The Council needs to consider the request from CCLT to permit a surcharge of 5% to be added to the charge for Hackney Carriage journeys within the city when payment is made by credit or debit card.
- 6.2 In determining whether to agree to the request, Members should take into account what they consider to be the interests of the public in making use of licensed Hackney Carriages in the city.
- 6.3 If Members determine that they are in agreement with the principle of allowing a surcharge, they should then determine whether the method and level of the surcharge proposed by CCLT are appropriate or whether to set the surcharge in another form.

## **7. IMPLICATIONS**

### **(a) Financial Implications**

Hackney Carriage passengers will incur an additional cost for the facility to pay by card for journeys within the city

### **(b) Staffing Implications**

There should be no significant staffing implications

(c) **Equal Opportunities Implications**

Nil

(d) **Environmental Implications**

Nil

(e) **Consultation and communication**

If Members are minded to amend the fare card, a statutory consultation process will be followed, as set out in section 4 above.

**APPENDICES**

Appendix A - Letter from CCLT dated 29<sup>th</sup> November 2013

Appendix B – Current Hackney Carriage fare card

**BACKGROUND PAPERS:** The following are the background papers that were used in the preparation of this report:

None, not included as appendices.

The author and contact officer for queries on the report is Robert Osbourn on extension 7894.

**Report file:** M:LICENSE/Licensing Committee mtgs/2014/Committee Report – Credit Card Payments for Hackney Carriage journeys – 27.1.14

Date originated: 15 January 2014

Date of last revision: 15 January 2014



Cambridge City Licensed Taxis Limited.  
(Est. 2009)

29<sup>th</sup> November 2013

Dear Robert

CCLT would like to submit a request to the January Licensing Committee to add a 5% surcharge to the fare chart for card payments taken by taxis in the City bringing it in line with all the other companies that operate in the City. The three taxi companies being Panther /Camcabs /A1 who are already adding 5% for all card payments.

CCLT customers arrive at the station rank asking to pay by card, only to be refused, but are told they can ring one of the above companies to pay on card, then they have to walk down Station Road to be collected.

To improve service for customers CCLT has installed card machines in their taxis so customers can pay by card if they want to, for their convenience. They can still pay with cash but the demand for cards is growing and is expected by more customers all the time.

CCLT have looked at other Cities and their fare chart charges for credit cards, which range from 5% to 12% and one is up to 15%.

This would put a maximum of £0.50 on £10 job in the City and £5.00 on a £100 job. This is already set in the credit card devices and managed by CCLT.

Regards  
David Wratten  
Director  
CCLT Ltd

## Current Fare card

**Cambridge City Hackney Carriage**  
**Maximum rate of charges from 15<sup>th</sup> August 2012**

Local Government Miscellaneous Provisions Act 1976

Fares are calculated on a combination of distance or time or parts thereof. The meter must only be switched on when passengers are safely in the vehicle and the trip is about to commence. Please be aware that all journeys taken in Hackney Carriages within the Cambridge city boundaries must be charged on the meter; this is the maximum legal fare.

Tariff 1: Between 07:00 – 19:00 hours	£2.80
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Tariff 2: Between 19:00 – 07:00 and Sundays and Bank Holidays	£3.80
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Tariff 3: 19:00 Christmas Eve – 07:00 Boxing Day 19:00 New Years Eve – 07:00 New Years Day	£4.80
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**Each tariff includes initial distance of 92 metres or part thereof**

For each subsequent 183 metres or part thereof	20p
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HIRING CHARGES – WAITING TIME AS INDICATED BELOW – will be charged when the vehicle is motionless or when it is travelling below the changeover speed of 16.79 km/p/h

For each period or part thereof 40 seconds	20p
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**EXTRA CHARGES**

- |  |              |
|--|--------------|
| 1. For each journey with 5 or more passengers  | <b>£3</b>    |
| 2. Fuel Surcharge (only applicable if the national retail price of diesel, as measured by the Arval index, has exceeded 179.9p per litre since 15 August 2012)<br>**There will be a separate notice in this vehicle if this extra charge is payable. | <b>£0.40</b> |
| 3. Vehicle unfit to continue working   | <b>£80</b>   |

**Exclusions: the Taxicard scheme**

Any fare calculated in accordance with the Table of Fares may be subject to any concession scheme approved by the council provided the driver of this vehicle is a participant in such a scheme and the passenger has provided any necessary proof of entitlement to the benefit of such a scheme to the satisfaction of the driver

Complaints about the vehicle or driver should be made to:

Jas Lally, Head of Refuse and Environment  
 PO Box 700  
 Cambridge, CB1 0JH  
 01223 457888





CAMBRIDGE CITY COUNCIL

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REPORT OF: Head of Refuse & Environment

TO: Licensing Committee

27/1/2014

WARDS: All

**MEDICAL EXAMINATIONS FOR TAXI DRIVERS**

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**1 INTRODUCTION**

- 1.1 As part of the checks which the City Council undertakes to ensure that drivers of Hackney Carriages and Private Hire Vehicles are fit and proper people to be licensed, they must, from time to time, pass a medical examination.
- 1.2 This report reviews the present arrangements for the undertaking of medical examinations and proposes an alternative arrangement.

**2. RECOMMENDATIONS**

- 2.1 Members are asked to determine whether to consider changing the present arrangements for determining the medical fitness of taxi and private hire drivers and, if so:
- 2.2
  - a. To instruct officers to consult with the taxi trade and the representatives of general practitioners about the proposed change and
  - b. To report back to Licensing Sub-Committee the results of the consultations, to enable a decision to be taken as to the future policy with regard to medical checks.

**3. BACKGROUND**

- 3.1 Medical reports are required for all new applicants for driver licences of all description and at the age of 45 years, unless it has been indicated as appropriate on a more frequent basis by a medical examiner.
- 3.2 On reaching age 45, licensed drivers are examined and passed fit every five years and from 65, annual certification is required.

- 3.3 Council policy is that all drivers must meet the requirements of Group II standard for category C1 vehicles as set out by DVLA, which is a higher test than that applied to drivers in general.
- 3.4 Additional requirements are specified in respect of drivers who are insulin-dependent diabetics.
- 3.5 New drivers and those who require a medical examination prior to renewal of their licences are required to arrange an examination with one of the two medical practitioners approved by the Council to undertake medical examinations.
- 3.6 The approved medical practitioners do not have immediate access to the medical records of individuals who present themselves for examination under the scheme and this may, potentially, limit their ability to recognise and assess some conditions which do not present clearly observable symptoms.
- 3.6 Where the approved medical practitioner considers that further enquiry is required with, for example, the driver's General Practitioner, this can entail a delay in being able to assess the driver and, potentially, in the Council being able to determine an application. This, in turn, may result in a driver being unable to work whilst certification is completed.
- 3.7 An alternative to the current process would be to change the current policy and to require drivers to arrange a medical examination by their GP, as someone who holds their patient record and would be in a position to assess their suitability, with regard to the Group II standard for C1 vehicles, more effectively and quickly. This has also been suggested to officers by trade representatives, in the past.
- 3.8 If it is considered that changes should usefully be made, there would be implications, for existing approved practitioners, for local GPs and for drivers and a period of consultation with these groups would be appropriate before a final decision is taken.
- 3.9 It would be necessary for GPs to be fully aware of the standards which the Council requires and for a common form of certification to be adopted and introduced.

#### **4. CONSULTATIONS**

- 4.1 It is suggested that a consultation should be undertaken with representatives of the taxi and private hire trades and with the Clinical Commissioning Groups; CATCH and Cam Health on behalf of GPs and the NHS

#### **5. OPTIONS**

- 5.1 Retain the existing arrangement of using approved medical practitioners to undertake certification of drivers' fitness and review

both the number of such approved practitioners and the feasibility of achieving ready access to medical records which they may need to facilitate their assessments.

- 5.2 Explore, by means of consultation with relevant organisations, whether it would be more appropriate and efficient to require certification of fitness to be undertaken by the driver's GP.

## 6. **CONCLUSIONS**

- 6.1 The priority for the Licensing Authority, is to ensure that drivers licensed by it as hackney carriage and / or private hire drivers are medically fit to do so, having regard to the standards laid down for Group II standard for C1 vehicles.
- 6.2 Members should consider whether, potentially, the current procedure should be changed to assist in delivering this objective.

## 7. **IMPLICATIONS**

### (a) **Financial Implications**

None for the Council, but potential for a wider variation in charges as between different GP practices, if a change is made.

### (b) **Staffing Implications**

There should be no significant staffing implications

### (c) **Equal Opportunities Implications**

Nil

### (d) **Environmental Implications**

Nil

### (e) **Consultation and communication**

Consultation would be carried out with representative bodies, as indicated in 4. above.

**BACKGROUND PAPERS:** The following are the background papers that were used in the preparation of this report:

DVLA Guide to the current Medical Standards of Fitness to Drive

To inspect these documents contact Robert Osbourn on extension 7894

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