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Cambridge City Council

LICENSING COMMITTEE

To: Councillors Benstead (Chair), Smith (Vice-Chair), Austin, Gawthrope, McPherson, Meftah, O'Reilly, Owers, Pippas, Sinnott, Baigent and Bick

Despatched: Friday, 11 July 2014

Date: Monday, 21 July 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 5 - 12*)

To approve the minutes of the meetings held on 27 January 2014 and 12 June 2014.

4 PUBLIC QUESTIONS

5 URGENCY ACTION TAKEN BY DIRECTOR OF ENVIRONMENT

5a Granting of street trading consent for vacant street trading pitch
(*Pages 13 - 14*)

- 6 FEES FOR HOME BOARDING OF PET ANIMALS** *(Pages 15 - 20)*

- 7 TAXI AGE POLICY ANOMALY** *(Pages 21 - 28)*

- 8 VOLUNTARY CODE ON SALES OF HIGH STRENGTH BEERS AND CIDERS** *(Pages 29 - 36)*

- 9 HACKNEY CARRIAGE TABLE OF FARES** *(Pages 37 - 42)*

- 10 LIMITING THE NUMBER OF HACKNEY CARRIAGE LICENCES** *(Pages 43 - 46)*

Information for the Public

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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.

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Information**

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LICENSING COMMITTEE

27 January 2014

10.00 - 10.45 am

Present: Councillors Rosenstiel (Chair), Benstead (Vice-Chair), Brierley, Gawthrope, McPherson, Meftah, O'Reilly, Owers, Pippas and Saunders

Officers Present:

Environmental Health Manager – Commercial: Yvonne O'Donnell

Licensing & Enforcement Manager: Robert Osbourn

Solicitor: Carol Patton

Committee Manager: James Goddard

Others Present:

CCLT Ltd: Mr David Wratten

FOR THE INFORMATION OF THE COUNCIL**14/1/Lic Apologies for absence**

Apologies were received from Councillors Boyce and Stuart.

14/2/Lic Declarations of Interest

No declarations of interest were made.

14/3/Lic Minutes of the previous meeting

The minutes of the meeting held on 7 October 2013 were approved as a correct record and signed by the Chair.

14/4/Lic Public Questions

A member of the public asked a question as set out below.

Mr Wratten raised the following points:

- i. Expressed concern that the taxi trade was not properly informed or consulted about the taxi test standard introduced in 2011, but not used to date. Taxi drivers were not aware of the document or its contents.

- ii. Having reviewed the document, Mr Wratten agreed with most of it. He and other taxi drivers took issue with the part on stone chips and scratches. Suggested the way it is worded will lead to a lot of taxis being taken off the road.
- iii. Asked Members to review the test criteria as it was not widely known. Mr Wratten had only been made aware of it after contact with the Licensing & Enforcement Manager.
- iv. Mr Wratten has been contacted by various taxi drivers who were concerned about the taxi test standard.

The Licensing & Enforcement Manager responded:

- i. The taxi test standard was adopted after a decision taken at Licensing Committee in October 2011.
- ii. The Council can impose criteria for taxi exteriors and interiors so long as they are not onerous.
- iii. Taxis must pass national visual and mechanical standards to meet the test criteria. Privately owned vehicles only had to pass mechanical standards.
- iv. The Council had not been as consistent as they should have been in enforcing taxi test standards over the last few years. This led to some taxis operating when they should not. More enforcement would occur in future. As general examples, ripped seats would make a vehicle unsuitable for hire and reward, whereas small scratches were unlikely to lead to test failure.
- v. Vehicles had not been failed but drivers advised of likely failure at a future test as a consequence of non-compliant defects.
- vi. The taxi test standard was published on the council website. The Licensing & Enforcement Manager has recently been made aware that it was unavailable; he undertook to ensure it is republished.
- vii. Undertook to liaise further with the taxi trade.

Mr Wratten raised the following supplementary points:

- i. Reiterated his request for dialogue with the Licensing & Enforcement Manager regarding taxi test standards as taxis could be taken off the road due to cumulative small scratches leading to test failure.
- ii. Took issue with the sudden decision to enforce standards.

The Licensing & Enforcement Manager responded:

- i. Reiterated the taxi test standard was clear and adopted a number of years ago.
- ii. Would seek to be reasonable when enforcing standards.
- iii. It was regrettable that standards had not been consistently enforced before now.
- iv. Undertook to liaise with taxi trade representatives.

Councillor Rosenstiel said that when the limit on taxi numbers had been removed, it was emphasised that the standard of taxis was to be raised. The Council expected taxis to look smart.

14/5/Lic Setting of Fees for Licensing Functions

The Committee received a report from the Licensing & Enforcement Manager.

The report advised the City Council is responsible for processing and issuing licences for a wide range of activities. At its meeting on 7 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 April 2014.

The Committee received a representation from Mr Wratten.

The representation covered the following issues:

- i. Suggested most fees being charged were reasonable.
- ii. Expressed concern regarding the fee charged for administering transfers. Suggested that £40-£50 was more appropriate than £80.

The Environmental Health Manager responded:

- i. The transfer process took a lot of officer time to administer.
- ii. A cost breakdown was undertaken to evidence the fee charged was appropriate (circa £79, so rounded up to a £80 charge).

Councillor Rosenstiel said that the Council had little discretion to vary fees.

The Committee then debated the Officer's report.

Councillor Gawthorpe sought clarification why fees were changing. Councillor Rosenstiel said this was a result of a Westminster Council court case. Fees now reflect costs to the authority. Some charges were outside of the Council's control ie set nationally.

Councillor Brierley asked if fees could be reduced. The Licensing & Enforcement Manager said the charges reflected good value for money for the service and assistance officers provide to drivers.

The Committee:

Resolved (by 6 votes to 0) to:

- i. Agree the level of fees from 1st April 2014 as set out in Appendix A of the Officer's report and then refer them for adoption by Full Council as part of the budget setting process.
- ii. Agree that fees shall be reviewed on an annual basis.
- iii. Advertise those levels, in accordance with taxi law.

14/6/Lic Card Payments for Hackney Carriage Journeys

The Committee received a report from the Licensing & Enforcement Manager.

The report advised the City Council is responsible for setting the maximum level of charges for journeys within the city taken in a Hackney Carriage.

A request had 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.

The Committee received a representation from Mr Wratten.

The representation covered the following issues:

- i. Asked Councillors to allow CCLT to charge a surcharge when processing credit cards, customer demand was growing for credit card facilities. Suggested 5% as the fee to be charged, this was lower than other operators.
- ii. CCLT were not able to charge a surcharge at present as they had a fare sheet.
- iii. Other operators such as Panther already applied a surcharge for card processing.

The Committee then debated the Officer's report.

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

- i. Organisations generally imposed a percentage surcharge of the total transaction for credit cards.
- ii. Debit cards generally imposed a set fee per transaction, businesses did not pass this onto customers.
- iii. The taxi trade had identifiable costs for processing credit cards; as well as offsetting factors not considered such as reduced risk of crime (theft of cash). Also there were staff time/resource implications for processing cash and debit card transactions as well as credit cards. The trade should be able to recover some but not all administration costs.
- iv. It would be reasonable for CCLT to charge a credit card surcharge to bring them into line with other taxi operators.

The Committee:

Resolved (unanimously):

- i. To allow a charge to be made for card payments for hackney carriage journeys.
- ii. The charge should be 5% per credit card transaction.
- iii. To undertake the required consultations, as set out in Section 4, before the charge may come into force.

14/7/Lic Medical Examinations for Taxi Drivers

The Committee received a report from the Licensing & Enforcement Manager.

The report advised that as part of the checks that 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 pass a medical examination from time to time.

The Officer's report reviewed the present arrangements for the undertaking of medical examinations and proposed an alternative arrangement.

In response to the Officer's report Councillors sought clarification if other C1 category drivers must also pass a medical examination from time to time.

In response to Members' questions the Licensing & Enforcement Manager and the Environmental Health Manager said the following:

- i. Two Clinical Commissioning Groups covered the Greater Cambridge area. They would act as central contact points for medical examinations.
- ii. Every taxi driver must undertake a health check:

- Before obtaining a licence.
 - Every 5 years between the ages of 45 – 65.
 - Annually post 65.
- iii. Options would be built into the consultation to cover cases where a GP could not be contacted for test/results.

Councillors requested a change to recommendation (iii) - 2.2b in the Officer's report. Councillor Saunders formally proposed to amend the following recommendation from the Officer's report (amendments shown as struck through text):

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.

The Committee unanimously approved this amended recommendation.

The Committee:

Resolved (unanimously) to:

- i. Change the present arrangements for determining the medical fitness of taxi and private hire drivers
- ii. Instruct officers to consult with the taxi trade and the representatives of general practitioners about the proposed change.
- iii. Ask Officers to report back to Licensing Committee the results of the consultations, to enable a decision to be taken as to the future policy with regard to medical checks.

The meeting ended at 10.45 am

CHAIR

LICENSING COMMITTEE

12 June 2014
12.00pm - 12.05 pm

Present: Councillors Benstead (Chair), Gawthrop, McPherson, Meftah, O'Reilly, Owers, Pippas, Bick, Austin, Smith (Vice-Chair), Baigent and Sinnott

FOR THE INFORMATION OF THE COUNCIL

14/8/LIC Appointment of Sub Committee

The committee agreed the membership of 4 Subcommittees of 3 members each to undertake the business of the Licensing Committee.

Sub Committee A: Austin, Benstead, Baigent

Sub Committee B: Smith, Gawthrop, Meftah

Sub Committee C: Pippas, Owers, Sinnott

Sub Committee D: O'Reilly, Bick, McPherson

The meeting ended at 12.05 pm

CHAIR

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Record of Officer Urgency Action

**Urgency powers to grant the street trading consent
for vacant street trading pitch**

Decision of:	Director of Environment: Simon Payne
Reference:	14/URGENCY/LIC/01
Date of decision:	30 June 2014
Decision Type:	Officer Urgent Action
Matter for Decision:	Granting of street trading consent for a vacant street trading pitch
Why the decision had to be made (and any alternative options):	For the efficient delivery of the service, the decision could not be delayed.
Officer decision(s):	To grant street trading consent for a vacant street trading pitch
Committee consideration:	The Chair and Opposition Spokesperson of the Licensing Committee were consulted prior to the action being authorised.
Briefing Note/Report:	A confidential briefing note detailing the background is attached. This document is exempt information under paragraphs 1,2,3 and 5 of Schedule 12A to the Local Government Act 1972.
Conflicts of interest:	None
Note:	<u>City Council Constitution: Part 3 Para states:</u> <u>Urgency Action</u> Each Director is authorised to act on behalf of the Executive or the Council (after consultation, if practicable with the relevant Executive Councillor or, in respect of non-executive functions, the relevant Chair or, in either case, the Chief Executive) in relation to matters within his/her area(s) of responsibility in cases of urgency or emergency. Any such action to be reported as soon as possible to the relevant Executive Councillor and Scrutiny Committee or, for non-executive functions, the relevant committee or sub-committee.

In exercising this power, a Director shall either consult:

- members, in which case the Executive Councillor (in respect of executive functions) or the Chair (in respect of regulatory functions) and, so far as practical in the time available, spokesperson(s); or
- the Chief Executive (if available) before taking action.

If only the Chief Executive is consulted, the Director shall, as soon as possible after taking the action in question, inform the Executive Councillor, Chair and spokesperson(s) of what has happened. (This shall be in addition to reporting the action taken to the next meeting of the relevant committee or sub-committee)."

CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Refuse & Environment Service

TO: Licensing Committee

WARDS: All

FEES FOR HOME BOARDING OF PET ANIMALS

1. INTRODUCTION

- 1.1 The purpose of this report is to consider a proposal from the Licensing & Enforcement Team to introduce a separate fee schedule for licensees wishing to board cats and dogs (referred to as 'animals' in the Animal Boarding Establishments Act 1963) in their home. This proposal has risen from a number of enquiries from members of the public.

2. RECOMMENDATION

- 2.1 Members should consider the information contained in this report, the legislative provisions and policy considerations detailed in sections 4 and 5 below, to determine whether the Council should provide a separate fee for persons requiring an Animal Boarding Establishment licence but who also qualify for 'home boarder' status and, if so, the level at which such a fee should be set.

3. BACKGROUND

- 3.1 The Council has a duty, under the Animal Boarding Establishments Act 1963, to licence premises used to provide boarding accommodation for animals. A fee is chargeable to cover the costs of administration of the licences and the inspection of premises to ensure that appropriate safety and welfare standards are maintained and that conditions attached to a licence are being met.
- 3.2 The current annual fee is £220, which includes recovery of the cost of an inspection by a veterinary officer on a bi-annual basis.
- 3.3 In December 2013 the Council received a representation that the current licence fee for premises where home boarding of dogs was excessive, in relation to the scale of activity undertaken and that it would deter people from offering home boarding as a service.

- 3.4 Home boarding takes place where an individual offers temporary accommodation within their home, to a single dog or, occasionally, a pair of dogs to live within the family, as though the dog was part of it. Some arrangements are made direct with the host and, in other cases, are brokered through a franchise operated by an umbrella or booking organisation, such as Barking Mad.
- 3.5 This arrangement is significantly different to the conventional large or medium sized boarding kennels in which dogs are usually kept in kennels with runs and there may be a range of potential issues to consider, such as the increased likelihood of animals acquiring infection and disease whilst in boarding of poor quality.
- 3.6 It has been remarked that a number of other local authorities make a significantly lower charge for boarding licences and that, by comparison, the charges in Cambridge act as a disincentive to those wishing to offer home boarding. This is set out in a letter from Sue Phillips, the Barking Mad franchise holder for South Cambridgeshire/North Hertfordshire, which is attached as Appendix1.
- 3.7 Officers have considered the question of the extent of checks and inspection which is appropriate to the granting of licences and whether, in view of the lesser risks involved in association with home boarding, these can be reduced.
- 3.8 Whilst not strictly relevant, as the costs of licensing arrangements must reflect the Council's costs and neither generate a surplus nor subsidise licence holders, a list of charges made by licensing authorities in the Eastern Region is attached as Appendix 2. Members should be aware that the extent of the checks undertaken by each authority is not known.

4. LEGISLATIVE PROVISIONS

- 4.1 The Animal Boarding Establishments Act 1963 (the 'Act') makes the boarding of cats and dogs a licensable activity. A boarding establishment is defined in section 5(1) of the 'Act' as:

Carrying on at premises of any nature (including a private dwelling) of a business of providing accommodation for other people's animals.

- 4.2 Section 1(2) of the 'Act' allows a local authority to: grant a licence; determine the fee; and, specify conditions on the licence.

- 4.3 Section 1(3) of the 'Act' states what criteria a local authority must consider when determining whether to grant a licence. In summary these regard the following:

- Suitable accommodation
- Adequate supply of suitable food, drink and bedding material
- Disease control
- Emergency planning
- Keeping of a register of animals

- 4.4 Sections 1(5) and (6) of the 'Act' provide that a licence can be granted for the current year or the next following year; in the latter case it is granted at the beginning of the next year. Any such licence remains in force until the end of the year to which it relates and then expires.
- 4.5 Section 2(1) of the 'Act' provides that a local authority can authorise in writing any of its officers or any veterinary surgeon or veterinary practitioner to inspect any premises in their area as respects which a licence is granted.
- 4.6 The above provisions therefore mean it is possible to provide a separate arrangement for the licensing of home boarders.

5. POLICY CONSIDERATIONS

- 5.1 Animal Boarding Establishment licences granted by the Council currently have the Chartered Institute of Environmental Health's Model Licence Conditions for Dog Boarding Establishments attached to them. The Licensing Officer's inspection checklist is based on the conditions.

6. OPTIONS

- 6.1 The available options are:
- a. Make no changes to the existing inspection regime and fee charged
 - b. Introduce a less onerous regime and a lower fee, suggested to be £80, for licensees qualifying for Home Boarding status, on the following basis:
- 6.2 If Members are minded to implement option b. 'Home Boarding' status could be defined as follows:
- Boarding must take place in residential premises e.g. a family home
 - The number of animals boarded at any time shall not exceed four, including dogs/cats owned by the licence holder
 - Cats and dogs may not be boarded at the same time unless there is clear separation

These would also be added as conditions to the licence and the CIEH Model Animal Boarding Licence Conditions would also apply as standard.

Veterinary inspections would not be undertaken as a routine, but premises licensed would receive an annual licensing visit and officers would, if considered necessary, seek veterinary advice if there were concerns about animal welfare.

- 6.3 In determining which option to follow, Members are required to give their reasons for their decision.

7. CONSULTATIONS

- 7.1 There has been liaison with the Institute of Licensing which has confirmed that it is possible for local authorities to offer a separate fee for home boarders.

BACKGROUND PAPERS: None

The author and contact officer for queries on the report is Alex Beebe on Ext. 7723

Report file: M:\LICENSE/04 – Other Licences\ Committee Reports

Date originated: 21/05/2014

Date of last revision: 9/07/2014

Appendix A – Letter from Sue Phillips, Barking Mad

8 April 2014

Dear Mr Lally

Re: Home Boarding Licensing Fees

Further to my telephone conversation with Alex Beebe, as requested, I now write to you in connection with the above matter.

As a Nationwide organisation we are fully supportive of licensing home boarding establishments, and already work successfully with a number local authorities across the country. Indeed, prior to commencement of trading in 2004 we contacted all of the environmental health licensing departments within the area to advise them of our operation in their area.

In order for a franchisee to operate successfully it is critical we have a cross section of competent carers all of whom are fully insured by us. We arrange pet collection and delivery between customer and host, each time conducting an audit of the premises to ensure the host is continuing to meet our strict criteria. We handle all paperwork, keep records and our Host families are supported 24 hours a day 7 days a week whilst they are pet sitting. Many of our hosts are retired people who do not wish, or are unable to commit full time to owning a dog of their own. Our carers are **not running commercial boarding establishments** and nor do they host full time. I am sure you can appreciate that the social and health benefits associated with walking and caring for a visiting dog, especially for older, lonely people, are of inestimable value.

As a franchised organisation all franchisees follow exactly the same operating system for host management which has been written in line with the Lacors home boarding conditions, and Barking Mad Ltd. are currently working very closely with PIF in the drafting of new legislation to adequately reflect the needs of all pet care establishments.

Franchisees cover the cost for each host to be licensed, however at £220 per family the cost is prohibitively expensive. Furthermore, the suggestion that a private home accommodating one dog on a very occasional basis should be charged at the same rate as a boarding establishment puts our business in a unfair and disproportionate trading position. I also do not concur that it takes the same amount of time to inspect a kennel as it does a home. There are 21 pages of conditions set out for a boarding kennel establishment compared with 6 for home boarding, perhaps you could explain in more detail why the inspection takes the same amount of time; from Barking Mad Ltd.'s trading experience the cost is considerably less than £220, with most councils charging around £50.

In conclusion, whilst we remain fully in favour of licensing we are unable to support the £220 fee. We would be very happy to discuss other possibilities - such as umbrella licensing where we pay a fixed fee to cover a fixed number of host families, or that you license us as franchisee rather than the individual hosts. I am also very happy to offer the Council support in any way regarding the management/inspection of home boarding operators, if this would be of use as we believe dogs' care and welfare to be of prime importance – whoever is supplying it.

I will not do anything until I receive your response.

Yours sincerely

Susan Phillips
Business Owner

Appendix B - Animal Boarding Establishment fees charged by a selection of local authorities in the Eastern Region

Authority	New		Renewal
South Cambs DC	£86.00		£86.00
Hunts DC	£233.00		£138.00
East Cambs DC	£156.00		£130.00
Peterborough CC	£309.00		£165.00
North Herts DC*	0-50	£235.00	£196.00
	51-100+	£290.00	£251.00
	Home B	£120.00	£120.00
King's Lynn & West Norfolk BC**	Regular	£48.50	£48.50
	Home B	£25.00	£25.00
Breckland DC	£161.71		£161.71
Uttlesford BC	£130.00		£130.00
Babergh DC	£124.00		£124.00
St Edmundsbury	£175.00		£175.00
Norwich CC	£238.00		£238.00
Colchester BC	Regular	£135.00	£135.00
	Home B	£125.00	£125.00

* North Herts DC calculates standard boarding fees by the amount of animals boarded

** King's Lynn fees under review

CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Refuse & Environment

TO: Licensing Committee

21/7/2014

WARDS: All

TAXI AGE POLICY ANOMALY

1. INTRODUCTION

- 1.1 This report identifies an anomaly in the administration of a small number of taxi licences regarding the policy on the age of vehicles when licences are renewed and seeks the agreement of Members to a limited waiver to the policy to address it.

2. RECOMMENDATION

- 2.1 Members are recommended to agree a waiver of the age policy as set out in paragraph 23.8 of the taxi policy, which will enable officers to approve applications to renew the licences for those 7 vehicles identified as caught by the anomaly and whose vehicles are due to expire between 1st September 2014 and 1st December 2014, without the need to hold a hearing of the Licensing Sub-Committee for each case.
- 2.2 Members are also recommended to authorise the Head Refuse and Environment to waive the age policy for any other vehicles that are caught by the anomaly, but have not yet been identified as doing so.

3. BACKGROUND

- 3.1 The Council licences vehicles as hackney carriages (“taxis”) and private hire vehicles to carry passengers and has the ability to set policy regarding standards in certain areas, consistent with legislation governing their licensing.
- 3.2 The Council’s policy in relation to the age of vehicles which will be licensed is set out in Section 23 of the Hackney Carriage and Private Hire Licensing Policy, which is attached as Appendix A.
- 3.3 Section 23 was adopted by Licensing Committee on 8th October 2012, having taken into account information about the Council’s duty to conform to air quality standards in the city and Government guidance related to vehicle emission standards, with objective being to remove from the fleet of licensed taxis those with poorer emissions, on the basis of their age. Minutes attached as Appendix B.
- 3.4 The second part of paragraph 23.8 of the policy refers to 1st December 2014 as being the start date from which a vehicle licence will not be renewed unless the vehicle is less than 9 years old and meets Euro 4 standard or higher. It also refers to a

transitional period between 8th October 2012 and 1st December 2014, when no vehicle will be relicensed after the 8th anniversary of its first registration.

- 3.5 Both references to 1st December 2014 had, in the report presented to Committee, been referred to as 1st September 2014 and officers had believed that this was the date which had been agreed by Committee. However, the agreed minutes of the meeting indicate that 1st December 2014 had been agreed and at a subsequent meeting, the minutes were agreed and signed as such.
- 3.6 Following the adoption of the policy, the Licensing Team wrote to all vehicle proprietors whose renewals were affected by the policy, to inform them as to how the decision would affect them and indications were given to proprietors as to when their vehicles could continue to be licensed, based on the date of 1st September 2014. This was to assist proprietors to plan for replacement of aging vehicles which would be excluded under the policy.
- 3.7 It was realised by officers in May 2014 that, as a consequence of the misunderstanding regarding the dates in the policy a small number of drivers had been incorrectly advised. Examination of vehicle records indicates that 7 vehicles where proprietors had been advised that they could renew for an additional year would, in fact, breach the policy if renewed. The proprietors of 2 vehicles had been incorrectly advised that they could not renew, when the policy would have allowed them to do so.
- 3.8 Officers feel that it would be unfair for proprietors who had been advised that they could renew suddenly to be told that their applications were refused. The implication would be that each proprietor so affected would have the right to have their application determined by Members at an individual Sub-Committee hearing, with the time, expense and uncertainty which that would entail.
- 3.9 Officers are, therefore, proposing that Members agree to a waiver of the policy as set out in paragraph 23.8, which will enable officers to approve applications to renew the licences for those vehicles identified as caught by the anomaly and whose vehicles are due to expire between 1st September 2014 and 1st December 2014, without the need to hold a hearing of the Licensing Sub-Committee.
- 3.10 Drivers affected by this proposal have been advised of the situation and support the approach being suggested.
- 3.11 Vehicles licensed under this waiver would, in all other respects, need to comply with the Council's regime of testing and inspection as regards their roadworthiness, physical condition and the CO2 emission test for the emission standard applicable for their vehicle.

4. LEGISLATIVE PROVISIONS

- 4.1 The Local Government (Miscellaneous Provisions) Act 1976 provides the power for the Council to undertake licensing functions in respect of Hackney Carriages and Private Hire Vehicles, including the setting of standards for vehicles licensed by it, in respect of their specification, age and condition.

5. IMPLICATIONS

- a) **Financial Implications**

None

(b) **Staffing Implications**

None

(c) **Equal Opportunities Implications**

None

(d) **Environmental Implications**

Nil

(e) **Procurement**

Nil

(f) **Consultation and communication**

The outcome of Members decision will need to be communicated to drivers affected

(g) **Community Safety**

None

BACKGROUND PAPERS:

None

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

Report file: M:\LICENSE/04 – Other Licences\ Committee Reports

Date originated: 20/06/2014

Date of last revision: 2/07/2014

23 ENVIRONMENTAL CONSIDERATIONS

- 23.1 The Authority considers that every effort should be made to improve the efficiency of vehicles licensed to operate in the city by reducing the levels of CO2 emitted.
- 23.2 Government guidance suggests that authorities may wish to consider setting vehicle emissions standards by promoting cleaner fuels. It also states that local licensing authorities may wish to note that a review carried out by the National Society for Clean Air and Environmental Protection in 2005 found taxis were more likely than other vehicles to fail emissions tests.
- 23.3 The European Union has introduced stricter limits on pollutant emissions from light road vehicles, particularly for emissions of nitrogen oxides and particulates.
- 23.4 In order to limit pollution caused by road vehicles, this Regulation introduces common requirements for emissions from motor vehicles and their specific replacement parts (Euro 5 and Euro 6 standards).

NOx and PM emission standards for diesel cars

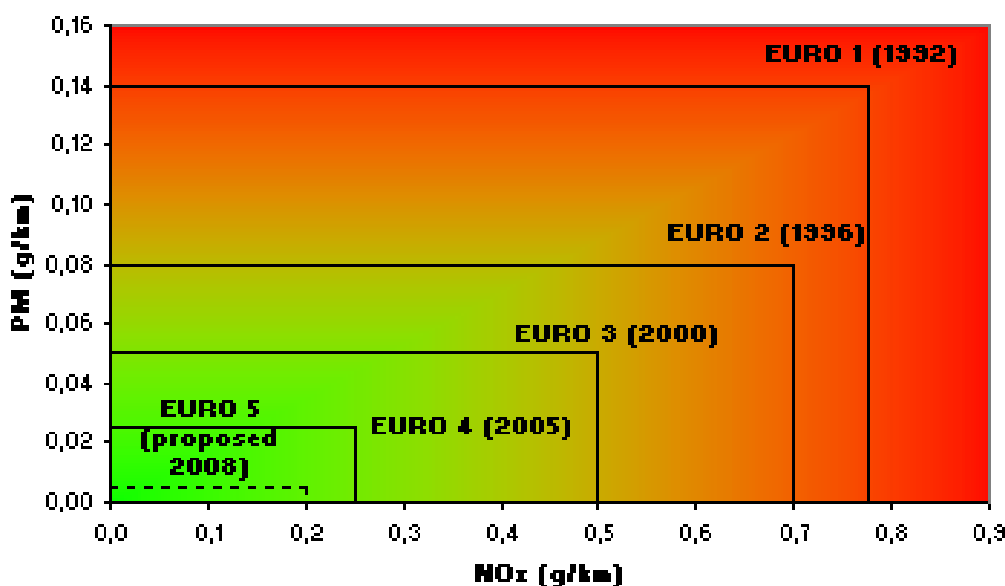


Figure 1 – Chart showing the implementation dates of successive Euro Standards and the Nox and PM levels for each of those standards

Euro Standard	Date	Nox (G/km)	PM (G/km)
Euro 1†	July 1992		0.14
Euro 2	January 1996		0.08
Euro 3	January 2000	0.50	0.05
Euro 4	January 2005	0.25	0.025
Euro 5	September 2009	0.180	0.005
Euro 6	September 2014	0.080	0.005

Table 1 – Table showing the implementation dates of successive Euro Standards and the Nox and PM levels for each of those standards.

23.5 Cambridge City has declared an Air Quality Management Area in 2004 because of predicted levels of nitrogen dioxide.

23.6 An Air Quality Management Area (AQMA) is an area identified by Local Authorities where the statutory UK air quality objectives are being, or are expected to be breached up to the end of 2005, AQMAs are areas where levels of air pollution are higher than they should be (as defined by central government).

23.7 Levels of nitrogen dioxide in central Cambridge remain above the National Objectives; therefore an Air Quality Action Plan was first adopted in 2005 and a more comprehensive version adopted in 2010.

23.8 To support the Councils Air Quality Action Plan:

(i) a new vehicle licence will not be granted in respect of a vehicle unless it is less than 4 years old, and as and either registered after 1st September 2009 or it meets the Euro 5 standard or higher.

As from 1st December 2014

(ii) a vehicle licence will not be renewed unless the vehicle is less than 9 years old and it meets Euro 4 standard or higher.

For renewals there will be a transitional period between 8th October 2012 and the 1st December 2014 where no vehicle will be relicensed after the 8th anniversary of its first registration

23.9 With the 8-year age limit this will mean that by 2017/18 all the fleet licensed will be to Euro 5 or 6 and accelerate the improvements in the fleet

23.10 The term `new` means any vehicle that is being licensed for the first time with Cambridge City Council (i.e. a complete new license) or where a license is issued

on a particular vehicle and then surrendered and subsequently an application to license the same vehicle is made.

23.11 Encouraging better maintenance of vehicles could reduce emissions from licensed vehicles further, it is intended that this aspect be tackled through education and promotion.

23.12 Any application received for an electric or hybrid vehicle will be considered on its own merits.

Licensing Committee	Lic/5	Monday, 8 October 2012
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- iv. ~~To approve the extension of Pitch number 17 from 6 months to 8 months and bring it in line with all other 8 month seasonal pitches.~~

12/28/LICF Emission Standards for Taxi Vehicles

Mr David Wratten spoke on behalf of CCLT and explained that 34 vehicles would need to be removed from the fleet early as a result of the policy adopted by the committee in June 2012. An extension to the deadline to December 2014 for phasing out Euro 3 vehicles was requested. The committee were advised of the financial implications for individuals if being required to replace vehicles early.

The Chair clarified with Mr Wratten the number of affected vehicles. It was noted that due to the nature of adapted vehicles there was often a lag time between a vehicle being constructed and registered.

The committee received a report regarding emission standards for taxi vehicles.

The committee made the following comments on the report and letter circulated by Mr Wratten.

- i. The Air Quality Action Area was adopted in 2004, and the adopted policy was designed to support this.
- ii. It was noted that in the event of the vehicles being removed from the fleet, they were still eligible to be licensed as private hire vehicles in South Cambridgeshire and were likely to continue to operate in the city.
- iii. Sympathy was expressed for the owners of the affected vehicles. The relative impact of Euro 3, 4 and 5 was explained to the committee.
- iv. The assertion that the 34 vehicles were a small part of the trade was challenged.
- v. The importance of giving drivers proper notice and not imposing changes, which have retrospective implications, was highlighted.

Following discussion it was agreed to amend the recommendations to (changes marked as strikethroughs and red text)

2.1 Members are recommended to adopt a policy to address air quality, as follows:

i) a new vehicle licence will not be granted in respect of a vehicle unless it is less than 4 years old and either registered after 1st September 2009 or meets the Euro 5 standard or higher.

The implementation date will be the ~~8th October 2012~~ **1st December 2014**

ii) A vehicle licence will not be renewed unless the vehicle is less than 9 years old and meets the Euro 4 standard or higher. The implementation date will be ~~1st September 2013~~ **December 2014**

2.2 Members are recommended to adopt a policy for renewals during a transitional period between the 8th October 2012 and 1st September 2013 as follows:

No vehicle will be relicensed after ~~its~~ **the 8th birthday anniversary of its first registration.**

In response to a question from the committee, Mr Wratten explained that the trade would try and support the vehicles affected by the revised policy, but it was unclear at this stage what this would involve.

Resolved (Unanimously) to adopt a policy to address air quality.

- i. A new vehicle licence will not be granted in respect of a vehicle unless it is less than 4 years old and either registered after 1st September 2009 or meets the Euro 5 standard or higher. The implementation date will be the **1st December 2014**
- ii. A vehicle licence will not be renewed unless the vehicle is less than 9 years old and meets the Euro 4 standard or higher. The implementation date will be **1st December 2014.**
- iii. During a transitional period between the **8th October 2012** and **1st October**, no vehicle will be re-licensed after the **8th anniversary** of its first registration.

CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Refuse & Environment

TO: Licensing Committee

21/7/2014

WARDS: All

VOLUNTARY CODE ON SALES OF HIGH STRENGTH BEERS AND CIDERS

1. INTRODUCTION

- 1.1 This report seeks to address concerns regarding perceived antisocial behaviour by street drinkers as a consequence of the easy availability of low cost, high strength beers and ciders and considers the feasibility of introducing a voluntary code for retailers on sales of such items. This measure was identified in the Council's Annual Statement, as part of its commitment to making Cambridge safer.

2. RECOMMENDATION

- 2.1 Members are asked to request officers to enter into discussions with potential partners, as listed in Section 7f, with a view to developing a voluntary code on the sale of high strength beers, lagers and ciders, for submission to the Executive Councillor for Strategy and Resources, for adoption.

3. BACKGROUND

- 3.1 Antisocial behaviour associated with those who have been drinking heavily is an issue which has caused concern for residents, the police and elected members in recent years and months. This has, mainly, been associated with groups of street drinkers, who have congregated in areas close to off-licensed premises, where the availability of high strength and cheap beers, lagers and ciders has been cited as a principal reason for their presence.
- 3.2 Amongst the behaviours complained about, obstruction of the pavement, creating an intimidating atmosphere for passers-by, of off-licences and their neighbours, intermittent fights and disturbances have all been the subject of complaints to the police.
- 3.3 Reviews of the licences of off-licences where problematic behaviour has taken place were undertaken in respect of two premises – News and More, in Norfolk Street and the Pink Elephant in Milton Road. In each case, additional conditions have been attached to the premises licences, including a ban on ability of the licence holder to sell beers with a strength of more than 5.5 ABV.

- 3.4 There is some concern that the focus of antisocial behaviour by street drinkers will simply move from locations where conditions have been amended to other areas where the same controls do not apply, unless an initiative is taken to forestall this.
- 3.5 In Ipswich, following a period of serious public concern, focussed on street drinkers behaviour in central areas of the town, a campaign of action was initiated by an alliance of public bodies, including the Borough Council, Public Health Suffolk, Suffolk Constabulary, Suffolk County Council, which sought to engage retailers in a voluntary scheme called Reducing the Strength. (Appendix A)
- 3.6 The key principles of the initiative were identified as:
- Reducing the supply of high strength alcohol,
 - Improving enforcement
 - Developing routes out of alcohol dependency
- 3.7 It was recognised, at an early stage of the initiative that simply having retailers ceasing to sell high strength alcohol would not, in itself, achieve the objective of reducing problems. Street drinkers with a high level of alcohol dependency do not simply cease to be addicted where supply is restricted and may become involved in more criminality, in order to acquire funds to purchase alcohol.
- 3.8 The involvement of other agencies, such as outreach workers, treatment agencies and access to rehabilitation, housing and other support, with a robust aftercare programme are seen as essential to achieving routes out of dependency.
- 3.9 A pilot project, seeking to support street drinkers out of dependency on alcohol has begun recently, involving several agencies, including the Council's Community Safety team.
- 3.10 One tool for tackling problems associated with the consumption of alcohol in the street is the use of S27 directions, to move drinkers from a location where problems are occurring

4. LEGISLATIVE PROVISIONS

- 4.1 The sale and supply of alcohol is regulated under the Licensing Act 2003, which requires that a premises licence be in force at premises where alcohol is sold. The premises must also be managed by a person who holds a personal licence, awarded after completing a qualification and a basic disclosure – designated premises supervisor (DPS).
- 4.2 Conditions can be attached to licences, where these are seen as necessary and certain mandatory conditions are applicable to all licences, including a requirement for a DPS to be specified; all sales to be made under the authority of a personal licence holder; no irresponsible alcohol promotions; a scheme for verifying the age of those supplied with alcohol and a ban on sale of alcohol below the permitted price, as introduced recently.

- 4.3 All licences must be considered on their own merits, and accord with the Council's Statement of Licensing Policy, which is reviewed on a regular basis. The City Council's policy was last reviewed in 2012 and falls due for review again in 2017. They must all relate to all four of the Act's Licensing Objectives:
- The prevention of crime and disorder
 - The promotion of public safety
 - The prevention of public nuisance
 - The protection of children from harm
- 4.4 Section 141 of the Licensing Act makes the sale of alcohol to a person who is drunk an offence.
- 4.5 Under the Violent Crime Reduction Act 2006, Section 27 notices can be issued by police to order individuals to leave an area and not return for 48 hours.

5. **OTHER CONSIDERATIONS**

- 5.1 The Ipswich "Reducing the Strength" campaign is supported by a number of national retailers, including East of England Coop, Tesco, Marks & Spencer, Waitrose, Morrisons, Sainsbury, Debenhams, Martin McColl and Aldi and 64% of premises with a licence for off-sales.
- 5.2 Concerns about loss of trade by stores agreeing to a voluntary ban on high strength alcohol appears to have been largely overcome by the improvement in trade resulting from the return of other customers once the street drinkers cease to use premises adopting the ban.
- 5.3 The use of blanket conditions under the Licensing Act is not lawful, as conditions may be added either as a response to representations about a new or varied licence or following a review of an existing licence.
- 5.4 The adoption of a voluntary scheme to encourage retailers to "sign-up" to cease stocking certain alcohol products needs to be considered carefully, so as not to run the risk of breaching competition law. It would be important, for example, not to create a situation in which retailers felt that they had no alternative to signing up, as they would be concerned about risking good relations with the licensing authority or the police.
- 5.5 Representatives of the licensed trade have expressed reservations about the effectiveness and lawfulness of voluntary schemes. Their view is that street drinking can be tackled more effectively by focussing on enforcement of the existing legislation and developing a comprehensive treatment and rehabilitation strategy. (Appendix B)

6. **CONCLUSIONS**

- 6.1 If Members are minded to pursue the introduction of a scheme to tackle street drinking which would include voluntary limitations on the stocking of high strength beers, and ciders by retailers, it is suggested that officers be requested to invite potential partners who would be integral to the successful implementation of such a scheme, to enter into discussions as to how to work

towards developing one, with a view to reporting back progress to a future meeting of the relevant Scrutiny Committee.

- 6.2 In the event of agreeing to change current policy, Members are asked request officers to identify the resources which would be required to implement the changes, both in the short and medium term.

7. **IMPLICATIONS**

(a) **Financial Implications**

None, until a scheme proposed following discussions with potential partners has been proposed for implementation

(b) **Staffing Implications**

None, until a scheme proposed following discussions with potential partners has been proposed for implementation

(c) **Equal Opportunities Implications**

At this stage an Equality Impact Assessment has not been carried out, but it is anticipated that there is potential for a beneficial impact on a range of sections of the community

(d) **Environmental Implications**

Nil

(e) **Procurement**

Nil

(f) **Consultation and communication**

Depending on the option chosen by members, initial discussions would involve Cambridgeshire Safety Partnership, Cambridgeshire Constabulary, Cambridgeshire County Council, NHS, Cambridgeshire Drug and Alcohol Action Team (DAAT), Community safety team, representatives of local retailers, Cambac, City Centre Management and others.

(g) **Community Safety**

Potentially significant positive implications

BACKGROUND PAPERS: None

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

Report file:

Date originated: 09 July 2014

Date of last revision: 09 July 2014

Appendix A – Information about Ipswich Scheme (Suffolk Constabulary)



3 October 2013

A year has passed since the launch of the 'Reducing the Strength' Campaign in Ipswich and figures and feedback reveal that it is continuing to have a positive effect on the town.

The number of reports of street drinking being made to police in the 12 months since the campaign began have dropped by almost 100 when compared to the same period the year before.*

Analysis of an area in Ipswich that had suffered from anti-social behaviour (ASB) linked to street drinking has seen a 73% reduction in reports of street drinking made to police and a 31% reduction in crime. **

The East of England Co-operative Society has supported the campaign from the outset, with all of its stores in Suffolk signed up from the launch. Police figures and feedback from the business show that both crime and ASB in and around Co-op stores in the town has reduced over the past year.

These figures are alongside a reduction in crime in Ipswich of 17% and a reduction in ASB of 15%.***

Local retailers have also been visited to gauge their opinion on the campaign so far, revealing some extremely positive feedback. Comments from stores included: "Street drinkers no longer come into, and cause problems within stores since signing up to the campaign", "there is less trouble during the day on the streets of Ipswich, particularly in the town centre", and "there are less people drinking and not as many drunk people during the day on the streets of Ipswich."

The campaign has received significant national interest, with enquiries continuing to come in from police forces and councils across the UK who are interested in setting up similar initiatives. Campaigns have been launched in areas such as Hastings, Portsmouth and Nottingham, with many others looking to emulate the effects seen in Ipswich.

The multi-agency campaign was launched on the 25th September 2012 and aims to stop the sale of super strength alcohol from off-licensed premises in Ipswich. The campaign is part of a range of initiatives launched in the area to help individuals and communities being negatively affected by the consumption of these drinks.

Reducing the Strength is voluntary and involves retailers agreeing to remove these products from their stores, and ideally, changing their premises licence to prevent the store from ever selling these items. Super strength alcohol is all beer, lager and cider with an alcohol volume of 6.5% or more that is sold very cheaply.

An event was hosted by the Mayor of Ipswich last night, Wednesday 2nd October, to thank those retailers and partners involved and to update them on the campaign so far.

Partners were presented with an analysis of the campaign to date and were shown a map of Ipswich, highlighting all 138 off-licensed premises in Ipswich. The map also highlighted the 90 stores who have signed up, and those who are yet to come on board.

Police and partners will now continue to work with those businesses who have not joined the initiative, to explain the huge community benefits that result from preventing the sale of these items.

Assistant Chief Constable Tim Newcomb said, "A huge amount of work has gone on since we launched Reducing the Strength a year ago and we are extremely pleased with the effect it has had locally and across the UK.

"The continued drop in reports of street drinking is a clear reflection that our efforts are working, and that this activity, which is anti-social and intimidating to many people, is happening far less often. Not only does this mean our communities are safer, it also suggests that those vulnerable people who engage in street drinking are receiving the services and treatment they require.

"66% of off-licensed premises in the town are now super strength free, which is a fantastic achievement and a reflection of the commitment to community issues shared by many of our local businesses. We still have a long way to go however, and will continue to work with our partners to engage with those retailers who are yet to come on board."

Simon Alders, Public Health Manager said, "This campaign has been an extremely effective way for us to take pro-active, positive measures to improve the health of many vulnerable people in our local communities. Working in partnership with local businesses, we have been able to reduce the availability of this type of alcohol and tailor support services to meet the needs of this vulnerable group. Working in partnership greatly improves our chances of helping those affected by this type of substance misuse and reducing the damage to communities that they are part of."

* From 26/09/11 to 17/09/12 police were contacted 341 times with reports of street drinking in Ipswich. In the same period a year later, this figure reduced to 261, a drop of 23.5%.

** Austin Street was identified as having a significant issue with alcohol-related anti-social behaviour and street drinking by the local Safer Neighbourhood Team. Prior to the start of the campaign, two off-licenses were selling super strength alcohol in the area, the East of England Co-operative Society and 'MRS'. At the launch of 'Reducing the Strength', super strength items were removed from the Co-op, who were campaign partners, and in December 2012, 'MRS' was taken to review following irresponsible trading practices and were no longer permitted to sell super strength items. Figures show that 40 events related to street drinking were recorded in the period September 2011-August 2012 and 11 were recorded in the period September 2012 – August 2013. 70 crimes were recorded during the period September 2011-August 2012 and 48 for the period September 2012-August 2013.

***Figures for the financial year to 30th September 2013, compared with the three year average.

A map of Ipswich showing all off-licenses in the town **is attached**. Those highlighted in red are signed up to the campaign and are 'super strength free', those in blue have not signed up to the campaign.

Appendix B – Letter from Licensed Trade representatives



Chief Executive
Cambridge City Council
The Guildhall
Cambridge
CB2 3QJ

*Jon Lally
Simon Rugh*



15th May 2014

Dear Sir or Madam,

Local 'voluntary' bans on higher-strength beers and ciders and Minimum Unit Pricing of alcohol

We are writing in reference to the recent moves by a number of council's seeking to implement local schemes encouraging the removal of higher-strength beer and cider products above as well as some considering the implementation of local Minimum Unit Pricing for alcohol.

As representatives of drinks producers and retailers, many of which are local, family or regional businesses, we would like to make you aware of some of the concerns we and our members have regarding the potential legal implications of policy decisions of this kind.

The proposals in many cases appear to attempt to impose the removal of certain higher-strength products as a generalist blanket condition across licences. Under licensing law, any such conditions should be evidence based and tailored to specific premises, and therefore the creation of a generalised scheme of this kind will exceed existing licensing powers and place retailers in an uncertain legal position should they comply.

While authorities are able to deal with licensees individually on an evidential basis, the Office of Fair Trading (now the Competition and Markets Authority) are clear that if a Local Authority acts to co-ordinate the independent commercial decision-making of businesses through non-mandatory means, such as the co-ordination of economic activity on non-price factors, such as product removal, they run a high risk of contravening competition law, even if this is on a voluntary basis.

Additionally there is a great concern that the Minimum Unit Pricing for alcohol will exceed licensing powers if applied on a mandatory basis, but also breach competition law if attempted on a voluntary basis. We have outlined further detail in the attached document.

It is for this reason that licensees are often not prepared to sign up to or be involved in a local schemes of this kind voluntarily. However, despite concerns about the legality and effectiveness of the withdrawal of products and local Minimum Unit Pricing our members take alcohol related harm, crime and anti-social behaviour very seriously and look to engage with local authorities in partnership to tackle these harms.

In order to ensure that local schemes are effective and sustainable, it is essential that they are legally sound as well as being evidence based and built upon strong partnership working in the local area. We have already written to Police and Crime Commissioners highlighting the existing powers local authorities and police have to target local issues, and are working with a wide range of partners to support the expansion of existing industry schemes aimed at tackling alcohol-related issues within communities.

c/o British Beer & Pub Association, Brewers' Hall, Aldermanbury Square, London, EC2V 7HR

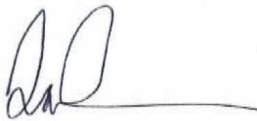
Although independent examination has yet to be carried out in areas that have withdrawn higher-strength products, it appears that a focus on enforcement of existing legislation and development of a comprehensive treatment and rehabilitation strategy have been more effective in tackling street drinking and associated anti-social behaviour than other measures.

Through partnerships with local authorities and other stakeholders, schemes have been developed like Community Alcohol Partnerships, Best Bar None, Purple Flag and Pubwatch which have been very successful in reducing the negative impact of alcohol across a range of areas. Following the announcement by the Home Office of the selection of twenty Local Alcohol Action Areas, the industry will be redoubling efforts to demonstrate the impact of effective partnerships in these areas. There is further information in the attached briefing on some of the measures that are available and have been effective elsewhere.

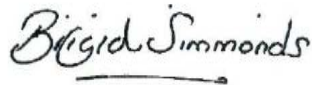
Given the legal issues outlined above with the removal of higher-strength products and local Minimum Unit Pricing, we would urge you as an authority to instead focus on enforcement, treatment and local partnerships which have a proven record of tackling alcohol related harm and can be done in close partnership with the trade.

If you would like any further information or are interested in discussing this in more detail we would be more than happy to meet with you to look at how we and our members can work with you to tackle shared objectives.

Yours sincerely,



James Lowman
Chief Executive
Association of Convenience Stores



Brigid Simmonds OBE
Chief Executive
British Beer & Pub Association



Robert Price
Director
National Association
Of Cider Makers



Miles Beale
Chief Executive
Wine & Spirits Trade Association

c/o British Beer & Pub Association, Brewers' Hall, Aldermanbury Square, London, EC2V 7HR

CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Refuse & Environment

TO: Licensing Committee

21/7/2014

WARDS: All

HACKNEY CARRIAGE TABLE OF FARES

1. INTRODUCTION

- 1.1 The Local Government (Miscellaneous Provisions) Act 1976 provides that in respect of the charges for Hackney Carriages, the Council *“may fix the rates or fares within the district as well for time as distance, and all other charges in connection with the hire of a vehicle ... by means of a table.”*
- 1.2 The existing Table of Fares came into effect on 1st March 2012 and this was subsequently amended to allow a surcharge for payment by credit or debit card, as from 24th March 2014. The current Table of Fares is attached to the report as Appendix A.
- 1.3 Fares comprise charges for:
 - distance travelled (3 tariffs, depending on time of day and day of the week)
 - waiting time and
 - extra charges, which include journeys with 5 or more passengers, a potential fuel surcharge, a soiled vehicle charge and the card payment charge
- 1.4 Cambridge City Licensed Taxis Ltd (CCLT) has requested an increase of 2.5% on the tariffs charged currently. This request is attached as Appendix B.

2. RECOMMENDATION

- 2.1 Members are recommended to vary the existing Table of Fares, with effect from 15th September 2014, subject to the statutory consultation process, by increasing the tariffs, in accordance with the rounded rate, in the above table, as shown in the Table of Fares shown in Appendix C.

3. BACKGROUND

- 3.1 At its meeting on 30th January 2012, Licensing Committee resolved determined: *iii) To determine any future amendment to the Table of Fares by using the percentage increase as calculated by Transport for London.*

- 3.2 As stated in CCLT's letter, the trade indicated that it did not wish to see an increase applied in 2013, on the basis that, in a time of general hardship, an increase in rates would impact adversely on potential customers and, therefore, lead to a potential loss of trade.
- 3.3 Transport for London (TfL) applied an increase to fares of 1.7% in 2013 and by 0.7% in 2014.
- 3.4 The following table indicates the current tariffs, the effect of a TfL increase, the effect of a 2.5% increase, as requested by CCLT and a rounded figure, which officers consider would enable passengers a drivers to manage change more effectively.

	Current rate	TfL increase	CCLT increase	Rounded rate
Tariff 1	£2.80	£2.85	£2.87	£2.85
Tariff 2	£3.80	£3.89	£3.90	£3.90
Tariff 3	£4.80	£4.88	£4.92	£4.90

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 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 effect, with or without modifications.

5. OPTIONS

- 5.1 The Committee may resolve:
- a. To vary the existing Table of Fares with effect from 15th September 2014 (subject to statutory consultation) by increasing the distance charges tariffs to the rounded rate indicated in the table at paragraph 3.4
 - b. To vary the existing Table of Fares with effect from 15th September 2014 (subject to statutory consultation) in another way

c. Not to vary the Table of Fares at this time

6. CONCLUSIONS

- 6.1 Cambridge City Council has the authority to determine the fares to be charged by hackney carriages within the city for distance and time, and all other charges in connection with the hire of a vehicle. Any request to vary the Table of Fares must be considered, taking into account its policy as previously determined.
- 6.2 Any proposed amendment to the Table of Fares is subject to the statutory consultation process as set out in section 4

7. IMPLICATIONS

a) **Financial Implications**

If members are minded to vary the Table of Fares, the costs of the required statutory consultation and advertising will be met from Licence fees.

(b) **Staffing Implications**

Consultation on and implementation of a varied Table of Fares will be undertaken within existing provision.

(c) **Equal Opportunities Implications**

Public consultation on any proposed variation of the Table of Fares will enable comments and objections to be considered prior to implementation

(d) **Environmental Implications**

None associated with this report

(e) **Procurement**

Nil

(f) **Community Safety**

Cambridge City Council regulates hackney carriages to ensure the protection of the public. The setting of maximum fares chargeable within the city ensures that they are reasonable and proportionate, for both users and the licensed trade.

BACKGROUND PAPERS:


None

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

Report file: M:\LICENSE/04 – Other Licences\ Committee Reports

Date originated: 20/06/2014

Date of last revision 02/07/2014

Cambridge City Hackney Carriage Maximum rate of charges from 24th March 2014 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
Tariff 2: Between 19:00 – 07:00 and Sundays and Bank Holidays	£3.80
Tariff 3: 19:00 Christmas Eve – 07:00 Boxing Day 19:00 New Years Eve – 07:00 New Years Day	£4.80
Each tariff includes initial distance of 92 metres or part thereof	
For each subsequent 183 metres or part thereof	20p
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
EXTRA CHARGES	
1. For each journey with 5 or more passengers	£3
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) **There will be a separate notice in this vehicle if this extra charge is payable.	£0.40
3. Vehicle unfit to continue working	£80
4. Surcharge for payment by credit or debit card	5%
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	
	

Appendix B - Request from CCLT

Dear Robert,

I am applying for a fare increase for Cambridge City taxis of 2.5%.

If this should seem high to you, please remember that in 2013 the Cambridge taxi trade passed up the opportunity to apply for a fare rise, due to the unfavourable economic climate. But now the UK economy has passed out of recession, we believe it is fair and reasonable to ask for an increase.

In 2013 Transport for London raised taxis fares by 1.7%, and this year by 0.7%. Please compare this with a Retail Price Index of approx 2.75% in each of the two years. Historically Cambridge has followed London in its fare rises, which have now fallen behind the RPI, and Cambridge's even further.

What we are asking for is less than half of the RPI increase over two years, and approximately the same as the TfL increase over the same two year period.


This gives the Council options to give all 2.5% or one of the lower rates to help the trade any of these will not affect the small jobs around 5-6 pounds or below.

Yours sincerely,

David Wratten.

Chairman
Cambridge City Licensed Taxis Ltd.

Received on 3rd June 2014

Cambridge City Hackney Carriage Maximum rate of charges from 15th September 2014 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	£2.85
Tariff 2: Between 19:00 – 07:00 and Sundays and Bank Holidays	£3.90
Tariff 3: 19:00 Christmas Eve – 07:00 Boxing Day 19:00 New Years Eve – 07:00 New Years Day	£4.90
Each tariff includes initial distance of 92 metres or part thereof	
For each subsequent 183 metres or part thereof	20p
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
EXTRA CHARGES	
1. For each journey with 5 or more passengers	£3
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) **There will be a separate notice in this vehicle if this extra charge is payable.	£0.40
3. Vehicle unfit to continue working	£80
4. Surcharge for payment by credit or debit card	5%
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

REPORT OF: Head of Refuse & Environment

TO: Licensing Committee

21/7/2014

WARDS: All

LIMITING THE NUMBER OF HACKNEY CARRIAGE LICENCES

1. INTRODUCTION

- 1.1 The Council may, as part of its adopted policy on the licensing of Hackney Carriages and Private Hire Vehicles, consider whether to apply a limit to the maximum number of Hackney Carriage licences which it will issue at any time. However, this power may be exercised only where it is satisfied that there is no significant demand for the services of Hackney Carriages which is unmet. There is no power to apply a similar limit to licences for Private Hire vehicles.

2. RECOMMENDATION

- 2.1 Members are recommended to instruct Officers to investigate the feasibility of carrying out a study to establish if there is evidence that there is no significant demand for Hackney Carriages that is unmet
- 2.2 Members are recommended to instruct Officers to investigate the costing of such a study and to obtain approval from the Executive Councillor for Environment for funding, to carry out a study, through the Council's budget process.

3. BACKGROUND

- 3.1 The Council licences vehicles as hackney carriages ("taxis") and private hire vehicles to carry passengers and has the ability to set policy regarding standards in certain areas, consistent with legislation governing their licensing.
- 3.2 The Council Hackney Carriage and Private Hire Licensing Policy was most recently completely revised in October 2011, with minor amendments implemented after that time.
- 3.3 Section 9 of the policy indicates that the Council currently has no limit on the number of Hackney Carriages that are licensed, but that it intends to carry out a demand survey, to determine the present position, with a view to deciding whether a limit should be imposed.

- 3.4 There has been concern expressed by the trade that the number of Hackney Carriages operating in the city is excessive and that, at times, there are more taxis seeking space on ranks than the provision of rank space will accommodate.
- 3.5 Ranks available during the day are supplemented by additional rank space in the evenings and early mornings. This is useful in enabling customers of venues in obtaining journeys home at night to do so, but there are currently issues in relation to signage and availability of the some night time ranks, which are being pursued with the County Council.
- 3.6 It has also been observed that there are times of the day when the rank at the railway station has no taxis available and where passengers are required to queue for some while. The rank at the station is on private land and not accessible to all licensed taxis, though there is a rank in Station Road, available to all taxis, but often under used and empty.
- 3.7 A demand survey was undertaken by CTS, funded by the taxi trade, in 2012. It consisted of interviews with a range of people, including taxi users and others, but in general, the trade did not engage with the survey and officers consider that it did not provide a sound evidence base for concluding that there was no unmet demand.
- 3.8 A fresh demand survey would need to consider all of these issues, to establish the current position with some reliability.
- 3.9 There is concern, both within the trade and at officer level, that the total number of taxis and Private Hire vehicles operating in the city is too high, with congestion on the city streets at certain times, particularly at night. Many Private Hire vehicles are not licensed by the City Council, but by South Cambridgeshire DC, though this is entirely legal, provided that journeys are pre-booked with the operator.
- 3.10 The issue of illegal plying for hire by Private Hire vehicles is addressed by periodic enforcement exercises in which prosecutions have been taken against offenders and subsequent referral to Licensing Sub-Committee will enable sanctions to be imposed on offenders, where considered appropriate.

4. LEGISLATIVE PROVISIONS

- 4.1 The Transport Act 1985, Section 16, provides that *“the grant of a licence may be refused, for the purpose of limiting the number of hackney carriages in respect of which licences are granted, if, but only if, the person authorised to grant licences is satisfied that there is no significant demand for the services of hackney carriages (within the area to which the licence would apply) which is unmet.”*

5. OTHER CONSIDERATIONS

- 4.2 Officers view is that regular independent surveys of demand are required to provide evidence that there is no significant unmet demand before a

limit is introduced and thereafter at intervals of, 3 years, to ensure that information is up to date.

- 4.3 In order for the demand survey to be regarded as properly independent, it should be funded by the Council, rather than by the taxi trade and Members will need to identify the source of funding for this purpose.
- 4.4 Assuming that funding will need to be provided as part of the budget process, a survey could be carried out in spring 2015.

6. IMPLICATIONS

a) **Financial Implications**

Provision is made in the council's budget for the taxi licensing service, which is run on cost recovery basis. The funding for the demand survey would not be covered by the licence fees as currently set, and would need to be identified with the Executive Councillor for Environment.

(b) **Staffing Implications**
None

(c) **Equal Opportunities Implications**
None

(d) **Environmental Implications**
Nil

(e) **Procurement**

A procurement process will be required to select an organisation to conduct a survey, if agreed.

(f) **Consultation and communication**

(g) **Community Safety**

Cambridge City Council has a duty to provide a safe and secure taxi service. This includes setting minimum standards of safety for all travelling passengers, including those with disabilities and mobility issues.

BACKGROUND PAPERS: None

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

Report file: M:\LICENSE/04 – Other Licences\ Committee Reports

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