



Licensing Committee

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

Alternates: Councillors Bird, Moore and Holland

Published & Despatched: Friday, 13 March 2015

Date: Monday, 23 March 2015
Time: 10.00 am
Venue: Committee Room 1 & 2 - Guildhall
Contact: Toni Birkin

AGENDA

- 1 **Apologies for absence**
- 2 **Declarations of Interest**
- 3 **Minutes of the previous meeting** (Pages 5 - 13)
- 4 **Public Questions**
- 5 **Urgency Action Update - Hackney Vehicle Licences** (Pages 15 – 20)
- 6 **Hackney Carriage Vehicle Licence Application Procedure** (Pages 21 – 30)

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LICENSING COMMITTEE26 January 2015
10.00 am - 1.30 pm

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

Officer Present:

Licensing & Enforcement Manager: Robert Osbourn

Environmental Health Manager: Yvonne O'Donnell

Legal Advisor: Jane Connell

Committee Manager: Claire Tunnicliffe

FOR THE INFORMATION OF THE COUNCIL**14/26/LIC Apologies for absence**

No apologies were received.

14/27/LIC Declarations of Interest

Name	Item	Interest
Councillor Baigent	14/30/LIC	A gender theorist consultant who specialises in female roles in male dominated environments.

14/28/LIC Minutes of the previous meeting

The minutes of the meeting held on 13 October 2014 were agreed as a correct record and signed by the Chair.

14/29/LIC Public Questions

Mr Wratten, Chairman of Cambridge City Licensed Taxi's was present to speak on all three items on the agenda.

The Chair informed Mr Wratten that he would be invited to speak at relevant points of the agenda.

14/30/LIC THE NUMBER OF HACKNEY CARRIAGE LICENCES POLICY AND DISABLED ACCESS POLICY

The Committee received a report from the Environmental Health Manager.

The report reminded the Committee that the Council may, as part of its adopted policy on the licensing of Hackney Carriages (HCV), consider whether to apply a limit on the maximum number of HCV licences which it would issue at any time. However, this power may be exercised only if the Council was satisfied that there was no significant demand for the services of HCVs which was unmet (section 16 Transport Act 1985).

At a meeting on 24 October 2011 the Licensing Committee resolved that a demand survey should be carried out to establish whether or not the current HCV fleet met the demand for HCV services within the district, and additionally to cover accessibility issues and the provision of ranks within the district.

Following a meeting of the Licensing Committee held on 21 July 2014, officers were asked to seek a further survey to establish if there was evidence that there was no significant demand that was unmet and to investigate the costs of carrying out such a survey.

The Committee were advised that the purpose of the January 2015 report was to present the findings of the survey and to ask whether the Committee were satisfied that there was no significant demand for the services of HCVs within Cambridge which was unmet, and if so, whether to impose a limit on the number of HCV licences that the Council issues.

Officers reminded the Committee that if they decided to impose a limit, then they must also decide what that limit would be, and the date for implementation.

The findings of the report also indicated the work needed to be done on the disabled access issues and to recommend that a new disabled access policy be developed

The Committee received a presentation from Ian Millership, CTS Traffic and Transport Ltd.

The presentation addressed the issues of trade engagement with the 2012 survey and confirmed there remained no significant unmet demand.

Mr Millership concluded that the evidence suggested that the public would benefit from limiting the numbers as this would reduce congestion and improve public safety. The limitation would allow the Committee to focus on disability development and other issues.

In response to the Committee's questions Mr Millership said the following:

- i. Suspect there would not be a significant increase in private hire from taxis licenced by South Cambridgeshire applications. Drivers would undoubtedly find it hard to break into such a dominant market in the City.
- ii. Confirmed that the number of private hires could not be capped.
- iii. If there was a limit on the number of hackney carriages the plates would start to accrue a plate value which should be over the cost of the business.
- iv. Agreed it was possible for plates to have a plate value even if there no limit.
- v. In theory with regards to the rental market of the plate if there was a limited number of hackney cabs then the value should increase but this would take time as presently there was a not a great rental market. If an individual required a plate they could obtain one.
- vi. Anyone could have a vehicle plate as long as it is wheel chair accessible.
- vii. If the numbers were limited drivers could rent out their vehicles when they were not working making that vehicle available to public for longer.
- viii. Without limiting numbers competition increases and drivers have been known to race back to the ranks for the next fare.
- ix. Believed that if the numbers were limited this would improve the service and could change the mind-set of the drivers.
- x. Limiting the numbers could allow the City Council tighter controls and brings stability; this would also allow the trade to discuss development and improvement to the service.

Mr Wratten addressed the Committee and made the following points:

- i. Limiting or not limiting the number of hackney cabs would not have an overall effect on the service.
- ii. There were currently 980 private hire vehicles in the City.
- iii. Approximately 806 vehicles licensed to South Cambridgeshire worked for cab firms in the City, who supplied 50% of the business.
- iv. Advised that 50% of hackney cabs took radio work as there was not enough work from the taxi ranks. This meant those drivers could not stop

- for members of the public, including disabled users, when being flagged down.
- v. There was not enough work from the taxi ranks.
 - vi. Taxi ranking was required in Regent Street, the additional ranking in Regent Street would meet demand for the next twelve months with the current level of hackney cabs.
 - vii. Acknowledged that drivers did chase back for the next job.
 - viii. Stated that the figures for the rental market were higher than had been reported in the presentation and that there were 300 hackney cabs with 500 licences.
 - ix. Advised that the drivers were not always honest about the number of hours worked and were probably working longer than they had been reported.
 - x. Stated that both the City Council and the County Council needed to bring in proper management for hackney vehicles regarding additional rank space.
 - xi. While reducing the number of hackney cabs the number of private hire would continue to grow.
 - xii. The trade would like a management system and a cap on numbers.

In response to the Committee's questions the Licensing & Enforcement Manager said approximately there had been a total of 700 dual driver licences issued.

The Environmental Health Manager then provided further background to the report and reminded the Committee of the recommendations.

In response to the Committee's questions, the Licensing & Enforcement Manager and Environmental Health Manager confirmed the following:

- i. To date a total of 315 HCV licences had been issued.
- ii. There were two pending applications which would be processed by the end of the week.
- iii. The ISUD calculations in Cambridge did not take into account the activity at the private railway station rank. The issue of permits to operate at the station rank was controlled by the railway company on their private land, and outside the control of the City Council.
- iv. 170 permits had been issued for the railway station rank.
- v. The present legal provision on quantity restrictions for taxis outside London was set out in section 16 of the Transport Act 1985, and best practice guidance from Department of Transport as referenced in page 142 of the Officer's report.

- vi. The Committee should take into account for consideration as referenced by James T H Button. Licensing Law and Practice, such as congestion and public safety.
- vii. If the Committee agreed to limit the number of hackney cabs, the number of HCV licences could be increased under exceptional circumstances considered by the Licencing Sub Committee.
- viii. If an additional licence was added under exceptional circumstances then the number would not reduce back to the number that had been set until a plate had been given up.
- ix. Could not give the Committee any evidence from the Local Authorities referenced in the report on the impact of limiting HCV licences. They had been contacted about administration processes only.
- x. Reminded the Committee that the Council only had the power to limit the number of hackney carriage vehicles and not private hire vehicles.
- xi. Advised that they could not provide figures on ethnicity but these figures would be collected in future as identified in the recent Equality & Poverty Impact Assessment.
- xii. If the Committee decided not to put a limit on number of hackney cabs the current policy would continue so that any new vehicles would have to be wheel chair accessible.
- xiii. If the number was limited, the number of wheel chair accessible vehicles would remain the same which would meet the requirements of the Equality Act, as the number of vehicles to meet these requirements stood at 63%.
- xiv. Currently a new policy on wheel chair accessibility was being developed as a number of issues had been highlighted including the ramps used to enter the vehicle.
- xv. South Cambridgeshire District Council would be responsible for the proposed train station in Chesterton.
- xvi. No policy was absolute and therefore the Licensing Sub Committee could determine whether an application was exceptional or not.

The Committee discussed the following issues concerning the Officer's report.

- i. Reduction of congestion
- ii. Improvements to public safety.
- iii. Improvements to air quality.
- iv. Improvement to over ranking.
- v. Development and stability of the trade.

Councillor Smith asked for the following to be minuted:

- i. There were extensive waiting times at the Railway Station compared to the 2012 survey not just because of the development works at Station Road. Although the taxi rank at the Station did not come under the Council's jurisdiction, Councillors must acknowledge the problem there.

The Committee

The Environmental Health Manager informed the Committee of an amendment to the wording of 2.3 of the recommendation in the Officer's report (deleted text struck through and new text underlined), should the Committee agree to introduce a limit on the number of HCV licences which may be issued.

Officers recommend that if a limit is introduced Members set the limit at the levels currently licensed, including those applications awaiting processing. ~~and potential applications where a vehicle has already been purchased.~~

The Committee:

- i. **Resolved (11 votes to 1 vote)** that they were satisfied that there was no significant demand for hackney carriages in Cambridge which is unmet.

The following reason that there was no significant demand for hackney carriages in Cambridge which is unmet was given as follows:

- The recent survey carried out showed that there was no significant unmet demand in Cambridge.

(9 Votes in favour).

- ii. **Resolved (9 votes to 2 votes with 1 abstention)** to introduce a limit on the number of HCV licences which may be issued.

The following reasons to introduce a limit on the number of HCV licences were given:

- Public Safety **(8 Votes in favour)**
- Congestion and Air Pollution **(8 Votes in favour)**
- Over Ranking **(8 Votes in favour)**
- To allow the development of the trade. **(7 Votes in favour).**

Councillor Owers proposed the Officer recommendation that the Committee set the limit at the levels currently licensed, including those applications awaiting processing, totalling 317, with immediate effect.

- iii. **Resolved (8 votes to 2 votes)** to limit at the levels currently licensed, including those applications awaiting processing, totalling 317, with immediate effect.

The following reason to limit the number of hackney carriages in Cambridge to 317 was as follows:

- It would be difficult to lower the number of licences as they could not be taken away from individuals. The number would only reduce when a licence had expired and not been renewed until the set limit had been met. To set a higher limit would not meet the objectives of the Committee; therefore the current number of licences would allow the Committee to meet the objectives that had been agreed.

(8 Votes in favour).

- iv. **Resolved (10 Votes to 0)** that Officers were instructed to develop a new disabled access policy and to report back to Licensing Committee within the next 12 months for adoption of the new policy.

Councillors Bick and Pippas were not present for the vote on recommendation iv.

14/31/LIC Medical Examinations of Taxi Drivers

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

The report referred to the checks which the City Council undertakes to ensure that drivers of Hackney Carriages and Private Hire Vehicles were fit and proper people to be licensed, they must, from time to time, pass a medical examination.

The Committee were informed that following the consultation, it was proposed that along with the already nominated approved medical practitioner, the Council would allow drivers the option of using their own GP (if they are familiar with the Group II Medical Standards). This would provide more flexibility and, potentially, a more robust service.

Mr Wratten spoke in favour of the proposals and informed the Committee that the scheme was welcomed by Cambridge City Licensed Taxis.

In response to member's questions the Licensing & Enforcement Manager confirmed that the drivers would pay for their own medical examination.

The Committee:

Resolved (unanimously) to approve the following arrangement in determining the medical fitness of hackney carriage, private hire and dual drivers:

- i. To maintain a Council approved list of medical practitioners, to undertake certification of drivers fitness in accordance with the Group II standards for C1 vehicles and also
- ii. To allow the drivers' GPs, to undertake certification of drivers fitness in accordance with the Group II standards for C1 vehicles with effect from 1st April 2015.

14/32/LIC Annual Review of Licensing Fees and Charges

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

The report referred to the City Councils responsibility for processing and issuing licences for a wide range of activities, setting out the fees and charges for licences and associated items, which it is proposed should be made with effect from 1st April 2015. The approved charges would be submitted to full Council to note on 26th February 2015.

Mr Wratten advised the Committee that Cambridge City Licensed Taxis were in agreement with the fees

In response to member's questions the Licensing & Enforcement Manager confirmed the following:

- i. The increase in charges for Skin Piercing – Practitioners, reflected the fact that Officers spent more time undertaking diligent checks.
- ii. The Disclosure and Barring Service check was a set price.
- iii. The fees were linked on how much time an inspection and administration process took.
- iv. Profits of the businesses were not a consideration when setting fees.

The Committee:

Resolved (unanimously) to:

Approved the level of fees and charges with effect from the 1st April 2015, as set out in Appendix A of the Officer's report, and to request officers to communicate the charges to the trade and public.

The meeting ended at 1.30 pm

CHAIR

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CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Refuse & Environment

TO: Licensing Committee

23/3/2015

WARDS: All

HACKNEY CARRIAGE VEHICLE NUMBERS – URGENCY ACTION

1 INTRODUCTION

- 1.1 The Council has adopted a policy at the Licensing Committee on 26th January 2015, to limit the number of Hackney Carriage Vehicle licences which it will issue. The limit was set at the number which applied at the time of the decision to limit, based on a figure provided by officers, 317.
- 1.2 It was realised, subsequent to committee's consideration of the report, that the figure provided as the current number, was inaccurate and that it should have been 321.
- 1.3 An Urgency Action was taken by the Director of Environment on 5th February 2015, to amend the limit

2. RECOMMENDATIONS

- 2.1 Members are asked to note the details of the Urgency Action

3. BACKGROUND

- 3.1 The Record of the Urgency Action is attached as Appendix A.

4. CONSULTATIONS

- 4.1 As required by the Council's constitution, the Chair and Vice-Chair of Licensing were consulted on the taking of the urgency action and were in agreement

5. **IMPLICATIONS**

(a) **Financial Implications**

None

(b) **Staffing Implications**

None

(c) **Equal Opportunities Implications**

Nil

(d) **Environmental Implications**

Nil

(e) **Consultation and communication**

Nil

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

Date originated: 11 March 2015

Date of last revision: 11 March 2015

Appendix A

CAMBRIDGE CITY COUNCIL
Record of Officer Urgency Action

Urgency Powers to amend the limit on the number of hackney carriage licences

Decision of: Director of Environment: Simon Payne

Reference: 15/URGENCY/LIC/01

Date of decision: 5th February 2015

Decision Type: Officer Urgent Action

Matter for Decision: To amend the limit on the number of hackney carriage licences to 321, the actual number of licences in existence and in process at the time of the Council's decision to limit numbers on 26 January 2015

Why the decision had to be made (and any alternative options): For the transparent and efficient delivery of the service, the decision could not be delayed.

Officer decision(s): To amend the limit on the number of hackney carriage licences from 317 to 321.

Committee consideration: To report the officer decision to Licensing Committee on 23rd March 2015 setting out the reasons for the decision.
The Chair and Opposition Spokespersons of the Licensing Committee were consulted prior to the action being authorised and have indicated their agreement

Briefing Note/Report: A briefing note detailing the background is attached.

Conflicts of interest: None

Note: City Council Constitution: Part 3 Para states:
Urgency Action
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)."

Urgent Decision Made:

In accordance with Section 3.6 of the Constitution, I make the following urgent decisions:

1. To amend the number of hackney carriage licences which fall within the limit set by the Council from 317 to 321.
2. To report to the first available Licensing Committee that this decision has been taken.

Signed


.....

Simon Payne
Director of Environment

Date 11/2/15

Briefing Note - Urgent Action decision:

Limitation of hackney carriage licences

Decision to be made: To amend the limit on the number of hackney carriage licences from 317 to 321.

Background: On 26th January 2015, Licensing Committee determined that the Council would set a limit on the number of hackney carriage licences which would be set at the number of licences currently issued, including those where a full application had been received and was being processed.

Members were advised that the number of licences and applications was 317 and agreed that this would be the level at which the limit would be set and that this would apply with immediate effect.

Applications received subsequent to the adoption of the limit would be referred to a hearing of the Taxi Licensing Sub-Committee for a decision as to whether there were exceptional reasons for allowing an application which would take numbers above the limit.

Examination of databases following the adoption of the limit at 317 has resulted in a realisation that that figure supplied to the Licensing Committee was inaccurate and that the figure should have been 321. The discrepancy occurred as a result of a misunderstanding in the interrogation of the M3 database system.

This does not mean that additional licences, over and above the original position, have been issued, but that the "current" figure at the time of the Licensing Committee decision should have been 321, rather than 317.

Constitutional authority for exercise of Urgent Action Powers: Each Director is authorised to act on behalf of the Council after consultation, if practicable, with the relevant Chair in relation to matters within his / her areas of responsibility in cases of urgency or emergency. Any such action shall be reported to the relevant committee.

Person taking the decision: Simon Payne, Director of Environment, following consultation with the Chair of Licensing, Councillor Jeremy Benstead and the Vice-Chair, Councillor Julie Smith.

Reporting of the decision: The decision will be reported to the next meeting of Licensing Committee, on 23rd March 2015.

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CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Refuse & Environment

TO: Licensing Committee

23/3/2015

WARDS: All

HACKNEY CARRIAGE VEHICLE APPLICATIONS PROCEDURE

1 INTRODUCTION

1.1 The Council has a policy, adopted at the Licensing Committee on 26th January 2015, which limits the number of Hackney Carriage Vehicle licences which it will issue. The limit was set at the number which applied at the time of the decision to limit and the number of licences currently issued is at the level set (with 5 additional licences granted by the Licensing Sub-Committee on grounds of exceptional circumstances).

1.2 As officers need to understand how to deal with applications received under circumstances where they may not issue licences, interim guidance has been devised. The purpose of this report is to invite Members to adopt a procedure as part of the Council's policy on the licensing of vehicles as Hackney Carriages.

2. RECOMMENDATIONS

2.1 Members are asked to confirm the procedure for dealing with applications for hackney carriage licences, as set out in Appendix A of this report

3. BACKGROUND

3.1 Members adopted a policy, at their meeting on 26th January 2015 that a limit would be applied to the number of licences which the Council would issue for hackney carriage vehicles, set at the number of licences currently issued or in the course of being processed, which applied at the time of their decision to limit.

3.2 Applications received after that time would not be approved by officers but, instead, would be referred to a hearing by the Licensing

- Sub-Committee, that would determine whether there were exceptional circumstances which would justify departing from the adopted policy in a specific case.
- 3.3 In cases where licences are approved by Members at hearings, although licence issued as a result increase the number actually issued above the limit, this would constitute a temporary addition to the number of licences and no additional licences would be offered to potential applicants until, as result of licences having been surrendered or revoked, there were less than those included in the limit.
 - 3.4 It was realised by officers that there would be a potential demand for licences which could not be fulfilled and that a system would need to be devised to manage that demand fairly and transparently, so that when the number of licences issued fell to below the limit, it would be clear how the Council would invite applications for available licences.
 - 3.5 A Waiting List has been set up, to take account of Expressions of Interest submitted by individuals who would like the opportunity of applying for a hackney carriage vehicle licence.
 - 3.6 An Expression of Interest form has been devised, together with guidance notes as to how the waiting list will be operated and managed. These documents have been added to the Council's website and the details were included in a letter which was sent to members of the taxi trade on 6th February 2015, informing them of the decision to limit numbers.
 - 3.7 The guidance note and Expression of Interest form are attached as Appendix A
 - 3.8 One of the consequences of imposing a limit on hackney carriage vehicle licence numbers is that the likelihood of licences being surrendered is significantly reduced, as holders of licences will not wish to lose their licences and will recognise that there is now an increased value to them. There will be very little actual opportunity for new proprietors to acquire licences, except by taking over existing vehicles licensed already and, in reality, there will be little, if any, movement in the waiting list.
 - 3.9 It is important to ensure that, as vacancies do arise, they can be filled by offering the opportunity to apply for a licence to those on the waiting list. The procedure, therefore, addresses the timescales within which applications should be completed before the opportunity will be offered to another person and the number of offers which may be made to any individual.

4. **CONSULTATIONS**

- 4.1 The procedure has not been the subject of consultation as it represents an explanation of how adopted policy is to be

implemented, rather than a change in policy. However, it will be published on the Council's website and included in an updated version of the Taxi Guide.

5. OPTIONS

- 5.1 Members may confirm the procedure, as set out in Appendix A or may ask officers to consider modifying the procedure, so as to take account of matters not currently included in it.

6. CONCLUSIONS

- 6.1 The introduction of a limit on the number of hackney carriage licences which the Council will issue entails the administration of that policy and the introduction of a procedure for managing the processes involved. Confirmation of the procedure will enable there to be clarity and transparency in the handling of applications to licence hackney carriage vehicles.

7. IMPLICATIONS

(a) Financial Implications

Fees are chargeable on the issue of licences and the costs involved in administering licensing processes are recoverable from applicants. The Council reviews its charges on an annual basis and changes to its costs will be reflected in the review.

(b) Staffing Implications

There should be no significant staffing implications

(c) Equal Opportunities Implications

Nil

(d) Environmental Implications

Nil

(e) Consultation and communication

Nil

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

Website interim guidance and application forms:
<https://www.cambridge.gov.uk/become-a-taxi-driver>
Letter to taxi trade about limitation – January 2015

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.

Date originated: 11 March 2015
Date of last revision: 11 March 2015

Appendix A
Hackney Carriage Vehicle Licence Application Procedure



March 2015

Issue number: 1

1. Scope and Background

1.1 Cambridge City Council has a policy in which the number of licences issued for Hackney Carriages is limited.

1.2 This was agreed by the Licensing Committee on 26th January 2015.

2. Process

2.1 Where the limit has been reached persons, over the age of 18 years, who wish to apply to licence a vehicle for use as Hackney Carriage will be informed by the Council that no vacancy exists and that they may, by completing and submitting an Expression of Interest Form (Appendix A), be placed on a waiting list to be contacted as and when a vacancy arises.

2.2 Only by completing an Expression of Interest Form will an individual be entered on to the Waiting List. There are no exceptions or other formats of expressing an interest that will be accepted.

2.3 Forms can be downloaded from www.cambridge.gov.uk/become-a-taxi-driver or directly from the Licensing Office. Once a form has been completed and signed it can be emailed to licensing@cambridge.gov.uk or hand delivered to the Customer Centre, Mandela House, Regent Street.

2.4 Please note that the waiting list is compiled strictly in accordance with the date and timing of receipt of the Expression of Interest forms by the Licensing Team.

2.5 Only one Expression of Interest can be made by any one person at any time. A place on the waiting list is personal and cannot be transferred, assigned or bequeathed.

2.6 The waiting list will be reviewed on an annual basis for each individual on the year anniversary of the receipt of the Expression of Interest form.

2.7 Contact will be made with the individual via their preferred method of contact as detailed on the Expression of Interest Form. If contact has not been responded to by the individual after two attempts, their name, details and Expression of Interest will be removed from the waiting list.

2.8 When a vacancy arises, the person first listed on the waiting list will be invited to apply for a licence, to fill the HCV Licence vacancy.

2.9 As it is recognised that obtaining a suitable vehicle and preparing an application to licence it may take several weeks, the applicant will be afforded a period of 3 months to complete a full application. During the three month timescale,

periodic contact will be made to the individual by the Licensing Team to keep informed of how things are progressing.

- 2.10 If this is not achieved within the 3 month time period the opportunity will be offered to the next person on the waiting list.
- 2.11 Any extension to this period will be solely at the discretion of the Environmental Health Manager and on the basis of exceptional circumstances having been agreed.
- 2.12 If, after two attempts, the person is unable to be contacted in relation to making their application then their name, details and Expression of Interest will be removed from the waiting list.
- 2.13 If the individual declines the offer of a Hackney Carriage Vehicle Licence they will be asked if they still wish to remain on the Waiting List. If so, they will take first place on the waiting list on the strict understanding that this will be for one more Hackney Carriage Vehicle Licence plate offer.
- 2.14 If after a second offer they are unable to continue with a Hackney Carriage Vehicle application, their name, details and Expression of Interest will be removed from the waiting list.
- 2.15 If the individual does not wish to remain on the Waiting List, their name, details and Expression of Interest will be removed from the waiting list.
- 2.16 If, upon being advised that no HCV licence vacancy exists and being offered a place on the waiting list a person wishes to continue to pursue an application to licence a Hackney Carriage Vehicle contrary to the Council's adopted policy, they will be advised that their application cannot be approved by officers.
- 2.17 In this case, the full application will be referred to a Licensing Sub-Committee hearing by a panel of Councillors. The Councillors will decide whether they are prepared to set aside the Council's agreed policy and to grant a licence.
- 2.18 Applications will need to be complete, in all respects, before a hearing will be arranged.
- 2.19 If Licensing Sub-Committee decide not to depart from the policy and do not grant a Hackney Carriage Vehicle Licence, an individual can (if they have not done so already) complete and submit an Expression of Interest Form. However, the individual will be placed next on the Waiting List and will not receive special dispensation to be placed at the top of the Waiting List.

3. Waiting List for Expressions of Interest

- 3.1 The Waiting List will comprise of a list of persons who have submitted an Expression of Interest Form in accordance with the Council's policy on limitation of the number of Hackney Carriage licences which it will issue.
- 3.2 Offers to apply for a Hackney Carriage Vehicle licence will be made as and when a vacancy arises and working from the top of the list.
- 3.3 Each person who completes and submits an Expression of Interest form will be allocated a unique reference number as the expression is personal and cannot be transferred, assigned or bequeathed.
- 3.4 Each person will also have their details added to the M3 system where records can be maintained and accessed as and when necessary.

4. Hackney Carriage Vehicle Licence Renewal Applications

- 4.1 Will be accepted, registered, processed and granted in the usual way.

5. Change of Hackney Carriage Vehicle Licence Proprietor(s) Applications

- 5.1 Will be accepted, registered, processed and granted in the usual way.

6. Replacement Hackney Carriage Vehicle Licences

- 6.1 Will be accepted, registered, processed and granted subject to meeting the requirements of the Age Limit/ Emissions policy.

7. Revocation of Hackney Carriage Vehicle Licences

- 7.1 Where a Hackney Carriage Vehicle licence is revoked under Section 68 of the Local Government (Miscellaneous Provisions) Act 1976, a licence will be reserved pending any appeal or an application for a replacement vehicle (if made within 90 days).
- 7.2 Where a Hackney Carriage Vehicle licence is revoked by the Council, a licence will be reserved until any appeal has been disposed of.

8. Re-grant Application (Missed Renewal)

- 8.1 Three months prior to a licence becoming due for renewal an invitation to renew will be sent to the Lead Proprietor by post detailing the requirements of the renewal.

- 8.2 If a renewal application has not been received by one week prior to the expiry date of the vehicle licence, officers will try to contact the lead proprietor by telephone to confirm whether or not a renewal application is to be made. It is the responsibility of the proprietor(s) of a licence to ensure that an application to renew is submitted before it has expired.
- 8.3 However, if the proprietor(s) consider that there are exceptional circumstances which may prevent the submission of an application in time, they must notify the Council of these, before expiry of the licence and the Licensing & Enforcement Manager will have discretion to allow a short delay, depending on the circumstances of the case
- 8.4 If a vehicle licence has not been renewed by the date of its expiry the Council may request the return of the vehicle plates and transponder within 7 days.
- 8.5 The licence will then become available to be offered to another individual.

9. New Vehicle on Existing Licence Plate

- 9.1 Three months prior to a licence becoming due for renewal an invitation to renew will be sent to the Lead Proprietor by post detailing the requirements of the renewal. If this indicates that the vehicle licensed may no longer meet the Council's standards to be licensed (eg on age or emission grounds) the proprietor(s) will be invited to apply to license a replacement vehicle, instead.
- 9.2 If an application to licence a new vehicle has not been received by one week prior to the expiry date of the existing vehicle licence, officers will try to contact the lead proprietor by telephone to confirm whether or not an application is to be made. It is the responsibility of the proprietor(s) of a licence to ensure that an application to renew is submitted before it has expired.
- 9.3 However, if the proprietor(s) consider that there are exceptional circumstances which may prevent the submission of an application in time, they must notify the Council of these, before expiry of the licence and the Licensing & Enforcement Manager will have discretion to allow a short delay, depending on the circumstances of the case
- 9.4 If a vehicle licence application has not been received by the date of expiry the Council may request the return of the vehicle plates and transponder within 7 days.
- 9.5 The licence will then become available to be offered to another individual.

9.6 If an application for a new vehicle on an existing Hackney Carriage Vehicle plate is received before the licence expiry date, it will be classed as an application, ready for processing, even if the vehicle is not immediately available for use. It will normally be expected that an application will be completed within 2 months and, in the event that this is not achieved the application be will reviewed by the Council.

10. Death of a Sole Proprietor

10.1 In the event of the death of a sole proprietor the licence will cease and will need to be returned to the City Council and will become available to be issued to an individual from the waiting list.