



Cambridge City Council Licensing Committee

Date: Monday, 19 March 2018

Time: 10.00 am

Venue: Committee Room 1 & 2, The Guildhall, Market Square, Cambridge, CB2 3QJ

Contact: democratic.services@cambridge.gov.uk, tel:01223 457013

Agenda

All Members are requested to attend a Licensing & Enforcement Briefing update.

This will take place in Committee Room 1, 9.30am

- | | | |
|---|--|------------------|
| 1 | Apologies | |
| 2 | Declarations of Interest | |
| 3 | Minutes | (Pages 3 - 8) |
| 4 | Public Questions | |
| 5 | Hackney Carriage and Private Hire Ultra-low and zero emission vehicle Policy | (Pages 9 - 72) |
| 6 | Review of Cumulative Impact Policy Consultation | (Pages 73 - 152) |

Licensing Committee Members: Bird (Chair), Ratcliffe (Vice-Chair), Abbott, Adey, Benstead, Gawthrope, Gehring, McPherson, T. Moore, Pippas, Sinnott and Smart

Alternates: Holt and R. Moore

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LICENSING COMMITTEE

29 January 2018

10.00 - 11.45 am

Present: Councillors Bird (Chair), Ratcliffe (Vice-Chair), Abbott, Benstead, Gehring, McPherson, Pippas, Sinnott, Smart, Holt and R. Moore

Officers

Environmental Health Manager: Yvonne O'Donnell

Licensing, Policy and Administration Team Leader: Vicky Jameson

Legal Advisor: Nathan Mountney

Committee Manager: Toni Birkin

Public Speakers:

Mr Rashel Mohammed

Andy Vines

Consultant: Paul Bradley of Licensed Vehicle Surveys & Assessment

FOR THE INFORMATION OF THE COUNCIL

Change to published Agenda Order

Under paragraph 4.2.1 of the Council Procedure Rules, the Chair used her discretion to alter the order of the agenda items. However, for ease of the reader, these minutes will follow the order of the agenda.

18/1/Lic Apologies

Apologies were received from Councillors Adey, T. Moore and Gawthrope. Councillors R. Moore and Holt were present as alternates.

18/2/Lic Declarations of Interest

No interests were declared.

18/3/Lic Minutes

The minutes of the meeting held on 16 October 2017 were approved as a correct record and signed by the Chair.

18/4/Lic Public Questions

Public questions were received from Andy Vines and Rasha Mohammed. Full details of their comments can be found with minute items 18/5/Lic and 18/8/Lic.

18/5/Lic Annual Review of Licensing Fees and Charges - 2018/19**Questions from members of the public.**

Andy Vines and Rasha Mohammed responded to the report and made the following comments:

- i. The Taxi trade had originally suggested marshals at taxi ranks.
- ii. However, the marshals provided had been of variable quality and had proved disappointing.
- iii. Trade feel that CCTV and the introduction of vehicle livery would help but had concerns about the costs.
- iv. Marshalling in St Andrew's Street rank had been successful but the market area rank had different issues.
- v. Food outlet customers mixing with taxi rank customers, and a lack of clarity about how the queue worked, had not been alleviated by the presence of marshals.

Officer's confirmed the following:

- i. The Taxi Rank Marshals at St Andrew's Street had been funded by the Cambridge Bid.
- ii. In order to provide a unified service across the City, two security service companies had merged in the pre-Christmas period.
- iii. The combined service had not been successful and the Market Street provision had been poor and would not be paid for.
- iv. Officers believed that good marshalling could resolve some of the problems of the night economy.
- v. All marshals were security industry trained and Security Industry Authorised/Authorisation registered.

The Committee received a report from the Licensing & Enforcement Manager regarding the Annual Review of Licensing Fees and Charges 2018-19.

The Committee then debated the Officer's report.

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

- i. Further work was needed around the provision of Taxi Rank Marshals and the best way to fund them.
- ii. Suggested that recommendation 2.1.2 of the Officer's report be deferred to a later meeting at which point Members would be provided with more information on which to base their decision.
- iii. A report to the March Licensing Committee would provide a wider view on potential subsidies to encourage the use of electric vehicles and other green initiatives.

Recommendation 2.1.2 of the Officer's report was withdrawn as Member's had insufficient information to make a determination.

The Committee:

Resolved (unanimously) to

- i. Approve the level of fees and charges with effect from 1st April 2018, as set out in Appendix A of the Officer's report, and request that officers communicate the charges to the businesses, taxi trade and public.

18/6/Lic Private Hire Operators Licence Hearing Procedure

The Committee received a report from the Licensing and Enforcement Manager regarding the procedure for determining Private Hire Operator's Licences.

In response to Members' questions the Licensing and Enforcement Manager stated the following:

- i. Clarified why Driver Hearings were confidential; they covered private and confidential information.
- ii. Confirmed that Operator Hearings would be public.
- iii. There would be no distinction between an operator of a single vehicle and a much larger, multi vehicle, Private Hire Operator as they would both be expected to demonstrate the same operational standards.

The Committee:

Resolved (unanimously) to

- i. Note and approve the procedure for the process of determining Private Hire Operator's Licences, as set out in Appendix A of the Officer's report.

18/7/Lic Licensing Authority Powers to Revoke or Suspend Personal Licences

The Committee received a report from the Licensing and Enforcement Manager regarding Licensing Authority powers to revoke or suspend personal licences.

The report advised members of changes to the Licensing Act 2003 which came into force on 6th April 2017 and to introduce new procedures relating to these changes.

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

- i. Sought clarification regarding what a personal licence covered.
- ii. Expressed concern that issues such as immigration status were included in the procedure.

In response to Members' questions the Licensing and Enforcement Manager stated that all evidence of convictions would be covered and those would include immigration offences.

The Legal representative confirmed that external verification of offences would be obtained pre-committee.

The Committee:**Resolved (by 10 vote to 0 and 1 abstention) to**

- i. Note the content of the report and the legislative changes.
- ii. Approve the general procedure in regards to revoking or suspending a Personal Licence as set out in Appendix A of the Officer's report.
- iii. Approve the Sub-Committee Hearing procedure in regards to revoking or suspending a Personal Licence as set out in Appendix B of the Officer's report.

18/8/Lic Hackney Carriage Demand Survey**Questions from members of the public.**

Andy Vines and Rasha Mohammed responded to the report and made the following comments:

- i. Demand often peaked at the Railway Station as taxis needed a permit to enter the site.

- ii. Members of the public using City Centre ranks often have to wait for a saloon car. These offered easier access to passengers who were less mobile and find wheelchair accessible taxis problematic.
- iii. A better range of vehicles would be helpful for the public.
- iv. There were sufficient vehicles Hackney Carriages Vehicles (HCV) to meet current demand.
- v. 8 out of 10 HCV drivers take phone bookings as well as it was difficult for drivers to make a living from HCV only trade.
- vi. The trade had been supportive of the survey and this had produced a good return.
- vii. Unmet demand at the Railway Station was often the result of gridlock elsewhere in the City.
- viii. Current HCV numbers cannot be accommodated on the ranks and local residents often complain about vehicles either waiting in residential road or circled while they wait for a spot on the rank.
- ix. There was limited demand on the ranks for wheelchair accessible vehicles.
- x. The trade view was that there were too many HCV rather than too few.

The Committee received a report from the Licensing & Enforcement Manager regarding the Hackney Carriage Demand Survey and a presentation from consultant, Paul Bradley of LSVA.

The report advised that the Council may, as part of its adopted policy on the licensing of HCV, consider whether to apply a limit on the maximum number of HCV licences which it will issue at any time. However, this power may be exercised only if the Council is satisfied that there is no significant demand for the services of HCVs which is unmet (section 16 Transport Act 1985). The Council has no power to limit the number of Private Hire Vehicle (PHV) licences.

The Committee then debated the Officer's report.

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

- i. Suggested that the impact of congestion should be considered. Peak time congestion would impact on perceptions of unmet demand.
- ii. Suggested that future surveys that included an analysis of wait times (at a taxi rank) cross referenced to the time of day would be helpful.
- iii. Suggested that the use of a recognisable vehicle livery and CCTV in vehicles might encourage users to use HCV rather than other options.

Councillor Benstead reminded the Committee of the following issues:

- The distinction between HCV and Private Hire Vehicles.

- HCV were often shared by several drivers increasing their 'available for hire' time.
- Rank space was not in the gift of the City Council.
- Private Hire Vehicles from other areas were permitted to work in the City.

The Licensing & Enforcement Manager explained the apparent discrepancy between the HCV limit agreed and the current number, which exceeded that limit. A small number of drivers had ordered vehicles and submitted applications before the limit was agreed. On the ground of fairness and in view of the expenses they had occurred, licences had been issued. The vehicle limit had not been raised correspondingly as it was expected that the numbers would fall due to natural wastage as licences were surrendered.

The Committee:

Resolved (unanimously)

- i. The Committee determined that they were satisfied that there was no significant demand for hackney carriages in Cambridge which was unmet.

Resolved (by 10 votes to 0 and 1 abstention) to

- ii. Keep the limit at the existing level of 321.

Resolved (unanimously) to

- iii. Refused to remove the existing limit.

The meeting ended at 11.45 am

CHAIR



Item

HACKNEY CARRIAGE AND PRIVATE HIRE ULTRA-LOW and ZERO EMISSION VEHICLE POLICY

To:

Licensing Committee

Report by:

Yvonne O'Donnell, Environmental Health Manager

Tel: 01223 457951

E-mail: yvonne.odonnell@cambridge.gov.uk

Wards affected:

All

1. Executive Summary

- 1.1 The purpose of this report is to consider the proposed implementation of incentives to support the update of Ultra-Low and Zero Emission vehicles within the Hackney Carriage and Private Hire vehicle fleet.
- 1.2 There is a need to reduce polluting emissions to improve poor air quality in City Locations dominated by emissions from buses, taxis and service vehicles. This must be achieved whilst maintaining sufficient levels of access and capacity for travel in the City, for the vehicles using those areas.
- 1.3 This can only be achieved by intervening to ensure uptake of Ultra-low and Zero emission technologies within those vehicle fleets.

- 1.4 Vehicles which are considered to be Ultra-Low emission are:
- Plug in hybrid vehicles
 - Extended Range electric vehicles (E-REV)
- 1.5 Zero emission vehicles are those which emit no emissions during their operation. These vehicles are:
- Electric only vehicles
 - Fuel cell vehicles (e.g. hydrogen)
- 1.6 Further information on these vehicles can be found attached as Appendix A
- 1.7 The UK government has a long term vision for all new cars and vans to be zero emission by 2040 and for nearly every car and van to be zero emission by 2050. These recommendations fit with national policy.
- 1.8 The Central Government Office for Low Emission Vehicles (OLEV) provides funding to support a rapid electric charging infrastructure for taxis.
- 1.9 Financial support for rapid charging infrastructure for taxis was committed by the City Council at Full Council in February 2016.
- 1.10 In October 2016 Members amended the Hackney Carriage and Private Hire Policy to include a commitment to implement changes to increase the uptake of Ultra-Low and Zero emission vehicles, such as hybrid and electric.
- 1.11 At Full Council on 22 February 2018, it was agreed that financial support to be committed in order to help effect the change to Ultra Low and Zero emission licensed vehicles over the next 5 years.

1.12 This report details further the proposed implementation scheme in order to encourage an incentivised cost effective shift to Ultra-Low and Zero emission licensed vehicles.

2. Recommendations

2.1 Members of the Licensing Committee are recommended to determine which, if any, of the proposed incentives should form part of the environmental considerations in the Hackney Carriage & Private Hire Licensing Policy in order to encourage and reward the uptake of Ultra-Low and Zero emission vehicles within the licensed vehicle fleet.

2.2 Members are asked to consider whether or not there should be:

2.2.1 A licence fee exemption for Zero emission vehicles.

2.2.2 A licence fee discount for Ultra-Low emission vehicles.

2.2.3 An extended age limit for Zero emission vehicles.

2.2.4 An extended age limit for Ultra-Low vehicles.

2.2.5 A set date for all New Licensed Saloon vehicles to be Ultra-Low or Zero emission.

2.2.6 A set date for all Licensed Saloon Vehicles to be Ultra-Low or Zero emission.

2.2.7 To reduce the total number of Wheelchair Accessible Vehicles within the Hackney Carriage Fleet from 65% to 50% (213 to 163) and those 50 plates to be replaced by Zero emission vehicles. Consideration should be sought to review this in 3 years.

2.2.8 A set date for all Wheelchair Accessible Vehicles to be Ultra-Low or Zero emission as and when the market allows.

2.2.9 To restrict City Centre Access to Ultra-Low and Zero emission Licensed Vehicles only.

2.3 If members are minded to adopt any of the incentives as policy, as set out above, then a timeframe will need to be set for implementation.

3. Background

- 3.1. In March 2015 the City Council set a policy direction for pursuing a low emission strategy for Buses and Taxis within Cambridge over a period of 10 years through its Air Quality Action Plan.
- 3.2 In pursuance of this aim for Taxis, the Council's Environmental, Quality and Growth team successfully won a bid from the Central Government Office for Low Emission Vehicles (OLEV) to provide funding to support a rapid electric charging infrastructure for Taxis.
- 3.3 As part of the bid process, the Council was granted a funded Taxi Scheme Feasibility Study which was completed in March 2016 and gave recommendations in order to support the local environment policy for taxi licensing.
- 3.4 Officers and the trade have been engaged and working together from a very early stage and it was evident that in order to facilitate the shift to low emission licensed vehicles, there needed to be a long term policy plan to incentivise electric vehicle uptake in the primary years to reward early adopters.
- 3.5 In June 2016 Executive Councillor of Environment and Waste approval was sought and granted on a series of options, in principle, for further consultation. Also to approve in principle, revenue support to offset the reduction in income associated with the waiving of taxi license fees for low emission taxis.
- 3.6 As part of the Hackney Carriage and Private Hire Licensing Policy (Appendix B) Review in 2016, public consultation took place where attention was given to the potential incentive measures that could facilitate the uptake of low emission taxis in Cambridge. As part of the consultation, stakeholders were asked to rank in order of priority, the following:
 - i) Renewal/ Registration fee discount or exemption

- ii) Waive or extend age limit for Ultra-Low or Zero emission vehicles
- iii) Waive requirement for 6 month inspection
- iv) Create an Electric Taxi only rank
- v) Vehicle Purchase Subsidies for Electric vehicles
- vi) Provision of 'Rapid – Taxi Only' charging infrastructure
- vii) Set date for all newly registered vehicles to be Zero or Ultra-Low emission
- viii) Restrict City Centre Access to Zero or Ultra-Low emission Taxis only.

3.7 The points which were for consideration (above) as part of the Taxi Policy consultation were for agreement in principle with a view to implementation once funding had been agreed by OLEV (Office for Low Emission Vehicles).

3.8 There were 10 responses to the consultation; however none of the responses were related to low emission taxis.

3.9 At Full Council on 22 February 2018, it was agreed that financial support be committed in order to help effect the change to Low Emission licensed vehicles over the next 5 years.

3.10 Currently, the Hackney Carriage and Private Hire Licensing Policy takes consideration of the Air Quality Action Plan and states that *“minimum age limits and Euro Standards will be maintained and new policy incentives to incentivise the update of hybrid and electric taxis will be consulted upon and implemented”*

3.11 Currently the policy states that :

i) a new vehicle licence will not be granted in respect of a vehicle unless it is less than 4 years old, and it meets the Euro 5 standard or higher.

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

3.12 The table below illustrates the age profile of the fleet as vehicles reach 9 years old and will need replacing:

Year	Private Hire Saloon	Hackney Carriage Saloon	Hackney Carriage WAV
2018/19	4	9	28
2019/20	14	11	17
2020/21	25	17	13
2021/22	27	23	24
2022/23	22	18	35
2023/24	24	19	48
2024/25	19	7	16
2025/26	7	7	18
2026/27	5	3	14

3.13 Work has already been undertaken to encourage the move to Ultra-Low and Zero emission vehicles as part of the Air Quality Action Plan. The installation of two rapid charging points for electric vehicles on Newmarket Road is currently underway and is expected to be functional in April 2018. This facility will allow for the battery of an electric vehicle to be charged within 30 minutes. Cambridge City Council are installing a number of rapid and fast charging points for taxis only, across the city, with 21 points to be put in place by 2020. There are also charging points in place at public car parks within Cambridge and at the P&R facilities around the City.

3.14 Zero emission vehicles emit zero emissions in their life-cycle. The range of electric only vehicles is typically around 100 miles but this can be higher depending on the vehicle model and manufacturer. Electric

vehicles require less maintenance than hybrid or conventional vehicles as they require little or no regular maintenance of their battery, motor or associated electronics. In addition there are fewer fluids to change and less moving parts. The regenerative braking system also means there is less wear and tear on the brakes.

3.15 Fuel cell vehicles typically have a range of up to 300 miles depending on the model and can be re-fueled within a few minutes. As with purely electric vehicles they emit no emissions during their life-cycle.

3.16 Ultra-Low emission vehicles (Hybrid and E-REV) use a conventional engine to either act as an additional fuel source for the vehicle or as a fuel source for the battery. Hybrids and E-REV have lower CO₂ emissions as a result of improved fuel economy and the ability to operate in electric only mode. Typically CO₂ emissions are between 15-30% less than conventional models when not in electric only mode. Hybrid vehicles and E-REV's still have a combustion engine and therefore require a similar maintenance schedule as for conventional vehicles. As with electric only vehicles they often use a regenerative braking system which reduces wear and tear on the brakes.

3.17 The national government, as part of its agenda to incentivise Zero emission vehicles, updated the car tax regime for vehicles registered on or after 1st April 2017. This is now based on the amount of CO₂ emitted by the vehicle. Electric only vehicles are currently not subject to vehicle tax under this regime.

3.18 Vehicle purchase subsidies are available for electric vehicles, dependent on the emissions. OLEV have different levels of Plug In Car Grant for different vehicles as detailed in the table below:

Category 1	Category 2	Category 3
CO ₂ emissions less than 50g/km and zero emission range of at least 70 miles £4,500	CO ₂ emissions less than 50g/km and zero emission range of 10 – 69 miles £2,500	CO ₂ emissions 50 – 75g/km and zero emission range of at least 20 miles £2,500

3.19 Alternatively, there is a Plug In Taxi Grant (PiTG)¹ available for purpose-built, wheelchair accessible taxis of up to £7,500, as set out in the table below.

Category 1	Category 2
CO ₂ emissions less than 50g/km and zero emission range of at least 70 miles £7,500	CO ₂ emissions less than 50g/km and zero emission range of 10 – 69 miles £3,000

3.20 Following the demand survey which was presented to Licensing Committee in January 2018 where it found that there is no significant unmet demand and therefore the limit on the numbers of hackney carriage vehicles (HCV) remains at 321.

3.21 Currently the Hackney Carriage policy requires all new HCVs to be wheelchair accessible and at present 65% of the HCV fleet is wheelchair accessible. As part of the demand survey, research was carried out to determine if there was a correct balance of saloon and wheelchair accessible. The research suggests that the present level of 65% is still a very high value for a mixed fleet.

3.22 The table below summarises the key categories of intervention which could be made:

Item	Option	Rationale	Timeframe/ Implementation
1	Licence Fee Exemption for Zero emission, Vehicles	In order to encourage proprietors to licence a Zero emission vehicle, it is proposed that a full licence fee exemption be offered for Zero emission vehicles licensed for up to 5 years dependent on funding availability.	With effect from 1 April 2018

¹

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/682046/plug-in-taxi-grant-vehicle-application-guidance.pdf

2	Licence Fee Discount for Ultra-Low Emission Vehicles	In order to encourage proprietors to licence a Ultra-Low emission vehicle, it is proposed that a 50% discount be offered for Ultra-Low emission vehicles licensed for up to 5 years dependent on funding availability	With effect from 1 April 2018
3	Extended Age Limit for Zero Emission Vehicles	It is proposed that Zero Emission Vehicles have an age limit of up to 15 years, subject to obtaining Certificate of Compliance every 6 months.	With effect from 1 April 2018
4	Extended Age Limit for Ultra-Low Vehicles	It is proposed that Ultra-Low emission vehicles have an age limit of up to 12 years, subject to obtaining Certificate of Compliance every 6 months.	With effect from 1 April 2018
5	A set date for all new Licensed Saloon Vehicles to be Zero or Ultra-Low Emission	In setting a date after which traditional internal combustion engine vehicles could not be newly registered as a licensed vehicle in Cambridge City would focus proprietors/ potential proprietors to plan for moving to Ultra-Low or Zero emission vehicles.	With effect from 1 April 2020
6	A set date for all Licensed Saloon Vehicles to be Zero or Ultra-Low Emission	Currently the age restrictions on licensed vehicles mean that no vehicle will be licensed if it is over 9 years old. In setting a back stop date where all City licensed saloon vehicles must be Zero or Ultra-Low emission vehicles means that Proprietors have reasonable notice of the change to allow adequate business planning.	By December 2028
7	To reduce the total % of Wheelchair Accessible Vehicles within the Hackney Carriage Fleet to 50%	Following a demand survey which was undertaken in 2017, it was found that there is no significant unmet demand. The current vehicle policy states that any new Hackney Carriage Vehicles must be wheelchair accessible. This takes the proportion of Wheelchair Accessible Vehicles in the Hackney Carriage Fleet to 65%. In order to encourage the uptake of	With effect from 1 April 2018

		Zero emission vehicles, the council could introduce a policy that the % WAV to be reduced to 50% Proprietors will be offered the chance to 'give up' their Wheelchair Accessible Vehicle on the condition it is replaced with a Zero emission saloon vehicle. This reduces the number of wheelchair accessible taxis from 213 to 163	
8	A set date for all Wheelchair Accessible Vehicles to be Ultra-Low or Zero Emission as and when the market allows	Further to option 7 (above), currently the market does not provide Ultra-Low or Zero Emission Wheelchair Accessible Vehicles.	By December 2028. Subject to review in 2026
9	To restrict City Centre Access to Ultra-Low and Zero Emission Licensed Vehicles only	<p>This is an important factor in ensuring compliance with the Ultra-Low and Zero Emission criteria.</p> <p>The Greater Cambridge Partnership project considers traffic restrictions on key access routes. This policy is outside the Licensing powers and would only be deliverable with the co-operation of the County Council. However, considering changes that have come into effect regarding access management of the City Centre to Automatic Number Plate Recognition (ANPR) there is the potential that this could be delivered.</p>	By December 2028

3.23 Members are now required to review the aforementioned potential incentives and determine what, if any, should be implemented into the Hackney Carriage & Private Hire Licensing Policy.

4. Implications

(a) Financial Implications

There are revenue support costs for the reduction in income associated with options 1 and 2 above. In terms of cost to the Council, these fee waivers

would be funded via the general fund which has been agreed at Full Council in February 2018

(b) Staffing Implications

There are no staffing implications.

(c) Equality and Poverty Implications

There will be a positive impact on public health, in particular benefitting those who live in areas of poor air quality.

An EQIA has been undertaken and can be found at Appendix C.

(d) Environmental Implications

The proposals have been assessed with a Medium Positive +M rating- This will reduce the overall use of Fossil Fuels and will reduce local CO2 and polluting emissions substantially.

(e) Procurement Implications

Any projects that require the engagement of external contractors will be subject to the Council's procurement and contract procedure rules.

(f) Community Safety Implications

Any of the incentives and the vehicles involved would be required to meet all the mandatory mechanical fitness tests.

There would be some benefit to community health which would be as a result from the improvements in pollutant levels.

5. Consultation and communication considerations

In July and August 2016, public consultation took place to seek comments and feedback from the trade and other stakeholders in relation to amendments to the Hackney Carriage and Private Hire Licensing Policy. There were no responses in relation to low emission taxis. Furthermore, as part of the Feasibility Study, targeted consultation and specific led liaison took

place with the trade. These proposals have been developed with regard to these consultations.

6. Background papers

Background papers used in the preparation of this report:

- (a) Cambridge City Council's Hackney Carriage and Private Hire Licensing Policy
- (b) Cambridge City Council's Hackney Carriage and Private Hire Licensing Handbook
- (c) Cambridge Air Quality Action Plan 2015-2025: Environment Scrutiny Committee Report – 17 March 2015
- (d) Encouraging the Shift to Low Emission Taxis: Environment Scrutiny Committee Report – 28 June 2016
- (e) Hackney Carriage and Private Hire Licensing Policy: Licensing Committee Report – 17 October 2016

7. Appendices

Appendix A – Information on the different types of vehicles

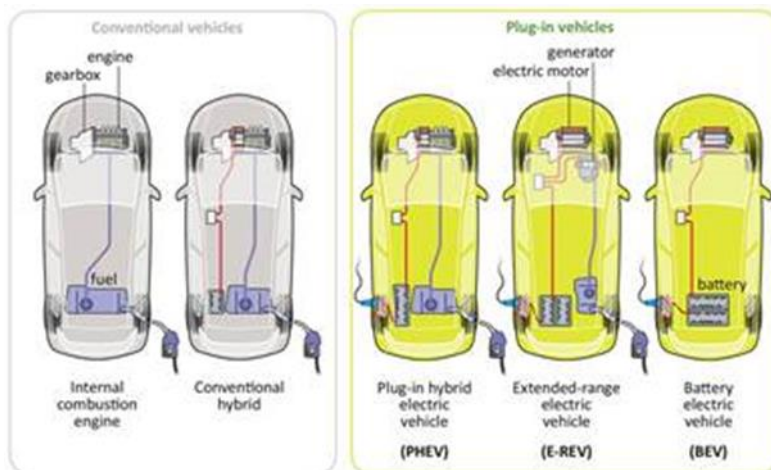
Appendix B – Hackney Carriage and Private Hire Licensing Policy 2016

Appendix C - EQIA

8. Inspection of papers

To inspect the background papers or if you have a query on the report please contact Vickie Jameson, Licensing, Policy & Administration Team Leader, tel: 01223 - 45786, email: victoria.jameson@cambridge.gov.uk

Appendix A Ultra-low vehicle types



Source: Office for Low Emission Vehicles

Conventional hybrids: Hybrids burn fuel in an internal combustion engine (ICE) which drives the wheels via a gearbox. A battery charged by regenerative braking stores energy which is used to drive an electric motor and therefore the vehicle for a short distance (usually < 1 mile).

Plug-in hybrid electric vehicle (PHEV): Combine a battery, electric motor and ICE like a conventional hybrid, a larger battery provides a longer electric only driving range. The battery can be recharged from a charge point reducing the amount of fuel consumed over a given distance. The vehicle reverts to petrol or diesel power when the battery charge is depleted.

Extended-range electric vehicle (E-REV): Also combines a battery, electric motor and an ICE, however unlike a PHEV the electric motor always drives the wheels. The ICE acts as a generator when the battery is depleted. The vehicle can also be recharged from a chargepoint. The battery in an E-REV battery is usually larger than in a PHEV, providing longer electrically driven range.

Battery electric vehicle (BEV or Pure-EV): Powered only by electricity, a pure-EV has a larger battery than an E-REV or a PHEV and does not have an ICE.

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Cambridge City Council

Hackney Carriage and Private Hire Licensing Policy

October 2017

Date Adopted	16 October 2017
Author	Vickie Jameson
Version	8
Date Last Updated	2 February 2018
By	Vickie Jameson

Hackney Carriage and Private Hire Licensing Policy

Table of Contents

Part 1	INTRODUCTION
1	Summary
2	Aims and Objectives
3	Powers and Duties
4	Best Practice Guidance
5	Status
6	The Licensing Regime
7	Implementation
8	Principles, Process, Delegation and Decisions
9	Fees
10	Licensing Profile
PART 2	VEHICLES
11	Limitation of Vehicle Numbers
12	Definitions, Specifications and Conditions
13	Fares
14	Meters
15	Accessibility and Equality
16	Vehicle Testing
17	Vehicle Inspections
18	Signage, Livery and Advertising
19	Exemptions
20	Stretched Limousines and Prestige Vehicles
21	Contract Vehicles
22	Wedding Vehicles
23	Funeral Vehicles
24	Safeguarding
25	Driver Safety
26	Hackney Carriage Stands
27	Vehicle Application Procedures
28	Grant of Vehicle Licences
29	Environmental Considerations
30	Smoking
PART 3	DRIVERS
31	General
32	Fit and Proper
33	Driver Licences
34	Eligibility to Live and Work in the UK
35	Disclosure and Barring Service
36	Certificates of Good Conduct
37	Driving Licence Records
38	Medical Examination
39	Knowledge

40	Driving Proficiency
41	Driver Application Procedures
42	Conditions of Driver Licences
43	Code of Good Conduct
PART 4	OPERATORS
44	Private Hire Operators Requirements and Obligations
45	Insurance
46	Private Hire Operator Licence Duration
47	Record Keeping
48	Address from which an Operator may Operate
49	Sub-Contracting
50	Cross Border Hiring
PART 5	ENFORCEMENT
51	Enforcement
52	Compliance
53	Range of Powers
54	Disciplinary Hearings
55	Complaints, Compliments and Comments
56	Warnings
57	Prosecution
58	Suspension of a Licence
59	Refusal to Grant
60	Revocation of a Licence
61	Refusal to Renew
62	Rights of Appeal
63	Data Sharing

PART 1

INTRODUCTION

1.0 SUMMARY

- 1.1 This document sets out Cambridge City Council's Hackney Carriage and Private Hire Licensing Policy on the licensing of Hackney Carriage and Private Hire Drivers and Vehicles together with all Private Hire Operators. This document also sets out the legislative framework administered by the Licensing Authority in respect of such licences, however this Policy is not a comprehensive statement of the law.
- 1.2 This Hackney Carriage and Private Hire Vehicle Licensing Policy must reflect the clear vision of the Council to lead a united city, 'One Cambridge – Fair For All', in which economic dynamism and prosperity are combined with social justice and equality. It is a vision that the Council will share and develop, working with its citizens and partner organisations.
- 1.3 Hackney Carriage and Private Hire Vehicles play a vital and integral part in an integrated public transport system and the importance of a thriving hackney carriage and private hire trade to the growth and prosperity of Cambridge's local economy is recognized; however, the safety and welfare of the public is the over-riding principle that will be considered when matters are dealt with under the Policy.
- 1.4 This Hackney Carriage and Private Hire Licensing policy is intended to put the Council's licensing requirements into context for all parties in a clear and transparent manner.

2.0 AIMS AND OBJECTIVES

- 2.1 In setting out this policy, the Licensing Authority seeks to carry out its licensing functions with a view to promoting the following objectives:
 - i) The safety and protection of the public;
 - ii) Vehicle safety, comfort and access;
 - iii) The prevention of crime and disorder;
 - iv) The promotion of environmental sustainability
 - v) Protection of children and adults at risk from harm
- 2.2 The aim of the Policy is primarily to protect the public as well as to ensure that the public have reasonable access to services. The Licensing Authority shall seek to use its licensing powers to ensure that licensed vehicles in the district are safe, comfortable, properly insured and available where and when required.
- 2.3 As a guide, in the promotion of the above objectives, the Licensing Authority will consider the following matters:

Safety and protection of the public:

- Consideration of history of convictions and cautions
- Driver conduct and performance
- Knowledge of Cambridge City
- Health and fitness to fulfil the role of a licensed driver
- Vehicle specifications

Vehicle safety, comfort and access:

- Standards of vehicle comfort and appearance

- Location and use of ranks
- Accessibility of facilities
- Number of vehicles available
- Livery

The prevention of crime and disorder:

- Commitment to work with the Police and other relevant agencies
- Planned and unplanned enforcement programme to ensure compliance
- Operating rules, conditions, byelaws and fit and proper processes
- Support with local businesses for the dispersal of customers from licensed premises

The promotion of environmental sustainability:

- To investigate alternative technology, hybrid and electric vehicles
- To only permit licenses for vehicles that comply with the particular age requirements set out in this policy
- To work with stakeholders and the trade to support the Air Quality Action Plan

The protection of children and adults at risk from harm:

- Safeguarding requirements as set down in this policy
- Co-operation with other agencies to protect children and adults at risk
- Training to cover awareness of Safeguarding
- A robust reporting mechanism for Safeguarding issues
- Determination of fit and proper persons

2.4 The Policy recognises that the licensing function is only one means of securing the delivery of the above objectives. The Licensing Authority will therefore continue to work in partnership with the trade, its neighbouring authorities, the Police, other enforcement agencies, local businesses and local people towards the promotion of the licensing objectives.

2.5 Each application or enforcement measure shall be considered on its own merits, using the policy as a main guideline. Where, and if, it is necessary for the Licensing Authority to depart substantially from its policy, clear and compelling reasons shall be given for doing so.

2.6 This Policy refers to guidance that is available to applicants, drivers and operators to assist them with processes. This guidance is known as the Hackney Carriage and Private Hire Licensing Handbook.

3.0 POWERS AND DUTIES

3.1 This statement of licensing policy has been produced pursuant to the powers conferred by the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976, (as amended) which place duties on the Council to carry out its licensing function.

3.2 This document sets out the policy that the Licensing Authority will apply when making decisions about new applications and licences currently in force.

3.3 In undertaking its licensing function, the Licensing Authority will also have regard to other relevant legislation including:

- i) Transport Act 1985 and other associated Road Traffic Acts
- ii) Road Vehicles (Constructions and Use) Regulations 1986.
- iii) Crime and Disorder Act 1998
- iv) Environmental Protection Act 1990
- v) Equality Act 2010
- vi) Health Act 2006 and Smoke-free Regulations 2006/7
- vii) Legislative and Regulatory Reform Act 2006
- viii) Road Safety Act 2006
- x) Human Rights Act 1998

4.0 BEST PRACTICE GUIDANCE

4.1 The Department for Transport (DfT) has national responsibility for hackney carriage and private hire legislation in England and Wales. In formulating this policy, advice contained in the "Taxi and Private Hire Vehicle Licensing: Best Practice Guidance 2010" has been taken into account in order to develop this policy.

There is recognition within the Guidance that licensing requirements which are unduly stringent and demonstrate a too restrictive approach may be detrimental to the public interest and could have adverse safety implications.

4.2 Local circumstances and requirements have been taken into account in this policy and the DfT itself recognizes that individual Councils are best placed to "*decide for themselves the extent to which they wish to make use of it or adapt it to suit their own purposes*"

5.0 STATUS

5.1 In exercising its discretion in carrying out its regulatory functions, the Authority shall have regard to this policy document and the objectives set out above.

5.2 Notwithstanding the existence of this policy, each application or enforcement measure shall be considered on its own merits. Where it is necessary for the Authority to depart substantially from its policy, clear and compelling reasons shall be given for doing so.

5.3 Nothing in this policy will prevent an applicant or licence holder from requesting that the Licensing Authority considers the individual merits of their case and give reasonable consideration to departing from its policy. Such request may be made to, or before, the Licensing Sub-Committee or Council Officers as deemed appropriate in the circumstances of the case.

5.4 This policy will provide the Licensing Authority and Council Officers who are required to administer the licensing function with appropriate guidelines within which to act.

5.5 Where applications do not meet the requirements of the policy the Environmental Health Manager has the delegated authority to refuse to grant a licence, refuse to renew a licence or to revoke or suspend an existing licence.

5.6 The policy shall be kept under review and revised as appropriate and, in any event, not less than five years from the date of its last adoption.

- 5.7 The policy does not override the legal requirements embodied in any legislation in force at the time of adoption or as may be enacted after the adoption of this policy.

6.0 THE LICENSING REGIME

6.1 Some activities are considered to be of such risk to the safety of members of the public that the law requires an approval to be in place, in the form of a licence, to regulate that activity. This is the case with the Hackney Carriage and Private Hire trade who make themselves available for hire to transport members of the public to their chosen destination in return for reward.

6.2 The legislation creates three types of licence:

- i) Vehicles (Hackney Carriage & Private Hire)
- ii) Drivers (Hackney Carriage, Private Hire & Dual Licences)
- iii) Operators (Private Hire only)

6.3 A journey not carried out in accordance with the correct licences is not only illegal; it is likely to invalidate the insurance held by the driver, vehicle proprietor and operator and could have serious consequences should an accident occur.

7.0 IMPLEMENTATION

7.1 This policy shall take effect from 17th October 2016 and will override and supersede all existing Council policy and guidance in relation to Hackney Carriage and Private Hire Licensing. The Authority expects all licence holders to comply with its terms immediately, but it is acknowledged that certain provisions may place financial obligations on existing licence holders and accordingly the Authority is prepared to permit a transitional period, during which time necessary changes must be made.

7.2 The policy will remain effective for a maximum period of 5 years but the Authority will keep the policy under review and will consult where appropriate on proposed revisions, to reflect changes in case law and legislation. The Licensing Committee may make any amendments to the policy.

7.3 References are made in this policy to the "Hackney Carriage & Private Hire Handbook". This is an operational guide that outlines the processes associated with the administration and enforcement of the Licences and is subject to amendment by the Environmental Health Manager.

8.0 PRINCIPLES, PROCESS, DELEGATION AND DECISIONS

8.1 The Licensing Authority aims to provide a clear, consistent and responsive service to prospective and current licence holders, members of the public and other stakeholders, including the provision of advice and guidance. The Licensing Authority will be mindful of the needs of the applicant and licence holder but this will be balanced against the over-riding duty that the Licensing Authority has to protect the safety and welfare of the public.

8.2 The Council has delegated its Licensing function to the Council's Licensing Committee and further delegated authority to the Licensing Sub-Committee and to Officers of the Council who will determine applications and licensing decisions in accordance with this Policy.

- 8.3 Whilst officers and the relevant committees/ panel will, in the majority of cases, follow the Policy, there may be specific circumstances that require a departure from the Policy. In such circumstances, the reasons for departing from the Policy will be made clear.
- 8.4 The Licensing Sub-Committee is made up of a selection of Members from the Licensing Committee. Three Members will sit on hearings to deal with new applications, renewals and reviews of licences that are referred directly by officers. Members, when determining applications for a licence, renewals or reviews of a licence, will have regard to Hackney Carriage and Private Hire legislation, this Policy and any other relevant legislation, legal case law and other relevant Council policies.
- 8.5 The Licensing Authority has the power to refuse to grant or renew licences and also to suspend or revoke existing licences in accordance with relevant legislative provisions.
- 8.6 Any decision to refuse to grant, refuse to renew or suspend an application or any decision relating to this Policy will be determined by Officers through the scheme of delegation. The applicant will have a right of appeal to the Magistrates Court.
- 8.7 All decisions regarding breaches of the Enforcement Management System will be determined by the Licensing Sub-Committee with a right of appeal to the Magistrates Court.
- 8.8 Following the determination of an application by the Licensing Authority, the applicant will receive a copy of the decision in writing. The written decision will be delivered as soon as is practicable after the decision has been made. This will include information on the right of appeal where appropriate.
- 8.9 Parties aggrieved by a decision of the Licensing Authority have a right of appeal. This must be lodged with the relevant Court in accordance with the relevant statutory provisions.

9.0 FEES

- 9.1 There is a statutory power for the Licensing Authority to charge fees associated with the Hackney and Private Hire licensing regime. The fees charged to applicants should be sufficient to cover the costs of inspecting the vehicles, providing Hackney Carriage stands and administering the regulation of and enforcement work in relation to the Hackney Carriages and Private Hire trades.
- 9.2 The appropriate fee should accompany any application or renewal made.
- 9.3 Licences surrendered prior to their expiry, or licenses that are suspended or revoked shall not be eligible for a refund.

10.0 LICENSING PROFILE

- 10.1 A Hackney Carriage is a public transport vehicle with no more than 8 passenger seats, which is licensed to ply for hire. This means that it may stand at ranks or be hailed in the street by members of the public.
- 10.2 Private Hire Vehicles must have no more than 8 passenger seats and must be booked in advance by customers through an operator and may not ply for hire in the street.

- 10.3 Vehicles that are required by an applicant to carry more than 8 passengers for hire and reward fall outside the legislation governing Hackney Carriages and Private Hire vehicles and require a public service vehicle licence. The Licensing Authority has no involvement in the licensing of these vehicles.

PART 2
VEHICLES

11.0 LIMITATION OF VEHICLE NUMBERS

- 11.1 The current legal provision on quantity restrictions for Hackney Carriages is set out in section 16 of the Transport Act 1985. This provides that the grant of a Hackney Carriage Licence may be refused, for the purpose of licensed Hackney Carriages “if, but only if, the local authority 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”
- 11.2 In 2014 the Licensing Authority undertook a demand survey which concluded that there was no significant demand for Hackney Carriages that was unmet. Therefore, it applied a limit of Hackney Carriage Vehicles as of 26th January 2015 for a period of three years.
- 11.3 In 2017 a further demand survey was undertaken, the results of which concluded that there continued to be no significant demand for Hackney Carriages that is unmet. On 29th January 2018 Members resolved to keep a limit on Hackney Carriage Vehicles for a further period of three years.
- 11.4 Any limit imposed by the Licensing Authority will be subject to the requirements of Part 12 of the Equality Act 2010 and any associated Regulations such that the proportion of the taxi fleet that is accessible to a disabled person complies with any requirement that may be set by Regulations.
- 11.5 There are no powers for licensing authorities to limit the number of Private Hire Vehicles.

12.0 DEFINITIONS, SPECIFICATIONS AND CONDITIONS

- 12.1 The main difference between Hackney Carriages and Private Hire vehicles is that Hackney Carriages can be hailed in a public street or hired from a taxi rank.
- 12.2 Private Hire vehicles must be pre-booked in advance through a licensed Private Hire Operator and are not permitted to wait on a rank or be booked directly from a public street.
- 12.3 Should a Private Hire vehicle driver accept a fare which has not been pre-booked through an Operator, he is committing an offence and, if caught, will be subject to relevant enforcement action by the Licensing Authority.
- 12.4 Anyone being conveyed in a Private Hire vehicle which has not been pre-booked will not be covered by the drivers insurance.
- 12.5 Local Licensing Authorities have a wide range of discretion over the types of vehicle that they can licence as Hackney Carriage or Private Hire Vehicles.
- 12.6 Government guidance suggests that best practice is for local licensing authorities to adopt the principle of specifying as many different types of vehicle as possible. Licensing Authorities are encouraged to leave it open to the trade to put forward vehicles of their own choice that can be shown to meet basic criteria. In that way, emerging designs for vehicles can be taken into account.
- 12.7 Licensing Authorities are asked to be particularly cautious about specifying only purpose-built Hackney Carriages, with the strict constraint on supply that implies. There are at present only a small number of designs of purpose-built Hackney

Carriages. They are, however, encouraged to make use of the “type approval” rules within any specifications they determine.

- 12.8 The Licensing Authority will only license a vehicle as a Hackney Carriage or a Private Hire Vehicle if it complies with European Whole Vehicle (M1) type approval, M1 Low Volume Type Approval or UK National Small Series Type Approval and Individual Vehicle Approval (IVA). These approvals related to wheelchair accessible vehicles/ converted vehicles and not saloon vehicles.
- 12.9 A vehicle will only be licensed as a Private Hire vehicle if it is not of an appearance or design that is considered likely to lead the public to think it is a licensed Hackney Carriage vehicle.
- 12.10 The Licensing Authority is empowered to impose such conditions as it considers reasonably necessary in relation to the grant of a Hackney Carriage or Private Hire vehicle licence. Hackney Carriages and Private Hire vehicles provide a service to the public, so it is appropriate to set criteria for the external and internal condition of the vehicle, provided that these are not unreasonably onerous.
- 12.11 This will also apply to Private Hire vehicles unless they are treated as a “special vehicle”.
- 12.12 The ‘Hackney Carriage and Private Hire Handbook’ sets out the specification and minimum standards in respect of Hackney Carriages and minimum standards for Private Hire Vehicles. All vehicles presented to the Licensing Authority for licensing and all vehicles whilst licensed must comply with the Authority’s current Hackney Carriage and Private Hire policy, handbook and vehicle testing standards specification.
- 12.13 The Licensing Authority reserves the right to carry out or require any form of test, examination or assessment as it sees fit to determine the suitability of a vehicle for licensing or to remain a licensed vehicle.

13.0 FARES

- 13.1 Hackney Carriage drivers may only charge their passengers such fare as is set by the Licensing Authority and published by it in its table of fares. The charges levied by Private Hire operators and drivers are not subject to the Authority’s control and form a private contract between the hirer and the operator.
- 13.2 The Licensing Authority is able to review the Hackney Carriage Table of Fares (“the tariff”) annually.
- 13.3 A table of authorised fares shall be provided to each Hackney Carriage Licence holder, which must be displayed in each vehicle so that it is easily visible to all hirers.
- 13.4 The Licensing Authority is unable to set fares for Private Hire Vehicles.

14.0 METERS

- 14.1 The meter will be calendar controlled to the current tariff as set by the Licensing Authority.

14.2 The taximeter and the operating devices must be sealed by the installer and certificated to confirm that the equipment is compliant. The certificate issued must be available for inspection on the vehicle. Seals must be intact at any time that the vehicle carries a Licence plate except when at an approved installers premises.

14.3 Meters are required to meet the Public Carriage Office Specification

15.0 ACCESSIBILITY AND EQUALITY

15.1 Cambridge City Council has a specific Hackney Carriage and Private Hire Disability Access Statement which can be found in the Hackney Carriage and Private Hire Handbook.

15.2 All new drivers must attend Accessibility & Equality Training as part of the application process.

15.3 The Licensing Authority takes all complaints of discrimination seriously and will have due regard to its duty to eliminate discrimination, along with the provisions of the Equality Act 2010, when considering the fitness of an individual to hold a Hackney Carriage or Private Hire licence (driver, vehicle or operator).

15.4 All new Hackney Carriages (above plate 121) must be wheelchair accessible vehicles.

The Authority will apply any specification for such vehicles as may be provided by Regulations under the Equality Act 2010 and these will be detailed in the "Hackney Carriage and Private Hire Handbook". There is not the same requirement for private hire vehicles to be wheelchair accessible.

15.5 All new licensed Hackney Carriages must be either side or rear loading. The Licensing Authority will not licence wheelchair accessible vehicles that load from the driver's side (off-side).

15.6 Hackney Carriage licence plates numbered 1 to 121 retain protected "grandfather rights" to use saloon style vehicles.

15.7 The Equality Act 2010 places certain duties on licensed drivers to provide assistance to people in wheelchairs and to carry them safely. There are similar requirements on drivers in relation to the treatment of passengers with an assistance dog. Neither drivers nor operators of licensed vehicles can make any extra charge or refuse to carry such passengers.

15.8 Licensed drivers who are unable to carry out the duties imposed upon them under the Equality Act 2010 may apply to the Licensing Authority for an exemption certificate from those duties. The Council must issue an exemption certificate to that licensed driver if they are satisfied that it is appropriate to do so on medical grounds. It is the driver's responsibility to apply to the Council for such an exemption and to satisfy the Licensing Authority at his or her own cost of the medical grounds. A driver has no defence against these offences even if a medical ground or other physical condition exists, if he has not been issued an exemption certificate.

15.9 It is arguable that different accessibility considerations should apply between Hackney Carriage and Private Hire vehicles in that Hackney Carriages can be hired directly in the street or at a Hackney Carriage stand ("taxi rank"), by the customer

dealing directly with a licensed driver. However, Private Hire vehicles can only be booked through a licensed Private Hire operator, normally by telephone or by visiting the Private Hire operator office. It is therefore considered particularly vital that an individual with accessibility requirements should be able to hire a Hackney Carriage on the spot with the minimum delay or inconvenience, and requiring that all new Hackney Carriages are accessible assists in achieving that aim.

- 15.10 It is important that vehicle drivers, proprietors and operators ensure that licensed drivers carry all passengers in safety and comfort, and that they do not allow wheelchair passengers to travel sideways in their wheelchair. Therefore
- 15.11 Drivers should be appropriately trained in the use of relevant belts and other restraint locking mechanisms to ensure the safety of their passengers. It is the drivers responsibility to ensure that they understand fully how to use the equipment.

16.0 VEHICLE TESTING

- 16.1 The Licensing Authority must be satisfied that vehicles which are licensed by them are safe to operate within its area.
- 16.2 The DfT guidance recognizes that an annual MOT test for licensed vehicles of whatever age is necessary. No vehicle may be used as a Hackney Carriage or Private Hire vehicle unless it has been given a certificate of compliance in respect of a satisfactory test from the approved testing station, and has been appropriately licensed by the Authority.
- 16.3 Vehicle testing is carried out twice yearly, the Hackney Carriage and Private Hire Handbook sets out the specification and standards for vehicle testing and compliance. In addition to this, the Authority will adhere to National Vehicle Standards along with any localised byelaws or conditions as described in the Hackney Carriage and Private Hire Handbook.
- 16.4 The Licensing Authority may appoint a currently registered MOT station as an Appointed Testing Station who will conduct vehicle tests on its behalf. The Authority reserves the right to limit the number of approved garages.
- 16.5 Hackney Carriage and Private Hire vehicles are granted licences for a maximum period of one year. Prior to being granted a licence, each vehicle shall be examined and tested at Cambridge City Council's garage, , at which compliance with the requirements is assessed and confirmed by the issue of a certificate of compliance.
- 16.6 It is the proprietor's responsibility to ensure that all testing and application procedures are completed in order for the vehicle to become and/ or remain licensed.
- 16.7 Licensed vehicles that fail an authorised examination and test, and are deemed non-compliant by the examiner, will result in the vehicle proprietor being invited to re-test the vehicle. If an existing licensed vehicle fails, it must not work until a compliance test has been passed.
- 16.8 Proprietors of licensed vehicles are required to inform the Authority as soon as possible, and most certainly within 72 hours, of any accident that causes damage

which materially affects the safety, performance or appearance of the vehicle or the comfort or convenience of passengers carried. Proprietors must also present the vehicle to the Licensing Authority, for inspection, if requested.

16.9 Full details on the accident reporting process can be found within the Hackney Carriage and Private Hire Handbook.

17.0 VEHICLE INSPECTIONS

17.1 Licensed vehicles shall be kept at all times in an efficient, safe, tidy and clean condition. Compliance with the vehicle specifications and conditions of Licence is essential and will be enforced by periodic and/ or random vehicle inspections by authorised officers of the Council. Further guidance on vehicle inspections can be found in the Hackney Carriage and Private Hire Handbook.

18.0 SIGNAGE, LIVERY AND ADVERTISING

18.1 It is essential that the public should be able to identify and understand the difference between a Hackney Carriage and a Private Hire vehicle.

18.2 Within Cambridge City Council's area, both Hackney Carriages and Private Hire vehicles will be required to display licence plates on their vehicle. This is a key feature in helping to identify vehicles that are properly licensed:

- i) Hackney Carriage Vehicles have a crest on the side of the vehicle bearing the words 'Cambridge Hackney Carriage'. They also display a pale blue identification plate on the rear of the vehicle and have a 'Cambridge Licensed Taxi' yellow roof sign on the top of the vehicle
- ii) Private Hire Vehicles do not have a taxi sign or crests. They display pale green front and rear identification plates and must bear a company door sign stating 'Private Hire – Pre-booked Only'.

18.3 The external licence plate supplied by the Licensing Authority shall be securely fixed to the outside of the vehicle, no temporary fixing is allowed.

18.4 Private Hire vehicles are not be permitted to display roof mounted signs or any signs that include the words "taxi" or "cab" or "for hire".

18.5 Roof signs fitted to Hackney Carriage vehicles shall be illuminated at all times when the vehicle is available for hire. The sign bearing the word "TAXI" in black lettering on a yellow background on the front and "Cambridge Licensed Taxi Cab" in black lettering on a red background on the back is at all times to be prominently displayed on the roof of the vehicle except:

- i) when the vehicle is on hire for a wedding
- ii) when it is necessary to accommodate passengers luggage by use of a roof rack
- iii) when the vehicle is being used for social, domestic or pleasure purposes.

18.6 The roof sign can also be removed when the vehicle is undergoing maintenance work or is being cleaned, but must be put back on the vehicle before the vehicle is used again for hire and reward.

18.7 In order to ensure that the crests remain prominent and are not compromised by

any other advertising the crests should be a minimum of 9.5 inches in diameter if circular in size and 10 inches width and height if square with no background colour, and attached to both the nearside and offside front doors of the vehicle.

18.8 Private Hire vehicles do not permit the display of advertisements. However, limited internal and external advertising may be permitted on hackney carriages in accordance with the Advertising Standards Agency code of practice and provided that the advertising leaves a 20 cm distance from the door crests. Any permission to display advertising will be subject to the prior written approval of the Council although advertisements concerning the following subjects will not normally be approved: -

- i) Political, ethnic, religious, sexual or controversial subjects
- ii) Escort agencies, gambling establishments or massage parlours
- iii) Nude or semi-nude figures
- iv) Tobacco or alcohol
- iv) Anything likely to offend public taste

18.9 On 16th October 2017 Members agreed to the addition of a livery requirement for all Hackney Carriage Vehicles. Further guidance can be found in the Hackney Carriage and Private Hire Handbook.

19.0 EXEMPTIONS

19.1 The DfT have issued guidance regarding the types of activities that may require licensing. In general, the following will not be considered to require licensing:

- Child minder vehicles
- Care transport workers
- Volunteers
- Ambulances
- Courtesy Cars

Each case will be taken on its own merits and the nature of the operation will be taken into account when considering if a licence is required.

19.2 The open display of the identifying licence plates is intended by the licensing legislation in protecting the public and supporting the trade by identifying it as a regulated business. However, there are occasions when the display of such identification is inappropriate on a Private Hire Vehicle and exemptions may be granted where there is sufficient reason.

19.3 Detailed guidance on the Plate Exemption Procedure for Private Hire Vehicles can be found in the Hackney Carriage and Private Hire Handbook.

20.0 STRETCHED LIMOUSINES AND PRESTIGE VEHICLES

20.1 Stretched limousines are elongated saloon cars, which are generally used for Private Hire work and special occasions.

20.2 Most limousines are imported for commercial purposes and are therefore required to take a Single Vehicle Type Approval (SVA) [to be replaced by the Individual Vehicle Approval (IVA)] test. The SVA or IVA Scheme is an Inspection Scheme for vehicles that are not approved to British and European Standards and its purpose is to ensure that these vehicles meet modern safety standards and environmental

standards before being used on public roads.

- 20.3 Any stretched limousines that are offered for private hire do require a licence. Some operators of these vehicles have a wedding car licence insurance policy on the basis that the vehicle will be used largely during daylight hours, once or twice per week.
- 20.4 Applications to Licence stretched limousines as Private Hire vehicles will be treated on their merits. However, imported stretched limousine type vehicles can:
- i) be granted an exemption from the requirement under the conditions of licence for Private Hire to be right hand drive;
 - ii) be authorized as prestige type vehicles; and
 - iii) be approved for licensing as Private Hire vehicles subject to the additional conditions detailed in the 'Taxi Guide'
- 20.5 Proprietors of prestige type vehicles licensed as Private Hire vehicles or Private Hire vehicles used in special circumstances may seek the permission of the Authority to waive the conditions of their licence relating to the display of licence plates, door stickers and driver badges.

21.0 CONTRACT VEHICLES

- 21.1 The Road Safety Act 2006 requires vehicles used for a contract with an organization or company, for carrying passengers for hire or reward under a contract, to be licensed as private hire vehicles. As a general guide this shall include executive hire, chauffeur services, park and ride for private car parks, airport travel, stretch limousines and novelty vehicles.
- 21.2 All vehicles with less than 8 passenger seats or fewer that carry passengers for hire and reward must be licensed by the Local Authority. Although there has been some legal debate regarding this particular issue, current case law supports the view that vehicles which are used as 'courtesy cars', i.e. for transporting customers to and from hotel, nightclubs, etc. are being provided for hire and reward in the course of business, irrespective of whether or not a charge is made for such service. They should, accordingly be licensed.
- 21.3 Those operating 'courtesy cars', e.g. for transporting customers to and from hotels, nightclubs, etc. should have an operator's licence and the vehicles and driver must be appropriately licensed.
- 21.4 All ambulances registered with the British Ambulance Association will be exempt from private hire licensing.
- 21.5 Other patient transport services provided by either NHS or Voluntary Services that are registered with the British Ambulance Association will be exempt from private hire licensing.
- 21.6 All other ambulance or patient transport services that are not registered with the British Ambulance Association may be required to conform to private hire licensing requirements. The Licensing Authority strongly recommends that anyone wishing to provide this type of service contact the Council for each case to be considered on its merits.

21.7 In relation to Voluntary Sector Transport, the Licensing Authority will assess each individual organisation on its own merits to determine whether or not it will require licensing as a private hire business. Whilst it is clear that the organisation is providing a service, it is less clear that such provision can be defined as operating a private hire business.

21.8 When determining whether a vehicle is operating as a Private Hire Vehicle, the Licensing Authority will have reference to the Department for Transport's guidance note "Private Hire Vehicle Licensing" and any relevant case law.

21.9 The Licensing Authority will, however, seek to enforce against unlicensed businesses where it can be proven that the business obtains a benefit and the Authority considers that private hire vehicle licensing is necessary.

22.0 WEDDING VEHICLES

22.1 Vehicles used wholly or mainly for the traditional purposes of wedding ceremonies are exempt from the requirement to be licensed.

23.0 FUNERAL VEHICLES

23.1 Vehicles owned by funeral directors that are used wholly or mainly for the purposes of funerals are exempt from the requirement to be licensed.

24.0 SAFEGUARDING

24.1 Cambridge City Council is committed to safeguarding and promoting the welfare of children, young people and adults at risk. We take our responsibilities seriously and expect all of our licensed drivers, proprietors and operators to share this commitment.

24.2 Safeguarding is the process of protecting children and adults at risk from harm, preventing impairment to their health and development, which includes keeping them safe from neglect, and physical, emotional and sexual abuse.

24.3 All new hackney carriage, private hire and dual driver, proprietor and operator applicants must attend and pass the mandatory safeguarding training before submitting an application. Further guidance can be found the Hackney Carriage and Private Hire Handbook.

24.4 A mandatory refresher of the training will need to be undertaken by all licence holders, and an examination successfully passed, every three years.

25.0 DRIVER SAFETY

25.1 The trade provides a valuable service and security for drivers and passengers is of paramount importance. There are a number of ways to reduce risks such as prepayment of fares, driver screens, CCTV surveillance systems and radio link schemes.

25.2 The Hackney Carriage and Private Hire trades are encouraged to build good links with the local police force, including participation in any crime and disorder reduction partnerships.

25.3 On 16th October 2017 Members agreed to the mandatory requirement for the installation of CCTV in Hackney Carriage and Private Hire vehicles.

25.4 The implementation of CCTV in licensed vehicles serves multiple purposes which will enable the prevention and detection of crime and promote a safe experience for both licensed drivers and the travelling public.

25.5 The key objectives are:

- The protection of licensed drivers
- The protection of the travelling public
- To ensure that licensed drivers continue to be 'fit and proper' in line with licence conditions

To enable investigations to be fully supported with evidence in a secure and retrievable form

25.6 The CCTV system installed in any vehicle will comply with the Council CCTV Technical Specification and will remain locked and only accessible by an approved officer of the Licensing Authority.

25.7 The Licensing Authority reserves the right to amend the CCTV specification from time to time as the need arises, having regard to changes in technical standards, case law, national policy or any other circumstances that make it reasonable to amend the current specification.

25.8 Further guidance on CCTV, the associated operational procedures and the safety of drivers can be found in the Hackney Carriage and Private Hire Handbook.

26.0 HACKNEY CARRIAGE STANDS

26.1 The purpose of Hackney Carriage stands (known as Taxi Ranks) is to provide the public with a set location where they can hire a licensed Hackney Carriage. Stands can be continual or be for part time use (e.g. night time only ranks).

29.2 A list of all public taxi ranks in the city are detailed in the Hackney Carriage and Private Hire Handbook.

27.0 VEHICLE APPLICATION PROCEDURES

27.1 The application procedures for a Hackney Carriage or Private Hire vehicle licence shall be made on the specified application form, be accompanied by the appropriate fee and in accordance with the application procedure set out in the Hackney Carriage and Private Hire Handbook.

27.2 The Licensing Authority shall consider all applications on their own merits once the appropriate criteria have been met and the application form and supporting documents are complete. Only then, and if the Licensing Authority is satisfied that the vehicle is suitable, will a licence be granted.

27.3 The vehicle proprietor is responsible for ensuring that the application process is followed and all necessary steps, documentation and fees are submitted in accordance with the procedure.

28.0 GRANT OF VEHICLE LICENCES

28.1 The maximum period for which a vehicle licence will be granted is 1 year. The Licensing Authority may exercise discretion and issue a licence of a shorter duration if

it considers this to be reasonable given the individual circumstance.

- 28.2 The responsibility for applying to renew a licence, and to ensure that a vehicle is licensed, rests solely with the licence holder. Application forms, appropriate fees and supporting documentation, as set out in the Hackney Carriage and Private Hire Handbook shall be produced and any necessary appointments shall be arranged on a date prior to the expiry date of the licence. The licence fees payable are subject to review and any increase or reduction will be published as required by legislation.
- 28.3 The Licensing Authority will only accept complete applications comprising of all the necessary information and documentation. Late or incomplete applications may render a vehicle being unlicensed for a period of time during which it will be unable to be used for licensed purposes. In some cases, once a licence has lapsed, vehicles may not be eligible to be re-licensed.

29.0 ENVIRONMENTAL CONSIDERATIONS

- 29.1 The DfT guidance suggests that authorities may wish to consider how far the vehicle licensing policy can and should support local environmental policies that the Licensing Authority may have. They may also decide to set vehicle emissions standards by promoting cleaner fuels. Local licensing authorities may also 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.
- 29.2 Cambridge City Council considers that every effort should be made to improve the efficiency of vehicles licensed to operate in the city by reducing the emissions of pollutants such as Nitrous Oxides, Particulate Matter and Carbon Dioxide.
- 29.3 The European Union has introduced stricter limits on pollutant emissions from light road vehicles, particularly for emissions of nitrogen oxides and particulates.
- 29.4 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

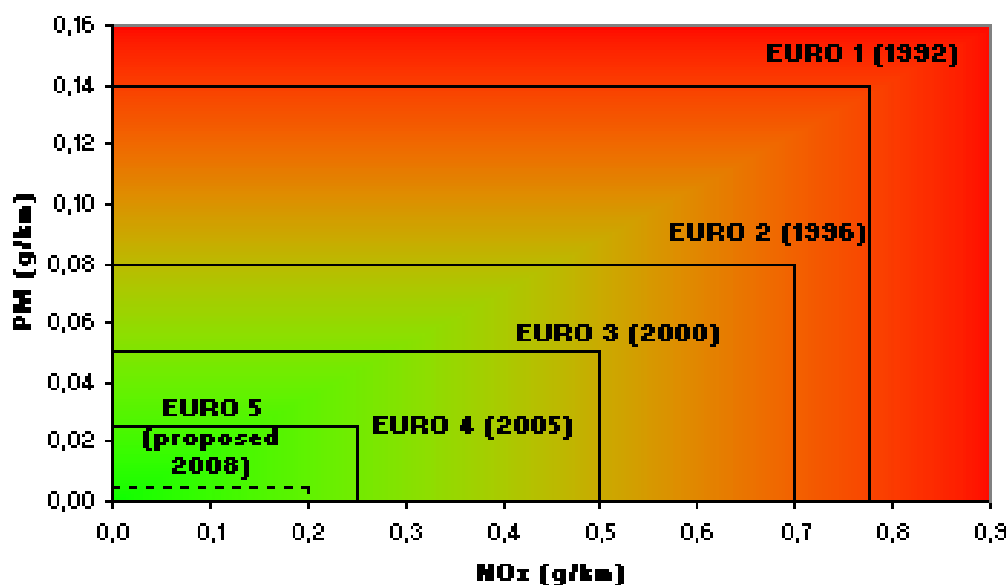


Figure 1 – Chart showing the implementation dates of successive Euro Standards and the Nox and PM levels for each of those standards

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	0.02
Euro 5	September 2009	0.18	0.00
Euro 6	September 2014	0.08	0.00

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

- 29.5 Cambridge City declared an Air Quality Management Area in 2004 because of predicted levels of nitrogen dioxide. 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).
- 29.6 Levels of nitrogen dioxide in central Cambridge remain above the National Objectives; an Air Quality Action Plan was first adopted in 2005 and a more comprehensive version adopted in 2010. A revised Air Quality Action Plan is in preparation for 2015-2025.
- 29.7 The 2015-25 Air Quality Action Plan includes a plan to develop taxi policies to transform the taxi fleet into a low emission fleet which will lead to a significant reduction in emissions and a significant improvement in air quality.
- 29.8 To support the Councils Air Quality Action Plan minimum age limits and Euro Standards will be maintained and new policy incentives to incentivize the uptake of Hybrid and electric taxis will be consulted upon and implemented:
- (i) a new vehicle licence will not be granted in respect of a vehicle unless it is less than 4 years old, **and** it meets the Euro 5 standard or higher.
- (ii) a vehicle licence will not be renewed unless the vehicle is less than 9 years old and it meets Euro 4 standard or higher.
- 29.9 With the 9-year age limit for petrol and diesel vehicles, this will mean that by 2017/18 all the internal combustion fleet licensed will be to Euro 5 or 6. The extended age allowance for low emission vehicles reflects their low pollution and supports improvements to air quality in Cambridge.
- 29.10 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.
- 29.11 Encouraging better maintenance of vehicles could reduce emissions from licensed vehicles further, it is intended that this aspect be tackled through education and promotion.
- 29.12 The following potential incentives and regulatory policies, which are designed to incentivise the uptake of low emission and electric vehicles within the taxi fleet could be adopted following consultation:

i) Renewal/ Registration fee discount or exemption

Currently a new Hackney Carriage (HCV) or Private Hire Vehicle (PHV) registration attracts an annual £270 fee an HCV license renewal costs £230; and renewal of a PHV costs £220.

It would be possible to reward those drivers who license an 'ultra-low emission' electric or plug in hybrid vehicle (ULEV) with a full fee exemption, for a period, to

encourage early adoption. Discussion with licensing officers and trade representatives have indicated that a period of up to five years would be an appropriate period in which to incentivise uptake.

We also seek to incentivise the uptake of established hybrid vehicles which have been shown to deliver significant emission benefits over diesel engines. A fee reduction for non-plug-in petrol/electric hybrids (not diesel) such as the Toyota Prius, Auris, Honda Insignia or Accord and others would encourage further uptake of these low emission vehicles, and reward those making the step.

A 50% fee reduction in these cases for both the existing (currently 31 in the fleet) and new vehicles is suggested. The suggestion of a 50% fee waiver acknowledges that standard hybrid vehicles will not have as much impact on emissions as will a full ULEV compliant vehicle but will encourage the shift away from Diesel whilst being simple to administer.

Both of the suggested incentives here have a financial cost as the Taxi licensing service is self-funded through the collection of fees. Any fees waived would need to be made up from general revenue funds.

ii) Waive or extend age limit for ULEVs or Hybrids.

This policy measure changes the business case for Taxi drivers considerably, by allowing vehicle cost to be spread over 10 or more years rather than 8 or less. We would consider up to a 15 year age limit for fully electric vehicles (subject to roadworthiness etc.) and 10 years for petrol / electric hybrids which do have internal combustion engines.

iii) Waive requirement for 6 month inspection

Currently we require all City Licensed cabs to be inspected at our garage twice a year this could be relaxed to one inspection per year, for example, for the first 5 years of operation for a new low emission taxi.

iv) Create an Electric Taxi only rank

This would need to be in a popular location or replace part of an existing all vehicle rank to be effective. It may need to be located to complement charging infrastructure, and only implemented once a suitable number of Electric Vehicles have entered the fleet.

v) Vehicle Purchase Subsidies for Electric vehicles

Details of currently available subsidies are set out in the table below – A successful bid to central government could provide an additional £3000 subsidy for purpose built electric Hackney Carriages, per vehicle.

Vehicles eligible for a Plug-In Grant – from March 2016 there will be different levels of grant for different vehicles. List of vehicles in Appendix 2.

- **Category 1**
CO₂ emissions less than 50g/km and zero emission range of at least 70 miles £4,500
- **Category 2**
CO₂ emissions less than 50g/km and zero emission range of 10 – 69 miles £2,500
- **Category 3**
CO₂ emissions 50 – 75g/km and zero emission range of at least 20 miles £2,500

Source: OLEV (Office for Low Emission Vehicles)

vi) Provision of ‘Rapid - Taxi Only’ charging infrastructure

An initial number of charging points could be funded by a successful bid to central government with a further four locations funded through an existing City Council capital commitment.

vii) Set date for all newly registered vehicles to be low or ultra-low emission

Setting a date after which traditional internal combustion engine taxis could not be newly registered as a PHV or HCV in Cambridge would focus the minds of Taxi drivers to plan for moving to electric or hybrid vehicles.

A sensible suggestion would be to set this for 5 years hence (say April 1st 2021) and phase out any fee exemptions at the same time. Five years notice will give the trade more than reasonable notice of the change and allow proper business planning.

viii) Set date for all licensed taxi vehicles to be low or ultra-low emission

Setting a back stop date where all taxis licensed for operating in the City must be low or ultra-low emission vehicles. We would propose a date, 10 years hence (April 1st 2026).

Currently the age restrictions on taxis mean that no licensed vehicle can be in operation if it is over 9 years old. Therefore setting a cut-off date 10 years hence for all taxis to be ULEV or Hybrid means no one will be forced to change vehicle earlier than they would have to under the current rules, thus giving more than reasonable notice of the change to allow proper business planning for the trade.

ix) Restrict City Centre Access to ULEV and Hybrid Taxis only

This will be possible with the changes to access management of the City Centre (currently by transponder and rising bollard) to Automatic Number Plate Recognition ANPR which are pending installation by Cambridgeshire County Council.

There will potentially be considerable flexibility in how this is enforced and could be time limited for peak times. This policy is outside our own licensing powers and is only deliverable with the cooperation of the County Council. It is likely to be an important factor in ensuring compliance should the low emission criteria become mandatory.

Discussions have taken place with relevant County Officers and there is agreement that these restrictions could be delivered using the proposed mechanisms.

The Cambridge City Deal consultation is considering the implementation of a number of further traffic restrictions on key access routes outside the City Centre by introducing Bus Gates. These will use the same mechanism, ANPR to facilitate preference for buses, and could also allow access for low emission taxis.

Funds to replace current rising bollards with ANPR enforcement have already been committed by the County Council as transport authority and work will be commissioned in August and September 2016. The proposed 'Bus Gates' outside the core area will be delivered through the City Deal funding.

- 29.12 The Authority recognizes that low emission vehicles can have a positive impact on the environment and any application receives for other low and ultra-low emission vehicles will be considered on its own merits.

30.0 SMOKING

- 30.1 The driver of a licensed vehicle must not smoke in the vehicle at any time, including when the vehicle is being used for social, domestic and pleasure purposes.
- 30.2 The driver of a licensed vehicle shall not permit any other person or fare-paying passengers to smoke in a licensed vehicle.
- 30.3 This also includes a ban in electronic inhaler type cigarettes and 'vaping'.

PART 3

DRIVERS

31.0 GENERAL

- 31.1 The statutory and practical criteria and qualifications for a Hackney Carriage Driver are similar to those of a Private Hire Driver. The sections below therefore, apply equally to Hackney Carriage, Private Hire and Dual Drivers unless indicated.
- 31.2 Licensed drivers provide a public service. The Licensing Authority will not licence anyone to drive a Hackney Carriage or a Private Hire vehicle unless it is satisfied that they are a fit and proper person.

32.0 FIT AND PROPER

- 32.1 There is no definition of 'fit and proper' in legislation nor a fixed legislative process. It is for Cambridge City Council to determine how it wishes to be satisfied that a driver is fit and proper and to this end, the Authority considers a range of documentary evidence, practical criteria and testing mechanisms provided by an applicant in order to be satisfied of this.

33.0 DRIVER LICENCES

- 33.1 The Licensing Authority grants three types of licence in respect of driving Hackney Carriage and Private Hire vehicles (Hackney Carriage Driver Licence, Private Hire Driver Licence and Dual Driver Licence). Applicants granted their first licence will be limited to a maximum period of 12 months and thereafter there is the option of having a licence issued for a minimum of 12 months or a maximum of 3 years.
- 33.2 The Licensing Authority may exercise discretion and issue a licence of a shorter duration if it considers this to be reasonable given the individual circumstances
- 33.3 The responsibility for applying to renew a licence, and to ensure that all documentation, checks and associated criteria is up to date, rests solely with the licence holder. Application forms, appropriate fees and supporting documentation, as set out in the Hackney Carriage and Private Hire Handbook shall be produced and any necessary appointments shall be arranged on a date prior to the expiry date of the licence. The licence fees payable are subject to review and any increase or reduction will be published as required by legislation.
- 33.4 The Licensing Authority will only accept complete applications comprising of all the necessary information and documentation. Late or incomplete applications may render a driver being unlicensed for a period of time during which they will be unable to work as a licensed driver.
- 33.5 Applicants shall be over 18 years of age and shall have held a full driving licence issued in the UK, the European Community (EC) or one of the other countries in the European Economic Area (EEA) for at least 12 months.
- 33.6 The Authority shall use the services of an appropriate party to access DVLA records in addition to checking the full licenses produced by the applicant.

34.0 ELIGIBILITY TO LIVE AND WORK IN THE UK

- 34.1 Cambridge City Council has a responsibility to ensure that it only issues licences to individuals who have a legal entitlement to live and work in the United Kingdom.

- 34.2 Proof of the right to live and work in the UK must be provided by Driver and Operator applicants in accordance with the Immigration, Asylum and Nationality Act 2006. As part of the new licence application process, individuals will be required to present original documentation for verification and copies will be made and retained on file. The Home Office has produced a list of documents that applicants can provide, further information can be found in the Hackney Carriage and Private Hire Handbook.
- 34.3 If an individual is not a UK or EEA national then they will need to obtain permission to live and work in the UK.
- 34.4 Individuals may have a permanent or temporary right to live and work in the UK. Licences will not be issued for a period any longer than the length of an individual's permission to live and work in the UK.
- 34.5 The Licensing Authority work in conjunction with the Home Office to ensure that Immigration Offences are minimized. The Licensing Authority may exercise discretion to grant or renew a licence, or to suspend or revoke an existing licence if an individual is found to be living or working in the UK without the required authorization.

35.0 DISCLOSURE AND BARRING SERVICE (DBS)

- 35.1 A Disclosure and Barring Service Certificate (DBS) is seen as an important safety measure by the Licensing Authority to ascertain whether or not a driver applicant is fit and proper to hold a licence.
- 35.2 Cambridge City Council is an approved DBS registered body and driver applicants can therefore deal with the DBS through the Council and pay the appropriate fee. Cambridge City Council will not accept portability of a DBS.
- 35.3 An enhanced DBS shall be undertaken upon application and every three years after (if subsequent renewal applications are made) as these disclosures include details of spent convictions, police cautions and other relevant information. The Licensing Authority may, at its discretion, require additional DBS checks within the standard three year cycle.
- 35.4 A Council may require an applicant for a licence under the Town and Police Clauses Act 1847, or under Section 57 of the Local Government (Miscellaneous Provisions) Act 1976, to submit any information that they may reasonably consider necessary to enable them to determine whether the licence should be granted and whether conditions should be attached to any such licence. Cambridge City Council therefore requires any Proprietors or Operators that are not licensed drivers with Cambridge City, to undertake a Basic Disclosure upon application and every three years after (if subsequent renewal applications are made).
- 35.5 The Council encourages all drivers to join the DBS Update Service which allows the applicant to keep the Council informed of their criminal record history at all times. It is believed that all responsible and professional licensed drivers will do this. Further guidance on the DBS Update Service can be found in the Hackney Carriage and Private Hire Handbook.

- 35.6 The Rehabilitation of Offenders Act 1974 sets out the period after which a conviction would be regarded as 'spent' and not normally require disclosure of that conviction. However, in 2002 the Act was amended to exclude Hackney Carriage and Private Hire Drivers from the 1974 Act. The driving of Hackney Carriage and Private Hire vehicles is listed as a 'Notifiable Occupation' in relation to which questions may be asked as to the suitability of individuals to be granted a licence.
- 35.7 Applicants must disclose all convictions (including driving convictions), police warnings, and reprimands, ASBOs, cautions, Community Service Orders, Restraining Orders and fixed penalties including those that would previously have been regarded as spent under the 1974 Act.
- 35.8 Existing licence holders must disclose all new convictions (including driving convictions), police warnings, reprimands, ASBOs, cautions, Community Service Orders, Restraining Orders and fixed penalties to the Licensing Authority in writing within seven working days. Further information on DBS's, relevance of Convictions and Cautions and the Rehabilitation of Offenders Act 1974 can be found in the Hackney Carriage and Private Hire Handbook.
- 35.9 For the consideration of convictions and police cautions recorded against individuals, the Licensing Authority has adopted the policy as set out in the Hackney Carriage and Private Hire Handbook..
- 35.10 In assessing whether the applicant is a fit and proper person to hold a licence, the Licensing Authority shall consider each case on its own merit. It will have regard to the following factors in assessing the relevance of cautions and convictions:
- Whether convictions are spent or unspent
 - The nature of the offence or information
 - The age of the offence
 - The apparent seriousness, as gauged by the penalty
 - Any pattern of offending

Upon receipt of a disclosure from the Disclosure and Barring Service, the information will be risk assessed by an Authorised Officer who will consider whether the information received is capable of having real relevance to the issue of whether or not the applicant is a fit and proper person to hold a licence in line with the policy guidance in the Hackney Carriage and Private Hire Handbook.

36.0 CERTIFICATES OF GOOD CONDUCT

- 36.1 Applicants who have lived out of the UK for any period of time within the five years prior to their application or renewal must obtain a certificate of good conduct from the relevant embassy or consulate covering that period.
- 36.2 The certificate of good conduct must be authenticated, translated and sealed by the relevant embassy or consulate.
- 36.3 Any costs associated with obtaining a certificate of good conduct are the responsibility of the applicant or driver.

37.0 DRIVING LICENCE RECORDS

- 37.1 The Licensing Authority will carry out a check of DVLA records when considering if an applicant or driver is a fit and proper person to be licensed. This is to ensure that the

information submitted by the applicant is in accordance with the information held by the DVLA and so that the the Licensing Authority are aware of any endorsements on the individual's driving licence.

38.0 MEDICAL EXAMINATION

38.1 The DfT recognizes that it is good practice for medical checks to be made on each driver before the initial grant of a licence and thereafter for each renewal. There is general recognition that it is appropriate for Hackney Carriage and Private Hire drivers to have more stringent medical standards than those applicable to normal car drivers because:

- they carry members of the general public who have expectations of a safe journey;
- they are on the road for longer hours than most car drivers; and
- they may have to assist disabled passengers and handle luggage.

38.2 The Licensing Authority acknowledges the importance of a driver's good physical and mental health in protecting the public and requires that all new and renewal drivers must meet the DVLA Group II Medical Standards.

38.3 Medicals are required for all new applicants and every five years thereafter until the age of 60. Whilst Group II Licences are valid up until 45 and every five years thereafter, CCC have a more frequent checking mechanism for medical fitness.

38.4 Medicals are required for all new applicants (including holders of PSV and/ or HGV licences). After the initial medical, subsequent medicals are then required every five years at each of the following birthdays: 25, 30, 35, 40, 45, 50, 55 and 60.

38.5 Once a driver has reached the age of 60 a medical will be required annually thereafter.

38.6 For holders of current PSV and/ or HGV licences, who can produce evidence of a current medical examination, the Council will accept the PSV/ HGV entitlement in lieu of a medical at age 45, 50, 55 and 60.

38.7 Licence holders and applicants must consider the medical conditions as listed in the Hackney Carriage and Private Hire Handbook as the Licensing Authority may refuse to grant an application or revoke an existing licence where an applicant has any of the listed conditions.

38.8 If, once licensed, the drivers medical circumstances change during the period which the licence is held, the driver must notify the Licensing Authority within 7 days. If there is any doubt as to the medical fitness of an individual, the Authority may require the individual to undergo a further medical examination by their GP or an approved practitioner. Each case will be assessed on its own merits and further guidance can be found in the Hackney Carriage and Private Hire Handbook.

39.0 KNOWLEDGE

39.1 Hackney Carriage and Private Hire drivers need a good working knowledge of the area for which they are licensed, because vehicles can be hired immediately, directly with the driver at hackney carriage stands or on the street in the case of Hackney Carriages and by prior booking through a Private Hire Operator in the case of Private Hire Vehicles. Additionally, it is expected that drivers should be able

to communicate with their customers and be able to carry out the basic arithmetic associated with the paying of fares.

39.2 In order to commence the new driver application process an applicant must first register to take a Cambridge City Council Knowledge Test. Only once the Knowledge Test has been passed may they continue with the application process.

39.3 The test can only be attempted four times within 12 months, and then it is recommended that if applicants wish to reapply, they do so after a break of six months. Additional guidance on the Knowledge Test can be found in the Hackney Carriage and Private Hire Handbook.

40.0 DRIVING PROFICIENCY

40.1 As licensed drivers are on the road more frequently than most other people, the Licensing Authority has concluded that an additional Driving Assessment (to the DVLA Driving Test) may be the standard of driving competency for the drivers of Hackney Carriage and Private Hire vehicles licensed with this Authority.

41.0 DRIVER APPLICATION PROCEDURES

41.1 An application for a Hackney Carriage, Private Hire or Dual driver's licence shall be made on the specified application form, be accompanied by the appropriate fee and in accordance with the application procedure set out in the Hackney Carriage and Private Hire Handbook.

42.0 CONDITIONS OF DRIVER LICENCES

42.1 Hackney Carriage Drivers are subject to the Council's Byelaws.

42.2 The Authority considers that the conditions as set out in the Hackney Carriage and Private Hire Handbook are reasonable, necessary and appropriate for all licensed Hackney Carriage and Private Hire drivers.

43.0 CODE OF GOOD CONDUCT

43.1 The Licensing Authority consider that Hackney Carriage and Private Hire trade is the key front line transport service for residents and visitors to Cambridge City and have set down the standards which must be adopted in maintaining a safe, professional and efficient approach to transport members of the public.

43.2 The standards of expected behavior of all licensed drivers are set out in the Hackney Carriage and Private Hire Handbook and should be read in conjunction with the other statutory and policy requirements set out in this document.

43.3 The code of conduct is in place to enhance the professionalism of, and to promote public confidence in, licensed drivers. Failure to comply with any aspect of the Code of Conduct will not necessarily result in enforcement action. However, breach of the code is an indicator which the Licensing Authority will use to help decide upon subsequent enforcement action.

PART 4
OPERATORS

44.0 PRIVATE HIRE OPERATORS REQUIREMENTS AND OBLIGATIONS

- 44.1 Any person who operates a Private Hire service (who is not a Hackney Carriage Proprietor who permits Hackney Carriages to be used for Private Hire) must apply to the Licensing Authority for a Private Hire Operator's Licence. The objective in licensing private hire operators is the safety of the public, who will be using operator's premises, and vehicles and drivers, arranged through them.
- 44.2 A Private Hire vehicle may only be dispatched to a customer by a Private Hire Operator who holds an operators' licence. Such licence permits the operator to make provision for the invitation or acceptance of bookings for a Private Hire vehicle.
- 44.3 A Private Hire operator shall ensure that every Private Hire vehicle is driven by a person who holds a Private Hire driver's licence.
- 44.4 An application for a Private Hire Operator's licence shall be made on the specified application form, be accompanied by the appropriate fee and in accordance with the application procedure set out in the Hackney Carriage and Private Hire Handbook. The Licensing Authority will then decide whether the applicant is a fit and proper person to hold an operator's licence.
- 44.5 All three licences:
- i) Private Hire operator's licence
 - ii) Private Hire driver's licence
 - iii) Private Hire vehicle licence
- must be issued by the same Licensing Authority
- 44.6 Private Hire operators, that are not licensed drivers, are required to produce an Basic Disclosure certificate or (if they have lived out of the UK for a period of six months or more in the last five years) a certificate of good conduct from the relevant embassy or consulate for overseas applicants. In order to promote the objective of public safety, before an application for a Private Hire Operators licence will be considered, the Licensing Authority requires all new Private Hire Operators (who are not already licensed drivers with the City Council) to submit a Basic Disclosure certificate (dated within one month) as part of their application.
- 44.7 All Private Hire Operator renewals (for individuals who are not already licensed drivers with the City Council) are to undertake a Basic Disclosure certificate (dated within one month) every three years.
- 44.8 The application procedure for new and renewal Private Hire Operators licences is set down in the Hackney Carriage and Private Hire Handbook.
- 44.9 The Licensing Authority has power to impose such conditions on an operator's licence, as it considers reasonable necessary. These are set out in the Hackney Carriage and Private Hire Handbook.

45.0 INSURANCE

- 45.1 Before an application for a Private Hire Operator's licence is granted, the applicant shall produce evidence that they have taken out Public Liability insurance for premises that are open to the public.
- 45.2 The conditions for Private Hire Operators licences, will require that the operator produce an appropriate certificate of motor insurance that covers every Private Hire vehicle on the operators fleet policy.

46.0 PRIVATE HIRE OPERATOR LICENCE DURATION

- 46.1 Cambridge City Council shall grant Private Hire operator licences for a period of one year from the date of grant or for five years from the date of grant (renewal licences only).
- 46.2 The responsibility for applying to renew an Operator licence, and to ensure that all documentation, checks and associated criteria is up to date, rests solely with the licence holder. Application forms, appropriate fees and supporting documentation, as set out in the Hackney Carriage and Private Hire Handbook shall be produced and any necessary appointments shall be arranged on a date prior to the expiry date of the licence. The licence fees payable are subject to review and any increase or reduction will be published as required by legislation.
- 46.3 The Licensing Authority will only accept complete applications comprising of all the necessary information and documentation. Late or incomplete applications may render an operator being unlicensed for a period of time during which they will be unable to work as a licensed operator.

47.0 RECORD KEEPING

- 47.1 The Local Government (Miscellaneous Provisions) Act 1976 requires Operators to keep records of each booking. Information should include the date and time of the booking, the name of the passenger, how the booking was made, the destination, the name of the driver and the licence number of the vehicle. Records can be kept in a suitable book or on a computer or any other recordable device. If you are using a book the pages must be numbered consecutively.
- 47.2 The Operator shall permit an Authorised Officer of the Council access to records required by their licence, at all reasonable times.
- 47.3 The operator must hold records of insurance and licence expiry dates of drivers and vehicles. No journeys can be allocated to uninsured or unlicensed drivers and vehicles.

48.0 ADDRESS FROM WHICH AN OPERATOR MAY OPERATE

- 48.1 The Licence Authority, when it grants an Operator's licence, will specify the address from which the operator may operate. This will be the premises where the records referred to (as above) are kept and at which the Licensing Authority may inspect them.
- 48.2 The Operator must notify the Licensing Authority in writing of any change of address during the period of the licence, within seven working days.

- 48.3 The operator is responsible for ensuring that appropriate planning consent exists for the use of the operational address to be used for that purpose. The grant of a Private Hire Operator's licence will not imply that planning consent has been given. Proof of planning permission may be required before a licence is granted.
- 48.4 The Licensing Authority will not grant an operator's licence for an operator with an operating base that is outside the district area. However, it is possible to obtain an Operator's Licence for premises within 10 miles of the City Boundary. This is to ensure that proper regulation and enforcement measures can be taken and is in no way intended to be a restraint on trade.

49.0 SUB CONTRACTING

- 49.1 Section 55a of the Local Government (Miscellaneous Provisions) Act 1976, inserted by the Deregulation Act 2015, permits Operators licensed by the Council to sub-contract a private hire booking to another operator licensed by the Council or to any other licensed private hire operator holding a private hire licence granted by another local authority.
- 49.2 Regardless of which operator fulfils a booking, the operator can only dispatch a vehicle licensed by the same Council that licenses the operator and driven by a driver licensed by that same Council.
- 49.3 Operators that accept a booking remain legally responsible for that booking even if they sub-contract the booking to another Operator and should record the booking as usual and note the fact that it was sub-contracted.

50.0 CROSS BORDER HIRING

- 50.1 In relation to Private Hire vehicles, the Local Government (Miscellaneous Provisions) Act 1976 permits members of the public to contact and book a private hire vehicle through any licensed Private Hire Operator regardless of in which district they are licensed. Private Hire bookings are private contracts between the hirer and the operator and are not a matter for the Licensing Authority to regulate. In this regard, the Act leaves the selection of an Operator entirely to market forces and the freedom of choice to the customer.

PART 5
ENFORCEMENT

51.0 ENFORCEMENT

- 51.1 It is recognised that a well-directed, risk based approach to enforcement activity by the Licensing Authority benefits not only the public but also the responsible members of the Hackney Carriage and Private Hire trades. The DoT accepts that the resources devoted by licensing authorities to enforcement will vary according to local circumstances.
- 51.2 Legislation relating to a Licensing regime and the conditions of licence designed to protect public safety are of no value unless they are correctly enforced by the Licensing Authority. In pursuance of the objective to encourage responsible Hackney Carriage and Private Hire businesses, the Authority shall operate a firm but fair disciplinary and enforcement regime. In order to balance the promotion of public safety with the need to permit individuals to safeguard their livelihood without undue interference, the Authority will only intervene where it is necessary and proportionate to do so, having regard to the objectives set out in section 3.0 of this document. Where defects are such that a vehicle or driver's Licence needs to be suspended, interference with livelihood is inevitable.
- 51.3 The City Council has adopted an Enforcement Management System and any action taken will be in accordance with the Council's Enforcement Policy.
- 51.4 The enforcement management system, as set out in the Hackney Carriage and Private Hire Handbook, will ensure that the Licensing Authority's enforcement effort is reasonable, transparent and well directed.
- 51.5 The aim of the enforcement management system will be to work in conjunction with other enforcement options and provide a formal stepped enforcement plan. The system will be used to record alleged misdemeanors and act as a record of drivers' behaviour and conduct.
- 51.6 Complaints from the public and/ or any routine enforcement that identify significant breaches of conduct will be subject to investigation by Officers. The system will serve as an early warning system to licence holders who fail to meet the Council's required standards and as a consistent and transparent method of enforcement.
- 51.7 The adoption of an Enforcement Management System will not, however, compromise the Council's ability to enforce breaches of statute in the Courts when necessary.
- 51.8 The City Council has adopted an enforcement policy in line with the Governments Better Regulation Unit Enforcement Concordat and Regulators Code of Practice. Any enforcement action taken will be in accordance with the Council's Enforcement Policy.
- 51.9 The Licensing Authority will share information with other agencies in respect of potential illegal activities and enter into joint enforcement operations with other agencies and authorities.

52.0 COMPLIANCE

- 52.1 Informal action to secure compliance with legislation, conditions and policy will include offering advice, requests for action, verbal advice, guidance notes, the use of written instructions and the undertaking of inspections.

52.2 Formal action to secure compliance with a breach of any condition, law or byelaw will be exercised in accordance with the Enforcement Management system as detailed in the Hackney Carriage and Private Hire Handbook.

53.0 RANGE OF POWERS

53.1 The Licensing Authority may take any of the steps below upon receipt of evidence that an offence has been committed in relation to a Hackney Carriage, Private Hire or Dual Licence. A breach of condition amounts to an offence in this context:

- i) Suspension of the Licence;
- ii) Revocation of the Licence;
- iii) Refusal to Renew;
- iv) Issuing of Warnings.

In relation to an offence committed for breach of a statutory obligation, the Licensing Authority may take one of the following steps in addition to the above:

- i) Issuing of Simple Cautions;
- ii) Prosecution.

Further detail can be found in the Hackney Carriage and Private Hire Handbook.

53.2 All Officers of Cambridge City Council, duly authorised under the Authority's Scheme of Delegation, are responsible for the day-to-day operation of the Hackney Carriage and Private Hire Vehicle Licensing Policy and enforcement of conditions made under the Policy.

54.0 COMPLAINTS, COMPLIMENTS AND COMMENTS

54.1 Members of the public who wish to submit complaints, compliments or comments about licensed drivers and operators can do so via the Licensing and Enforcement Team. All complaints will be dealt with in accordance with the process as described in the Hackney Carriage and Private Hire Handbook.

54.2 Cambridge City Council has a clear complaints procedure to ensure that there is a clear and systematic process by which members of the public can seek redress for any failures in service provision. Further guidance can be found in the Hackney Carriage and Private Hire Handbook.

55.0 WARNINGS

55.1 In respect of minor breaches of licence conditions the Licensing Authority shall issue warnings as appropriate to the circumstances. A Warning may be used for minor, technical or first time transgressions where it may not be in the public interest to prosecute. Further guidance relating to this can be found in the Hackney Carriage and Private Hire Handbook.

56.0 PROSECUTION

56.1 The Licensing Authority will have regard to the Regulators Compliance Code, Code for Prosecutors, DfT Best Practice Guidance and its own enforcement policy when considering whether or not to prosecute a licence holder for a relevant offence.

56.2 The Authority will consider prosecution where:

- the allegation is of a serious or repeated offence
- the Council proposes to issue a formal caution to the licence holder, but the offence is not admitted or the formal caution is not accepted
- there have been repeated breaches of legal requirements
- a particular type of offence is prevalent
- a particular contravention has caused public harm, particularly to the vulnerable or extreme inconvenience

57.0 SUSPENSION OF A LICENCE

57.1 Where a Licence holder has been referred to the Licensing Sub Committee, the Sub Committee may order the suspension of the Licence.

57.2 A drivers licence may be suspended with immediate effect, delegated to the Head of Environmental Services, for a hackney carriage, private hire or dual driver where it is in the interests of the public safety to do so as pursuant to Section 52 of the Road Safety Act 2006. The driver may appeal this decision to the Magistrates' Court but this will not affect the suspension starting with immediate effect.

58.0 REFUSAL TO GRANT

58.1 The Licensing Authority have the discretion to decide that a licence will not be granted if the vehicle, driver or operator does not meet the requirements of the policy. There is a right of appeal to the Magistrates' Court.

59.0 REVOCATION OF A LICENCE

59.1 Where the Licence holder has been referred to the Licensing Sub Committee, the Sub Committee may order the revocation of the licence.

59.2 A drivers licence may be revoked with immediate effect, delegated to the Head of Environmental Services, for a hackney carriage, private hire or dual driver where it is in the interests of the public safety to do so as pursuant to Section 52 of the Road Safety Act 2006. The driver may appeal this decision to the Magistrates' Court but this will not affect the suspension starting with immediate effect.

60.0 REFUSAL TO RENEW

60.1 The Licensing Authority have the discretion to decide that, especially in the circumstances where a Licence is due to expire, it would be more appropriate to refuse to renew the Licence, as an alternative to revocation. Drivers have the right of appeal to the Magistrates' Court.

61.0 RIGHTS OF APPEAL

61.1 Any notifications of enforcement actions will include information on how to appeal, where that right of appeal exists. This will include where and within what time period an appeal may be brought.

- 61.2 In general terms, where an applicant is aggrieved by the Council's Licensing Sub Committee decision to suspend or revoke a Licence or attach conditions to a Licence or to refuse to grant or renew a Licence, the applicant has a right of appeal to the local Magistrates' Court. The specific grounds for appeal are detailed in the Hackney Carriage and Private Hire Handbook.
- 61.3 Any appeal must be lodged at the Court within twenty-one days of the applicant receiving written notification of the Council's decision. The appeal must state the grounds upon which the appeal is based.

62.0 INFORMATION AND DATA SHARING

- 62.1 In the interests of protecting public funds, the Council reserve the right to use any information or data submitted as part of an application, renewal, administration or compliance and enforcement process for the prevention and detection of fraud and crime.
- 62.2 The Council may share your information internally and we reserve the right to check the information you have provided for accuracy and to detect crime. We may share your information with other statutory/ regulated Authorities or if it is required by law. Other parties may include the Department for Work and Pensions, The Home Office, The Police, the DVLA, HM Revenues and Customs and other local authorities.
- 62.3 Common Law Police Disclosure ensures that where there is a public protection risk, the police will pass information to the employer or regulatory body to allow them to act swiftly to mitigate any danger where there is indication that there is a public protection risk.
- 62.4 Information is passed on at charge, or exceptionally arrest, rather than on conviction, which may be some time after, allowing appropriate measures to be put in place.

Cambridge City Council Equality Impact Assessment (EqIA)

This tool helps the Council ensure that we fulfil legal obligations of the [Public Sector Equality Duty](#) to have due regard to the need to –

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Guidance on how to complete this tool can be found on the Cambridge City Council intranet. For specific questions on the tool email Helen Crowther, Equality and Anti-Poverty Officer at equalities@cambridge.gov.uk or phone 01223 457046. Once you have drafted the EqIA please send this to equalities@cambridge.gov.uk for checking. For advice on consulting on equality impacts, please contact Graham Saint, Strategy Officer, (graham.saint@cambridge.gov.uk or 01223 457044).

1. Title of strategy, policy, plan, project, contract or major change to your service:
HACKNEY CARRIAGE AND PRIVATE HIRE ULTRA-LOW and ZERO EMISSION VEHICLE POLICY
2. Webpage link to full details of the strategy, policy, plan, project, contract or major change to your service (if available)
Not available
3. What is the objective or purpose of your strategy, policy, plan, project, contract or major change to your service?

To improve air quality and thus public health in Cambridge

There is a need to reduce polluting emissions to improve poor air quality in City Locations dominated by emissions from buses, taxis and service vehicles. This must be achieved whilst maintaining sufficient levels of access and capacity for travel in the City, for the vehicles using those areas.

This can only be achieved by intervening to ensure uptake of Ultra-low and Zero emission technologies within those private hire and hackney carriage vehicle fleets.

Some of these interventions are listed below for the Council to consider:

A licence fee exemption for Zero emission vehicles.

A licence fee discount for Ultra-Low emission vehicles.

An extended age limit for Zero emission vehicles.

An extended age limit for Ultra-Low vehicles.

A set date for all New Licensed Saloon vehicles to be Ultra-Low or Zero emission.

A set date for all Licensed Saloon Vehicles to be Ultra-Low or Zero emission.

To reduce the total number of Wheelchair Accessible Vehicles within the Hackney Carriage Fleet from 65% to 50% (213 to 163) and those 50 plates to be replaced by Zero emission vehicles. Consideration should be sought to review this in 3 years.

A set date for all Wheelchair Accessible Vehicles to be Ultra-Low or Zero emission as and when the market allows.

To restrict City Centre Access to Ultra-Low and Zero emission Licensed Vehicles only.

4. Responsible Service

Environmental Services – Environmental Health

5. Who will be affected by this strategy, policy, plan, project, contract or major change to your service? (Please tick those that apply)

- Residents of Cambridge City
- Visitors to Cambridge City
- Staff

Please state any specific client group or groups (e.g. City Council tenants, tourists, people who work in the city but do not live here):

None, other than above.

6. What type of strategy, policy, plan, project, contract or major change to your service is this? (Please tick)

- New
- Major change
- Minor change

7. Are other departments or partners involved in delivering this strategy, policy, plan, project, contract or major change to your service? (Please tick)

- No
- Yes (Please provide details): Cambridgeshire County Council, Greater Cambridge Partnership taxi trade Office of the Low Emission Vehicle – Central Government

8. Has the report on your strategy, policy, plan, project, contract or major change to your service gone to Committee? If so, which one?

This policy decision is going to Licensing Committee March 2018

9. What research methods/ evidence have you used in order to identify equality impacts of your strategy, policy, plan, project, contract or major change to your service?

None

10. Potential impacts

For each category below, please explain if the strategy, policy, plan, project, contract or major change to your service could have a positive/ negative impact or no impact. Where an impact has been identified, please explain what it is. Consider impacts on service users, visitors and staff members separately.

(a) Age - Any group of people of a particular age (e.g. 32 year-olds) , or within a particular age range (e.g. 16-24 year-olds) – in particular, please consider any safeguarding issues for children and vulnerable adults

Will benefit the elderly and very young, as they are more likely to be negatively impacted by poor air quality.

(b) Disability - A person has a disability if she or he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities. (In this section please also include impacts of policies on carers.)

Will benefit those with existing health conditions, especially those with cardio-vascular problems, as they are more likely to be negatively impacted by poor air quality. However the reduction in the number of Wheelchair accessible vehicles may have an impact on wheelchair users. The demand survey which was carried out in 2017 identified that we have a higher value of WCV than what was required. This will be kept under review and a further demand survey will be carried out in 2020 to ensure the balance of the different types of vehicles meets the needs of the community.

(c) Sex – A man or a woman.

Neutral

(d) Transgender – A person who does not identify with the gender they were assigned to at birth (includes gender reassignment that is the process of transitioning from one gender to another)

Neutral

(e) Pregnancy and maternity

There is some evidence indicating that poor air quality can lead to low birth weight so the policy could have a positive impact in preventing this.

(f) Marriage and civil partnership

Neutral

(g) Race - The protected characteristic 'race' refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

Neutral

(h) Religion or belief

Neutral

(i) Sexual orientation

Neutral

(j) Other factors that may lead to inequality – in particular – please consider the impact of any changes on low income groups or those experiencing the impacts of poverty

11. Action plan – New equality impacts will be identified in different stages throughout the planning and implementation stages of changes to your strategy, policy, plan, project, contract or major change to your service. How will you monitor these going forward? Also, how will you ensure that any potential negative impacts of the changes will be mitigated? (Please include dates where possible for when you will update this EqlA accordingly.)

Not applicable

12. Do you have any additional comments?

N/a

13. Sign off

Name and job title of lead officer for this equality impact assessment: Anita Lewis, Scientific Officer

Names and job titles of other assessment team members and people consulted:

Yvonne O'Donnell, Environment Health Manager

Date of EqlA sign off: 05/03//2018

Date of next review of the equalities impact assessment: January 2020

Sent to Helen Crowther, Equality and Anti-Poverty Officer?

Yes

No

Date to be published on Cambridge City Council website (if known):

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Item

REVIEW OF CUMULATIVE IMPACT AREAS WITHIN STATEMENT OF LICENSING POLICY

To:

Licensing Committee 19/03/2018

Report by:

Karen O'Connor, Team Manager (Commercial & Licensing)
Tel: 01223 457083 Email: karen.oconnor@cambridge.gov.uk

Wards affected:

All

1. Executive Summary

- 1.1 The Statement of Licensing Policy was recently reviewed, approved by Licensing Committee on 17 October 2017, and subsequently full Council on 19 October 2017 (see Appendix A).
- 1.2 The Special Policy on Cumulative Effect (the Cumulative Impact Policy) is contained within the Licensing Policy. During the consultation period Cambridge Constabulary responded to say that based on the figures provided in Appendix 3 of the Statement of Licensing Policy it is questionable whether the Romsey area of Mill Road should remain as part of the Cumulative Impact Area. This response is attached to the report as Appendix B.
- 1.3 Licensing Committee therefore requested officers to undertake a further twelve week formal consultation on whether to remove the Romsey area of Mill Road from the Cumulative Impact Area, or not.
- 1.4 The formal consultation took place between 13 November 2017 and 4 February 2018, and 29 responses were received (Appendix D); all supporting keeping the existing Cumulative Impact Area.

2. Recommendations

- 2.1 Members are recommended to consider the results of the public consultation exercise as summarised in Appendix E of this report; and
- 2.2 Decide whether:
 - 2.2.1 The Cumulative Impact Policy should remain as it is **or**
 - 2.2.2 To remove the Romsey area of Mill Road from the Cumulative Impact Policy.

3. Background

- 3.1 The current Statement of Licensing Policy contains details of a Special Policy on Cumulative Effect (the Cumulative Impact Policy). This is detailed within paragraphs 5.8 to 5.15 inclusive of the Policy (within Appendix A).
- 3.2 The term ‘Cumulative impact’ is defined in paragraph 14.20 of the Guidance issued under Section 182 of the Licensing Act 2003 as “the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. The cumulative impact of licensed premises on the promotion of the licensing objectives is therefore a proper matter for the licensing authority to consider in developing its licensing policy statement.”
- 3.3 The guidance further states that where, after considering the available evidence and consulting prescribed individuals, the licensing authority is satisfied that it is appropriate and necessary to include an approach to cumulative impact within the licensing policy statement, it can indicate that it will be adopting a special cumulative impact policy for a designated area.
- 3.4 The effect of adopting a special policy of this kind is to create a rebuttable presumption that applications for new premises licences or club premises certificates or variations that are likely to add to the existing cumulative impact will normally be refused, following relevant representation, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.
- 3.5 In considering whether to adopt a special policy, the authority needs to take the following steps:
 - Identification of concern about crime and disorder; public safety; public nuisance; or protection of children from harm.

- Consideration of whether it can be demonstrated that crime and disorder or nuisance are occurring, or whether there are activities which pose a threat to public safety or the protection of children from harm.
 - If such problems are occurring, identifying whether these problems are being caused by customers of licensed premises, or that the risk of cumulative impact is imminent.
 - Identifying the boundaries of the area where problems are occurring.
 - Consultation with those specified in the legislation.
 - Subject to the consultation, include and publish details of the special policy in the licensing policy statement.
- 3.6 The Statement of Licensing Policy currently contains such a Cumulative Impact Policy. During the formal consultation of the full Licensing Policy mid last year, Cambridgeshire Constabulary responded based on the revised pattern of violent crime observed (Appendix A - Statement of Licensing Policy, Appendix 3). In their response to the Cambridgeshire Constabulary, questioned whether it is proportionate to maintain the Cumulative Impact Area for the whole length of Mill Road. Specifically, the Romsey area of Mill Road (from Railway Bridge to Brookfields) has seen a reduction in relevant crime levels, and the question was raised whether it should remain in the Cumulative Impact Area.
- 3.7 Following Licensing Committee approval in October 2017, the proposal to remove the Romsey area of Mill Road from the Cumulative Impact Area was subject to a twelve week public consultation between 13 November 2017 and 4 February 2018.
- 3.8 The consultation was undertaken by directly contacting the relevant responsible authorities and residents associations, all four Ward Committees, and publishing the consultation on our website and in the Cambridge News on Monday 13 November 2017 (see Appendix C for a full list). Additionally all those holding a premises licence or club premises certificate were directly consulted, as were all businesses in the Romsey area of Mill Road, places of interest such as school and churches within the Romsey and Coleridge wards and it was also raised at Area Committees.
- 3.9 A total of 29 responses were received to the consultation (Appendix D). Responses were from the Licensing Authority acting as a responsible authority, Councillors and individual members of the public. All 29 responses supported keeping the Cumulative Impact Area as it currently is and to not remove the Romsey area of Mill Road from it.

3.10 All responses received were considered by officers and Appendix E provides a summary of the responses received, specific considerations and summary of response provided.

4. Implications

(a) Financial Implications

There are no additional financial implications and the Council has met the cost of the consultation.

(b) Staffing Implications

There are no additional staffing implications.

(c) Equality and Poverty Implications

An Equality Impact Assessment (EqIA) has been completed alongside the review of this policy.

(d) Environmental Implications

The Act requires the Licensing Authority to carry out its function with a view to promoting the four licensing objectives, one of which is the prevention of public nuisance, to protect the local environment and community.

(e) Procurement Implications

Nil

(f) Community Safety Implications

Cambridge City Council must fulfil its obligations under section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder in Cambridge. Having a special policy on Cumulative Effect helps the Licensing Authority meet this obligation.

5. Consultation and communication considerations

5.1 In accordance with Government Code of Practice on consultation, the proposed change to the Cumulative Impact Policy was submitted for public consultation over a twelve week period between 13 November 2017 and 4 February 2018.

5.2 Consultation was undertaken as widely, with letters and emails being sent out, including the Chief Officer of Police and all other parties as

required by legislation, including persons/bodies representing holders of premises licences and club premises certificates, businesses and residents associations in the relevant area. The consultation was also available to view on Cambridge City Council website and appeared in the Cambridge News on Monday 13 November 2017. Appendix C provided further details of those included.

- 5.3 All comments received are listed in the attached Appendix D, which relates to specific written comments received in response to the draft policy. Consideration to all comments has been given in drawing up the Policy. Additionally, Appendix E shows the nature of the comment, the evaluation of the comment and the action taken.

6. Background papers

Background papers used in the preparation of this report:

- (a) Licensing Act 2003
- (b) Guidance published under section 182 of the Licensing Act 2003
- (c) Policing and Crime Act 2017
- (d) Cambridge City Council's Statement of Licensing Policy

7. Appendices

Appendix A – Current Statement of Licensing Policy

Appendix B – Response from Cambridge Constabulary in regards to review of Statement of Licensing Policy

Appendix C – List of Consultees

Appendix D – Comments and Responses from Consultation

Appendix E – Evaluation and Response to Consultee Feedback

Appendix F - Equality Impact Assessment

8. Inspection of papers

To inspect the background papers or if you have a query on the report please contact Luke Catchpole, Senior Technical Officer, tel: 01223 - 457818, email: luke.catchpole@cambridge.gov.uk.

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CAMBRIDGE CITY COUNCIL
STATEMENT OF LICENSING

	Page
The City of Cambridge	2
Introduction	3
Objectives	3
Consultation	4
Fundamental Principles	5
The cumulative impact of a concentration of licensed premises	5
Licensing Hours	8
Children and Licensed Premises	9
Licence Conditions	11
Integrating strategies and the avoidance of duplication	12
Licence Reviews	13
Enforcement	14
Administration, exercise and delegation of functions	14
Effective date and review	15
Contact details, advice and guidance	15
Responsible Authorities	16
Appendices – Cumulative Impact	18



CAMBRIDGE CITY COUNCIL STATEMENT OF LICENSING POLICY

Cambridge is a unique blend of market town, sub-regional centre, national and international tourist attraction and centre of excellence for education and research. It is a city of great beauty and is renowned for the qualities of its streets, spaces and buildings.

Cambridge City Council (the Licensing Authority), in association with local partnerships, wants Cambridge to be vibrant, socially mixed, safe, convenient and enjoyable, where all residents feel integrated into the life of the City and a part of its success.

Cambridge City Council has a clear vision for the future of the City, a vision shared with Cambridge citizens and partner organisations. Our vision includes:

- An international city which celebrates its diversity and actively tackles discrimination on gender, race, nationality, ethnic background, religion, age, disability, gender identity, and sexual orientation.
- A city in which all citizens feel that they are listened to and have the opportunity to influence public decision making, and which values, supports and responds to individual and community initiatives.
- A city where all citizens and organisations appreciate their duties as well as their rights, where people are free to enjoy themselves but also show consideration for others, and where the community works together to reduce harm and nuisance including by education and, where needed, robust enforcement of the law.

The overarching objectives of Cambridge City Council in licensing premises are to:

- Promote the Authority's visions and values
- Protect the rights and health and safety of the general public, workers, residents, businesses, minority and vulnerable groups
- Ensure the principles of consistency, transparency, accountability and the promotion of good standards in licensing
- Demonstrate compliance with statutory responsibilities in relation to procedures and enforcement
- Ensure consistent and transparent decision making

It is recognised that licensed entertainment provides a valuable contribution towards the economy of Cambridge and we seek to balance the needs of local business holders and licensees, whilst protecting those of local residents.

APPENDIX A

1. Introduction

- 1.1 This Licensing Policy Statement has been produced in accordance with the requirements of the Licensing Act 2003 ('the Act') and is in line with guidance issued under Section 182 of the Act.
- 1.2 The policy relates to all those licensing activities identified as falling within the provisions of the Act, namely: -
 - Retail sale of alcohol
 - Supply of alcohol by or on behalf of a club, or to the order to a member of the club
 - The provision of regulated entertainment
 - The provision of late night refreshment
- 1.3 The policy relates to all types of premises covered by the Act.
- 1.4 The Licensing Authority will take the policy into account where its discretion is engaged (i.e. at a hearing following representations).
- 1.5 Nothing in this policy will undermine the right of any individual to apply under the terms of the Act for a variety of permissions and to have any such application considered on its individual merits.
- 1.6 The Licensing Authority may depart from this policy if the individual circumstances of any case merit such a decision in the interest of the promotion of the licensing objectives. Full reasons will be given for departing from the policy.

2. Objectives

- 2.1 The Licensing Authority has a duty under the Act to carry out its licensing functions by promoting the licensing objectives, which are: -
 - The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance, and
 - The protection of children from harm.

Each objective has equal importance.

- 2.2 In carrying out its licensing functions, the Licensing Authority must also have regard to the licensing objectives, its Policy Statement and any statutory guidance under the Act and is bound by The Human Rights Act 1998. The Council must also fulfill its obligations under section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder in Cambridge. The Statement of Licensing Policy recognises the Equality Act 2010 places a legal obligation on public authorities to have due

APPENDIX A

regard to the need to eliminate unlawful discrimination, harassment and victimization; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics.

- 2.3 It is recognised that the licensing function is only one means of securing the delivery of the above objectives and should not be seen as a means for solving all problems within the community. However, the licensing function is an important means of achieving the objectives. The Licensing Authority will continue to work in partnership with its neighbouring authorities, the police, other agencies, local liaison groups, businesses and individuals towards the achievement of the licensing objectives through good practice.
- 2.4 The Licensing Authority will expect individual applicants to address the licensing objectives in their operating schedule having regard to the type of premises, the licensable activities to be provided, the operational procedures, the nature of the location and the needs of the local community. Applicants should include in their operating schedule the steps, which they consider necessary to promote the licensing objectives. If the steps are insufficient, or if the information given in the operating schedule does not enable a responsible authority or any other person to assess whether the steps proposed are satisfactory, it is more likely that relevant representations will be received, usually leading to a hearing.
- 2.5 All responsible authorities (listed in section 15) will have the chance to comment on all applications received and will provide evidence from their own areas of expertise if they believe an application would impact on one or more of the licensing objectives. All evidence provided will be taken into account by the Licensing Authority at any subsequent hearing.

3. Consultation

- 3.1 In preparing this policy statement the Licensing Authority has consulted with the following:
- the Chief Officer of Police for Cambridgeshire
 - the Chief Officer of the Cambridgeshire Fire and Rescue Service
 - persons/bodies representative of the Local Authority with the function of public health
 - persons/bodies representative of local holders of premises licences
 - persons/bodies representative of local holders of club premises certificates
 - persons/bodies representative of local holders of personal licences
 - persons/bodies representative of businesses and residents in the City of Cambridge
 - persons/bodies representative of Child Protection Services at Cambridgeshire County Council
 - other organisations as appear to the Licensing Authority to be affected by licensing matters, including local community, cultural,

APPENDIX A

educational and entertainment organisations.

- 3.2 We have considered the views of all those consulted prior to determining this policy.

4. Fundamental Principles

- 4.1 Licensing is about regulating licensable activities on premises, such as qualifying clubs, pubs and temporary events which fall within the terms of the Act. Any conditions imposed will focus on matters that individual licensees and others in possession of relevant authorisations are able to control.
- 4.2 In addressing these matters, the Licensing Authority will primarily focus on the direct impact the activities taking place at the licensed premises will have on those living, working or engaged in normal activity in the area concerned.
- 4.3 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or permission concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy in Cambridge.

5. The cumulative impact of a concentration of licensed premises

- 5.1 Cumulative impact is the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area e.g. the potential impact on crime and disorder or public nuisance.
- 5.2 The cumulative impact of licensed premises on the promotion of the licensing objectives is a matter that the Licensing Authority can take into account. This should not, however, be confused with 'need' which concerns the commercial demand for a particular type of premises e.g., a pub, restaurant or hotel. The issue of 'need' is therefore primarily a matter for the market to decide and does not form part of this licensing policy statement.
- 5.3 The Licensing Authority can only adopt a special policy on cumulative impact if there is evidence that a significant number of licensed premises concentrated in one area is causing a cumulative impact on one or more of the licensing objectives. The Licensing Authority will keep the situation as to whether an area is nearing this point under review.
- 5.4 The absence of a special policy does not prevent any responsible authority or other person making representations on a new application for the grant or variation of a licence on the grounds that the premises will give rise to a detrimental cumulative impact on one or more of the licensing objectives in a

APPENDIX A

particular area.

- 5.5 Following previous consultations and representations received by Cambridge Constabulary, the Licensing Authority has adopted a special policy on cumulative effect that remains in place.
- 5.6 In response to these representations the Licensing Authority has undertaken the following steps in considering whether to adopt a special policy on cumulative effect within this statement of licensing policy:
- Identified concern about crime and disorder or public nuisance
 - Considered whether there is good evidence that crime and disorder are happening and are caused by customers of licensed premises and that the risk of cumulative impact is imminent
 - Identified the boundaries of the areas where problems are occurring
 - Consulted with those specified in section 5(3) of the Licensing Act 2003, on the proposal for a special policy in relation to new applications and variations to existing premises licences and club premises certificates and considered the outcome of the consultation
- 5.7 Having considered the available evidence and undertaken consultation, the Licensing Authority considers that it is appropriate and necessary to control cumulative impact. The Licensing Authority has adopted a special policy relating to cumulative impact to the areas set out in paragraph 5.8 below.

Special Policy on Cumulative Effect

- 5.8 The Licensing Authority has adopted a special policy relating to cumulative impact in relation to the areas of the City:
- Within the city centre marked on the map at Appendix 1
 - At the Cambridge Leisure Park marked on the map at Appendix 2.
 - This area also includes the section of Cherry Hinton Road opposite the leisure park running from Hills Road to Clifton Road (both sides of the road).
 - The entire length of Mill Road Cambridge (excluding Brookfields)
 - The section of Hills Road running from the city to Purbeck Road (both sides of the road).
- 5.9 The evidence for this special policy has been supplied by Cambridge Constabulary on the grounds of Crime and Disorder and is set out in Appendix 3.
- 5.10 This special policy creates a rebuttable presumption that applications within the areas set out in paragraph 5.8 for new premises licences or club premises certificates or variations that are likely to add to the existing cumulative impact will normally be refused, if relevant representations are received about the cumulative impact on the licensing objectives, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact already being experienced.
- 5.11 Applicants will need to address the special policy issues in their operating

APPENDIX A

schedules in order to rebut such a presumption.

- 5.12 Despite the presumption against grant, responsible authorities and/or other persons will still need to make a relevant representation before the Licensing Authority may lawfully consider giving effect to its special policy i.e. if no representation is received, the application must be granted (subject to such conditions as are consistent with the operating schedule and any mandatory conditions required by the Licensing Act 2003). Responsible authorities and other persons can make a written representation referring to information, which had been before the Licensing Authority when it developed its statement of licensing policy.
- 5.13 The Licensing Authority recognises that a special policy should never be absolute. The circumstances of each application will be considered properly and applications for licences and certificates that are unlikely to add to the cumulative impact on the licensing objectives may be granted. After receiving representations in relation to a new application or for a variation of a licence or certificate, the licensing authority will consider whether it would be justified in departing from its special policy in the light of the individual circumstances of the case. The impact can be expected to be different for premises with different styles and characteristics. If the Licensing Authority decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of the licensing objectives and that necessary conditions would be ineffective in preventing the problems involved.
- 5.14 This special policy will not be used:
- as a ground for revoking an existing licence or certificate when representations are received about problems with those premises
 - to justify rejecting applications to vary an existing licence or certificate except where those modifications are directly relevant to the policy (as would be the case with an application to vary a licence with a view to increasing the capacity limits of the premises) and are strictly necessary for the promotion of the licensing objectives
 - to include any provisions for a terminal hour in any particular area which might impose a fixed closing time akin to that under the 'permitted hours' provisions of the Licensing Act 1964
 - to impose quotas - based on either the number of premises or the capacity of those premises - that restrict the consideration of any application on its individual merits or which seek to impose limitations on trading hours in particular areas. Quotas have no regard to individual characteristics of the premises concerned. Proper regard will be given to those differences and the differing impact they will have on the promotion of the licensing objectives
- 5.15 This special policy will be reviewed regularly to assess whether it is still needed or should be expanded

Other mechanisms for controlling cumulative impact

APPENDIX A

5.16 Once away from the licensed premises, a minority of consumers will behave badly and unlawfully. However, there are other mechanisms, both within and outside the licensing regime, that are available for addressing such issues. For example:

- planning controls
- positive measures to create a safe and clean environment in partnership with local businesses, transport operators and others
- the provision of CCTV, ample taxi ranks, Cambridge BID and CAMBAC (Cambridge Business Against Crime).
- powers to designate parts of the city as places where alcohol may not be consumed publicly. There are currently 3 Public Spaces Protection Order's in place. These are Donkey Common, Mill Road Cemetery and Ditchburn Place.
- confiscation of alcohol from adults and children in designated areas
- police enforcement of the law with regard to disorder and anti-social behaviour, including the issuing of fixed penalty notices
- police powers to close some premises for up to 24 hours on the grounds of disorder, the likelihood of disorder or excessive noise
- the power of police, local businesses or residents to seek a review of the licence or certificate
- enforcement action against those selling alcohol to people who are drunk.

5.17 The above can be supplemented by other local initiatives that similarly address these problems, for example, through the Cambridge Community Safety Partnership in line with the strategic objectives for crime and disorder reduction within the City.

6. Licensing Hours

6.1 Flexible licensing hours for the sale of alcohol can help to ensure that concentrations of customers leaving premises simultaneously are avoided. This can help to reduce the potential for disorder and disturbance. Licensing hours should not inhibit the development of a thriving and safe evening and night-time economy. This is important for investment, local employment, tourism and local services associated with the night-time economy. Providing customers with greater choice and flexibility is an important consideration, but should always be balanced carefully against the duty to promote the four licensing objectives and the rights of local residents to peace and quiet.

6.2 Subject to the policies regarding cumulative impact in the areas of the City specified in paragraph 5.8, shops, stores and supermarkets will generally be permitted to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping, unless representations raise good reasons based on the licensing objectives, for restricting those hours, for example, a limitation may be appropriate following police

APPENDIX A

representations in the case of shops known to be a focus of disorder and disturbance.

- 6.3 The Licensing Authority will deal with the issue of licensing hours on the individual merits of each application. When issuing a licence, following receipt of relevant representations, stricter conditions on noise control are likely to be imposed in the case of premises that are situated in predominantly residential areas. However, this should not limit opening hours without regard to the individual merits of any application.

7. Children and Licensed Premises

- 7.1 Cambridge City Council will consider its Safeguarding for Children and Vulnerable Adults Policy when determining licensing applications. We are committed to safeguarding and promoting the welfare of children, young people and vulnerable adults.

- 7.2 It is an offence under the 2003 Licensing Act to:

- Permit children under the age of 16 who are not accompanied by an adult to be present on premises being used exclusively or primarily for supply of alcohol for consumption on those premises under the authorisation of a premises licence, club premises certificate or where that activity is carried on under the authority of a TEN; and
- To permit the presence of children under 16 who are not accompanied by an adult between midnight and 5am at other premises supplying alcohol for consumption on the premises under the authority of any premises licence, club premises certificate or TEN.

- 7.3 There are a great variety of premises for which licences may be sought including theatres, cinemas, restaurants, pubs, nightclubs, cafes, take away, community halls and schools. Access by children to any premises will not be limited unless it is considered necessary for the prevention of physical, moral or psychological harm to them.

- 7.4 Conditions requiring the admission of children to any premises cannot be attached to licences or certificates. Where no licensing restriction is necessary, this should remain a matter for the discretion of the individual licensee or club or person who has been given a temporary event notice.

- 7.5 When deciding whether to limit access to children, the Licensing Authority will consider each application on its merits. Particular areas that will give rise to concern in respect of children, would include premises –

- where entertainment or services of an adult or sexual nature are commonly provided
- where there is a strong element of gambling on the premises
- with a known association with drug taking or dealing
- where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage

APPENDIX A

- drinking
 - where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.
 - where there is a known association with the provision of illicit tobacco and alcohol
 - where the supply of alcohol is in close proximity to services where young vulnerable people may frequent
- 7.6 The range of alternatives which may be considered for limiting access to children where that is necessary for the prevention of harm to children are:
- limitations on the hours when children may be present
 - age limitations (below 18)
 - limitations on the exclusion of the presence of children under certain ages when particular specified activities are taking place
 - requirements for accompanying adults
 - full exclusion of those people under 18 from the premises when any licensable activities are taking place
 - limitations on the parts of premises to which children might be given access.
- 7.7 In the case of premises which are used for film exhibitions Cambridge City Council will expect licence holders or clubs to include in their operating schedules arrangements for restricting children from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification or, in specific cases, a certificate given to the film by the Council itself.
- 7.8 The Licensing Authority recognises the Child Protection Services of Cambridgeshire County Council as being competent to advise on matters relating to the protection of children from harm.
- 7.9 The Licensing Authority commends the Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks. The Code seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years old or older.

8. Licence Conditions

- 8.1 A key concept of the Act is for conditions to be attached to licences and certificates, which are tailored to the individual style and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions.
- 8.2 The Licensing Authority cannot attach conditions to premises licences and

APPENDIX A

club premises certificates unless they are considered appropriate for the promotion of the licensing objectives. The Licensing Authority may only attach conditions (except for statutory mandatory conditions and conditions drawn from the operating schedule) if relevant representations have been received. Conditions will generally be considered unnecessary if they are already adequately covered by other legislation. Blanket standard conditions will not be imposed without regard to the merits of the individual case.

8.3 Conditions attached to premises licences and club premises certificates under prevention of crime and disorder will, so far as possible, reflect local crime prevention strategies.

8.4 In deciding what conditions should be attached to licences and certificates to promote the licensing objectives, the Licensing Authority will be aware of the need to avoid measures which might deter live music, dancing or theatre by imposing indirect costs of a substantial nature. Only appropriate conditions will be imposed on such events. Where there is any indication that such events are being deterred by licensing requirements, the policy will be revisited with a view to investigating how the situation might be reversed.

8.5 Applicants should consider the measures which they propose to control noise nuisance from the premises or from departing customers. Depending on the individual circumstances, this may include:

- Sound limitation devices
- Acoustic lobbies
- Acoustic double glazing
- Noise insulation
- Specifying non amplified or acoustic music only
- Notices requesting customers to leave quietly
- A dedicated taxi service
- Use of door supervisors at exit points
- A winding down period during which music is turned down and lights up, alcohol service ceases and sales of food and hot and cold soft drinks continues and requests are made for customers to leave quietly.

9. Integrating Strategies and the avoidance of duplication

9.1 By consultation and liaison, the Licensing Authority will secure the proper integration of this licensing policy with local crime prevention, Cambridgeshire Health & Wellbeing Strategy, planning, transport, tourism, equality schemes, cultural strategies and any other plans introduced for the management of the city and the night-time economy. Many of these strategies directly impact upon the four licensing objectives.

APPENDIX A

- 9.2 Where any protocols to be agreed with the police identify a particular need to disperse people from the city swiftly and safely to avoid concentrations which could lead to disorder and disturbance, the Licensing Authority will aim to inform those responsible for providing local transportation so that arrangements can be made to reduce the potential for problems to occur.
- 9.3 The Council's Licensing Committee will receive, when appropriate, reports on:
- the needs of the local tourist economy for the area to ensure that these are reflected in their considerations
 - the employment situation in the area and the need for new investment and employment where appropriate.
- 9.4 Planning, building control and the licensing regimes will be separated to avoid duplication and inefficiency. Licensing applications will not be a re-run of the planning application and will not cut across decisions taken by the planning committee or following appeals against decisions taken by that committee. When a terminal hour has been set as a condition of planning permission that is different from the licensing hours, the applicant must observe the earlier of the two closing times.
- 9.5 So far as is possible, the policy is not intended to duplicate existing legislation and regulatory regimes that already place obligations on employers and operators.
- 9.6 The Licensing Authority will monitor the impact of licensing on the provision of regulated entertainment, and particularly live music and dancing. As part of implementing cultural strategies, proper account will be taken of the need to encourage and promote a broad range of entertainment, particularly live music, dancing, circus activity, street art and theatre, including the performance of a wide range of traditional and historic plays for the wider cultural benefit of the community which also balances the evening economy. The Licensing Authority will balance the prevention of disturbance in neighbourhoods with these wider cultural benefits, particularly cultural benefits for children. Only appropriate conditions will be imposed on such events.
- 9.7 The absence of cultural provision in any area can lead to young people being diverted into anti-social activities that damage local communities and the young people involved themselves.
- 9.8 Cambridge City Council has an important role in coordinating events in the City and to ensure that cultural diversity thrives. The Council currently has five licensed open spaces. These are: Parkers Piece; Jesus Green; Midsummer Common; Coldhams Common and the grounds of Cherry Hinton Hall.
- 9.9 The Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and

APPENDIX A

victimization; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics.

- 9.10 Applicants will be encouraged to make themselves aware of any relevant planning and transportation policies, tourism and cultural strategies or local crime prevention strategies and to have taken these into account, where appropriate, when formulating their operating schedule.
- 9.11 The Licensing Authority will have regard to equality and will expect an applicant to meet their statutory obligations in this area and not unlawfully discriminate or refuse service on grounds of race, gender, transgender, religion, sexual orientation, disability or age, or display discriminatory signs.

10. Licence Reviews

- 10.1 The process set out in the Licensing Act 2003 for reviewing premises licences represents a key protection for the community where problems associated with the licensing objectives are occurring after the grant or variation of a premises licence.
- 10.2 Responsible authorities (including the Licensing Authority) and other parties can apply for the review of a licence.
- 10.3 The Licensing Authority will work in partnership with other responsible authorities to achieve the promotion of the licensing objectives and will give Licence or Certificate holders early warning of any concerns identified at a premises. The Licensing Authority will also encourage other responsible authorities to do the same.
- 10.4 When a review has been requested the role of the Licensing Authority will be to administer the process and determine its outcome at a hearing. Where the Licensing Authority has applied to review an authorisation, there will be a clear separation of responsibilities to ensure procedural fairness and eliminate conflicts of interest. (See paragraph 12.3).
- 10.5 The Licensing Authority may decide that no action is necessary if it finds that the review does not require it to take any appropriate steps to promote the licensing objectives. In appropriate cases the Authority may issue an informal warning to the licence holder and/or recommend improvement within a particular period of time. Any warnings or recommendations will be issued in writing.
- 10.6 Where the Licensing Authority considers that action under its statutory powers is appropriate it may take any of the following steps:
- to modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing

APPENDIX A

condition);

- to exclude a licensable activity from the scope of the licence;
- to remove the designated premises supervisor;
- to suspend the licence for a period not exceeding three months;
- to revoke the licence.

10.7 In cases where the crime prevention objective is being undermined the Licensing Authority will give serious consideration to revoking the licence even in the first instance.

11. Enforcement

11.1 The Licensing Authority intends to establish protocols with the police and any other relevant enforcement body on enforcement issues. These protocols will provide for the targeting of agreed problem and high-risk premises, which require greater attention, while providing a lighter touch approach in respect of low risk premises which are well run.

11.2 In general, action will only be taken in accordance with the Council's enforcement policy, as adopted at the time, which reflects the Council's obligations relating to enforcement and is consistent with the Regulators Compliance Code. To this end, the key principles of consistency, openness, proportionality, clear standards and practices, courtesy and helpfulness and training will be maintained.

Cambridge City Council's enforcement policy is available on our website www.cambridge.gov.uk/content/enforcement-policy

12. Administration, exercise and delegation of functions

12.1 The functions of the Licensing Authority under the Act may be carried out by the Licensing Committee, by a Sub-Committee or by one or more officers acting under delegated authority.

12.2 Many of the decisions and functions will be largely administrative in nature. In the interests of speed, efficiency and cost-effectiveness these will, for the most part, be delegated to officers as set out in the Cambridge City Council Constitution

12.3 In determining applications where the Licensing Authority has acted as a responsible authority, there will be a clear separation of responsibilities to ensure procedural fairness and eliminate conflicts of interest. This will be achieved by allocating distinct functions to different Officers within the authority, so the Officer presenting the report to the Sub-Committee and advising the Members will be a different individual to the Officer who is acting as the responsible authority. The Officer acting as the responsible authority will not be involved in the decision making process.

APPENDIX A

13. Effective Date and Review

- 13.1 This policy statement will take effect from October 2017.
- 13.2 The policy statement will be kept under review and will remain in existence for a period of up to 5 years. It will be subject to review and further consultation before October 2022, or as required by law.

14. Contact details, advice and guidance

- 14.1 Applicants can obtain further details about the licensing and application processes, including application forms and fees from:

website: www.cambridge.gov.uk

e-mail: licensing@cambridge.gov.uk

telephone: 01223 457879

post: Licensing, Environmental Services, Cambridge City Council,
PO Box 700, Cambridge, CB1 0JH

in person: Customer Service Centre, Mandela House, 4, Regent Street,
Cambridge, CB2 1BY (Monday to Friday 09:00- 17:15)

- 14.2 The Licensing Authority has also published further documents to accompany this policy containing additional details about each type of application and the review process. These can be viewed at <https://www.cambridge.gov.uk/guidance-for-applicants>
- 14.3 This policy can be made available in large print on request and similarly translations can be made available in a variety of languages. Please contact us for further help or assistance.
- 14.4 The Council, Police and Fire Authorities will be willing to give advice and guidance to applicants.
- 14.5 Informal discussion is encouraged prior to the application process in order to resolve any potential problems and avoid unnecessary hearings and appeals.

APPENDIX A

15. Responsible Authorities are:

The Licensing Authority

Licensing, Environmental Services, Cambridge City Council, PO Box 700, Cambridge, CB1 0JH

Tel: 01223 457879 Fax: 01223 457909 e-

mail: licensing@cambridge.gov.uk

The Chief Officer of Police

The Chief Officer, Cambridgeshire Constabulary, Southern Division, Police Station, Parkside, Cambridge, CB1 1JG

Telephone: 01223 823397 Fax: 01223 823232

The Fire Authority

Fire Protection, Cambridge Fire Station, Parkside, Cambridge, CB1 1JF

Email: danny.hans@cambsfire.gov.uk

Planning

Environment & Planning, Cambridge City Council, The Guildhall, Cambridge, CB2 3QJ

Telephone: 01223 457100

e-mail: planning@cambridge.gov.uk

Environmental Health

The Environmental Health Manager, Environmental Services, Cambridge City Council, PO Box 700, Cambridge, CB1 0JH

Telephone: 01223 457890 Fax: 01223 457909 e-

mail: env.services@cambridge.gov.uk

Child Protection

Child Protection Services, Licensing Applications, OCYPS, PO Box 144, St Ives, Cambs, PE27 9AU

Telephone: 03450455203

Referralcentre2.children@cambridgeshire.gov.uk

Trading Standards

Cambridgeshire County Council, PO Box 450, Great Cambourne, Cambridge, CB23 6ZR

e-mail: trading.standards@cambridgeshire.gov.uk

Public Health

The Director of Public Health, C/O Head of Public Health Programmes, Cambridgeshire County Council, Scott House Box No, SC0 2213, 5 George Street, Huntingdon, PE29 3AD

Home Office – Immigration Enforcement

Alcohol Licensing Team, Lunar House, 40 Wellesley Road, Croydon, CR9 2BY

APPENDIX A

In addition, for vessels:

Environment Agency

The Team Leader, Great Ouse & Stour Waterways, The Environment Agency, Kingfisher House, Goldhay Way, Orton Goldhay, Peterborough, PE2 5ZR.

Telephone: 01733 464072

e-mail: enquiries@environment-agency.gov.uk, quoting Great Ouse & Stour Waterways

Conservators of the River Cam

The River Manager

Conservators of the River Cam

Baits Bite Lock, Fen Road, Milton, Cambridge, CB24 6AF

Telephone/Fax 01223 863785

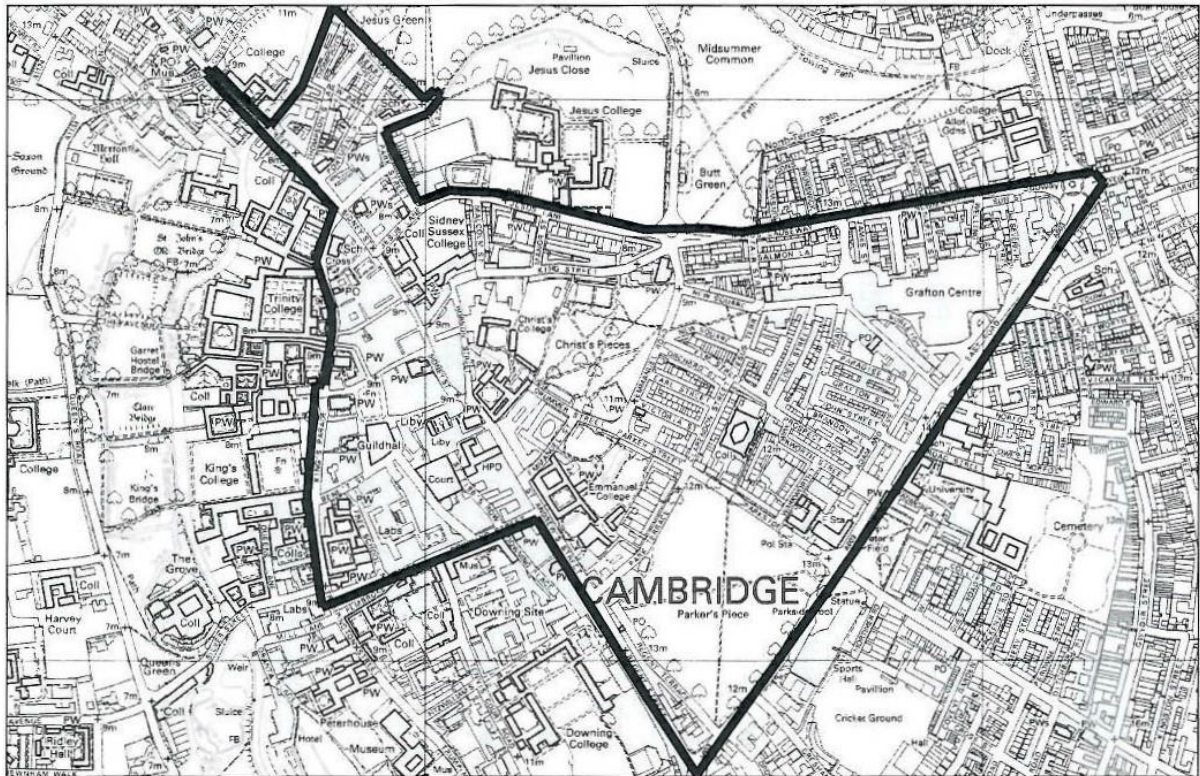
e-mail river.manager@camconservators.org.uk

Maritime & Coastguard Agency

Surveyor in Charge, Harwich Marine Office, Maritime & Coastguard Agency, East Terrace, Walton-on-Naze, Essex, CO14 8PY

APPENDIX A

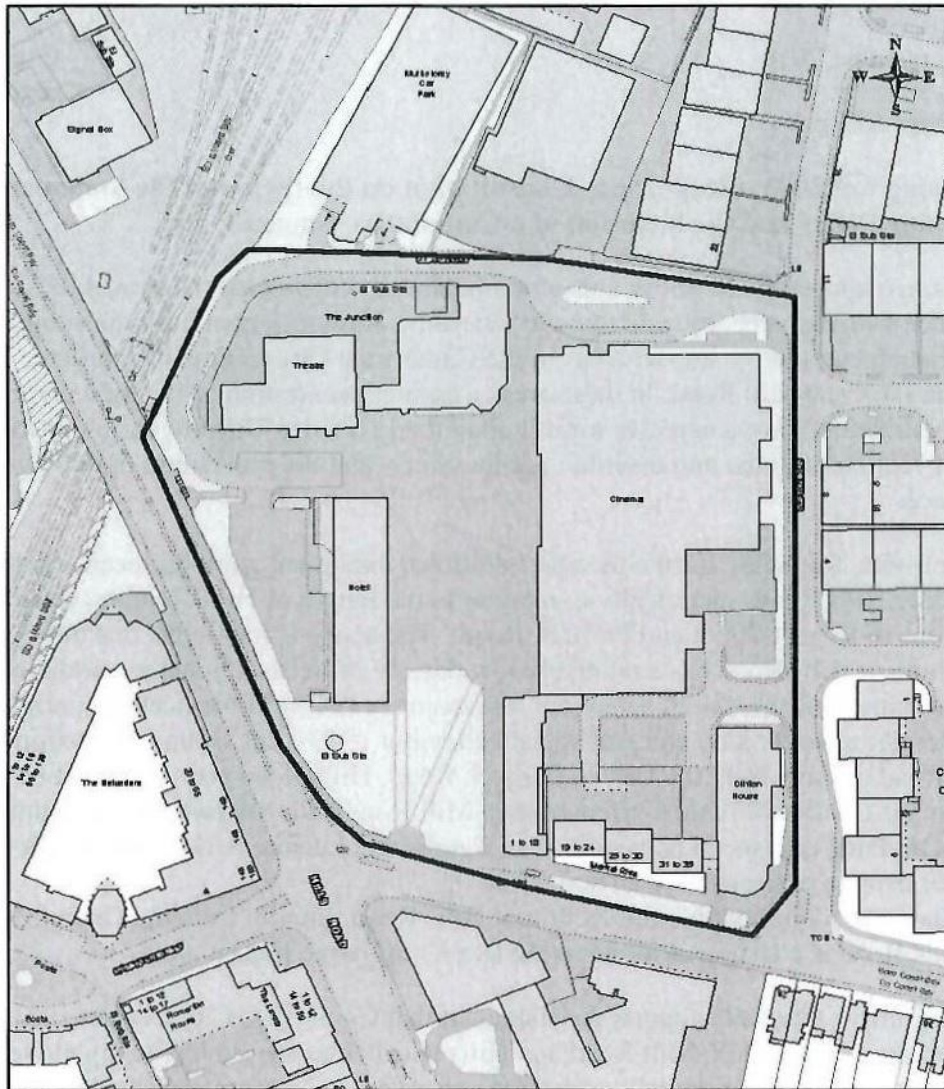
Appendix 1 – Cumulative Impact Area City Centre



APPENDIX A

Streets in Cumulative Impact Area Market Ward			
Adam and Eve Street	Eden Street	Malcolm Street	Quayside
All Saints Passage	Elm Street	Manor Street	Regent Street
Beaufort Place	Emmanuel Street	Market Hill	Regent Terrace
Belmont Place	Fair Street	Market Passage	Round Church Street
Benet Street	Fitzroy Lane	Market Street	Salmon Lane
Brandon Place	Fitzroy Street	Melbourne Place	Severn Place
Burleigh Place	Free School Lane	Napier Street	Short Street
Burleigh Street	Gonville Place	New Park Street	Sidney Street
Clarendon Street	Grafton Street	New Square	St Andrews Street
Camden Court	Green Street	Newmarket Road	St Johns Road
Causeway Passage	Guildhall Place	Orchard Street	St Marys Street
Christ Church Street	Hobson Street	Paradise Street	St Tibbs Row
Christs Lane	Hobsons Passage	Park Parade	Sun Street
City Road	James Street	Park Street	Sussex Street
Corn Exchange Street	Jesus Lane	Park Terrace	Thompson's Lane
Crispin Place	John Street	Parkside	Trinity Street
Dover Street	King Street	Parsons Court	Warkworth Street
Downing Street	Kings Parade	Peas Hill	Warkworth Terrace
Drummer Street	Lower Park Street	Petty Cury	Wellington Street
Earl Street	Magdalene Street	Portugal Place	Willow Place
East Road	Maids Causeway	Prospect Row	Willow Walk

APPENDIX 2 – CUMULATIVE IMPACT AREA:
CAMBRIDGE LEISURE PARK



APPENDIX A

APPENDIX 3 - CAMBRIDGE CITY CUMULATIVE IMPACT POLICY REVIEW 2017

Three years data has been analysed, though it should be noted that we are dependent upon crimes and incidents having an alcohol marker which is not reliably the case.

From the information that is recorded, it can be seen that there is a correlation between the number of licenced premises and the number of alcohol related crime and incidents per ward in Cambridge City.

		Alcohol Related Crime and Incidents				
Ward	Licenced Premises	Ward	2014/15	2015/16	2016/17	TOTAL
MA	206	MA	984	625	570	2179
PE	72	PE	349	223	138	710
TR	48	AB	365	120	98	583
CO	37	KH	369	106	85	560
NE	35	AR	350	106	94	550
CA	32	TR	337	88	99	524
AR	26	CO	281	80	62	423
AB	23	EC	263	62	65	390
RO	22	WC	213	88	87	388
KH	21	CH	244	52	52	348
WC	20	RO	184	72	61	317
CH	18	QE	168	52	32	252
EC	14	CA	94	31	36	161
QE	12	NE	67	34	26	127
TOTAL	586	TOTAL	4268	1739	1505	7512

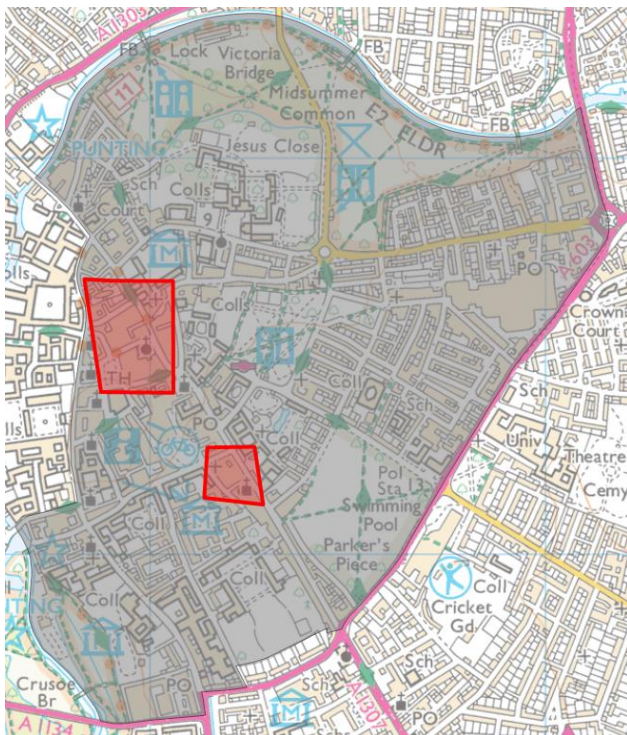
There has been a decrease in the number of alcohol related crimes and incidents recorded when compared year on year, the most significant of which occurred in 2015/2016. This reduction in alcohol related crime and incidents has not been seen in other Districts suggesting that work undertaken in Cambridge City has been effective.

APPENDIX A

MARKET WARD

There are two main hot spots for crime and incidents in Market Ward, both situated within the current Cumulative Impact Area:

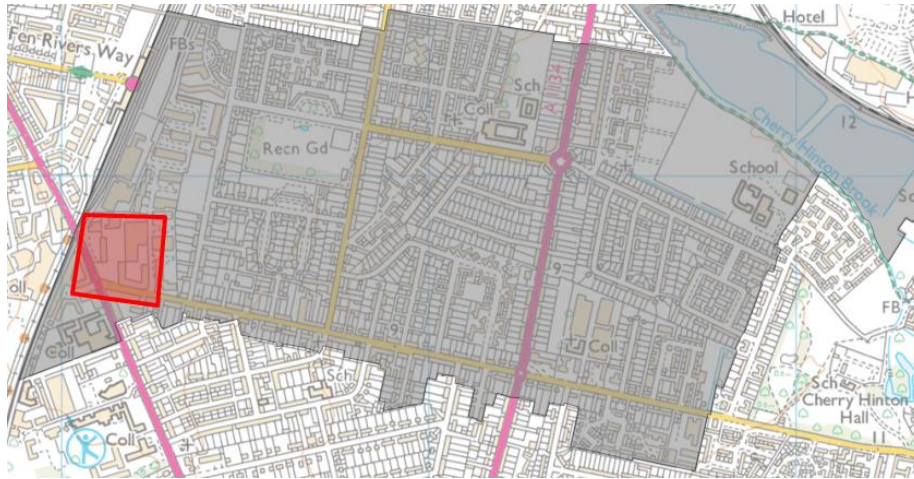
- St Andrew's Street features heavily in crime and incident data, 12% of all alcohol related crime and incidents in Market Ward occur on St Andrews Street; and
- Sidney Street where there is a mixture of violent crime occurring in the vicinity of night clubs. During the daytime, crime and incidents relate to street drinking and aggressive begging. 26% of all alcohol related crime and ASB in Market Ward occurs within this hotspot.



COLERIDGE

There continues to be a Hotspot for alcohol related crime and incidents around the Cambridge Leisure Park with the predominant theme being violent crime and theft from person. 30% of all alcohol related violent crime and violent related ASB recorded in Coleridge happens at the Cambridge Leisure Park.

APPENDIX A



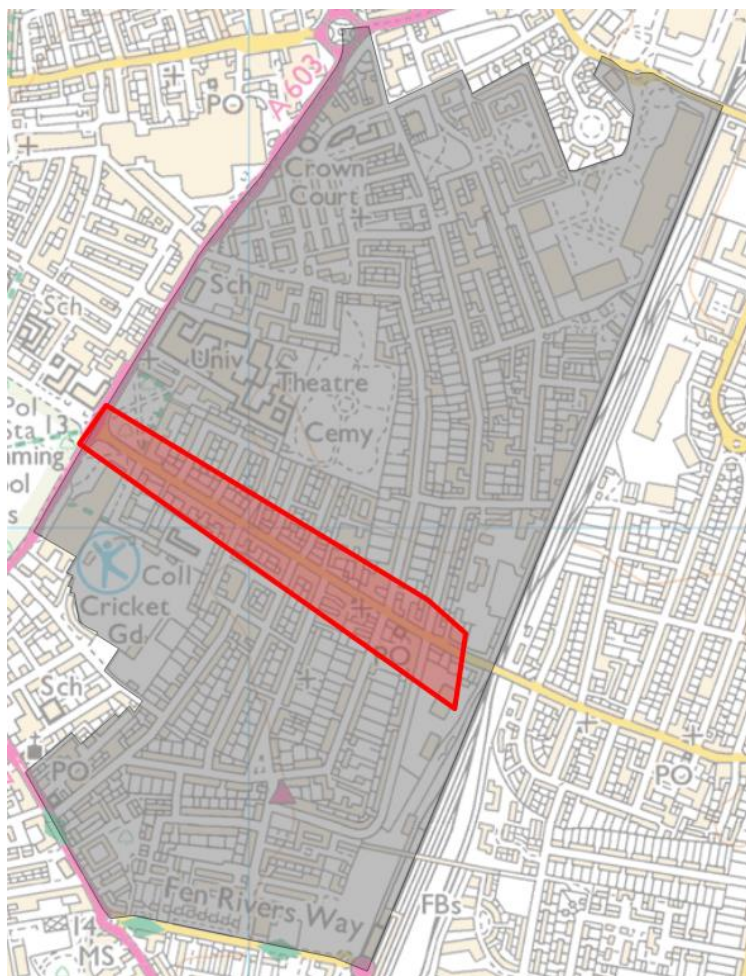
PETERSFIELD

There are two hotspots in Petersfield.

Mill Road:

- Crime relates to aggressive drunks stealing alcohol from shops, being evicted from pubs and around the vicinity of fast food shops.
- 42% of all recorded violent alcohol related crime and alcohol related ASB in Petersfield occurs on Mill Road.
- 42% of all licensed premises in Petersfield are on Mill Road.
- Mill Road has a total of 30 licensed premises, these comprise of two public houses, six convenience stores, 15 restaurants/café/take-away and a Wine Merchant.

APPENDIX A



PETERSFIELD AND TRUMPINGTON

Hills Road:

- Crime relates to aggressive drunks attempting to steal alcohol from shops on Hills Road, staff who attempt to intervene have been assaulted;
- High level of reporting from convenience stores who are met with violent reactions when they refuse to sell alcohol to those who are heavily intoxicated. In addition, aggressive beggars congregate outside convenience stores that have cash machines immediately outside the store, begging so that they can then purchase alcohol;
- Several schools have reported that people are sleeping rough within their grounds, when approached, they have become aggressive and there have been incidents of indecent exposure; and
- There has been a high level of reports regarding members of the street life community being drunk and vocally aggressive in Hills Road.

APPENDIX A



Conclusion

It is evident from the decrease in crime and incidents that current initiatives are effective and are having a positive impact. However, the previously identified hotspots for alcohol related crime and incidents continue to be hotspots in Cambridge City and therefore it is recommended that the current Community Impact Areas remain in place.

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APPENDIX B

Please reply to: Superintendent Jon Hutchinson
Area Commander for Cambridge



26 May 2017

Licensing Team
Environmental Services
PO Box 700
Cambridge
CB1 0JH

Dear Sir or Madam

RE: **Licensing Policy consultation response**

I write in my capacity as Area Commander of Cambridge Police.

I have read the Cambridge City Council Draft Statement of Licensing Policy and am pleased that this makes suitable consideration around the key objectives of Prevention and Detection of Crime and Disorder, Public Safety, Prevention of Public Nuisance and Preventing Children from Harm.

In terms of my specific focus, my feedback surrounds Section 5 of the Draft: The Cumulative Impact of a Concentration of Licensed Premises.

I am pleased that you have used the Police analytical document that shows levels of crime related to Licensed Premises (Appendix 3 in the Draft). It is my view that the Cumulative Impact Policy is both necessary and proportionate to prevent crime, disorder and nuisance, promote public safety and prevent children from harm. Unfortunately, violent crime and alcohol related anti-social behaviour remains a significant issue for both the Police and Local Partners to address. We continue to spend considerable time, effort and resource tackling this. The Special Policy on Concentration of Premises is seen as a vital tool in preventing further escalation of crime and disorder levels.

The only question I would raise is whether it is proportionate to maintain the Zone for the whole length of Mill Road? Whilst our data shows levels of alcohol related crime and disorder incidents of over one a week in Romsey, this is noticeably fewer than the lower end of Mill Road. Whilst there is certainly an issue with alcohol related disorder incidents in the section of Mill Road South of the Railway Line, it is not at the levels seen in other parts of the Zone.

My conclusion is that it is my view that the Special Policy works and should continue to form part of the City Council's Statement of Licensing Policy.

Yours faithfully

Superintendent Jon Hutchinson
Local Area Commander
Cambridge City

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Appendix C – List of Consultees during the proposed changes to Cumulative Impact Area

The following groups were all consulted during the 12 week consultation for the proposed changes to cumulative impact area:

- Responsible Authorities that include:
 - Cambridge Constabulary,
 - Cambridgeshire Fire Authority
 - Cambridge City Council's Environmental Health Department
 - Cambridge City Council's Planning Department
 - Cambridgeshire County Council's Child Protection
 - Cambridgeshire County Council's Trading Standards department
 - Cambridgeshire County Council's Public Health Directorate
- All councillors of Cambridge City Council.
- CAMBAC – Cambridge Business Against Crime
- 31 Resident Associations
- All premises that held a premises licence or club premises certificate on 15th May 2017.
- All businesses' in the Romsey area on Mill Road that do not have a premises or club premises certificate.
- All places of interest such as schools, churches etc within the wards of Romsey and Coleridge.
- The consultation appeared on the agenda of the 4 area committees.

In addition to the above the consultation was published on Cambridge City Council's website and an advert appeared in Cambridge News on 13 November 2017.

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APPENDIX D

Luke Catchpole

From: Alex Beebe
Sent: 25 January 2018 17:39
To: licensing
Cc: Yvonne ODonnell; Luke Catchpole
Subject: LA response to CIA public consultation
Attachments: Cumulative Impact Policy Public Consultation.docx

Good evening,

Please see attached a response to the Romsey CIA public consultation on behalf of the Licensing Authority.

Kind regards,

Alex Beebe | Senior Technical Officer – Commercial & Licensing
Commercial & Licensing Team | Environmental Services | Cambridge City Council
PO Box 700 | Cambridge | CB1 0JH


cambridge.gov.uk | twitter.com/camcitco | facebook.com/camcitco | facebook.com/taxilicensingccc01

******EH Training Solutions provides high-quality and affordable training courses in the areas of: alcohol licensing, food hygiene, health and safety as well as landlord and letting agent training. Please visit our Training page at: <http://www.cambridge.gov.uk/training> for further details on the courses we offer, or how we can meet your specific training needs******

APPENDIX D

Cumulative Impact Policy Public Consultation.

Please find a response on behalf of the Licensing Authority, acting as a responsible authority in regards to the public consultation on the Cumulative Impact Policy and whether the Romsey area of Mill Road should remain as part of the policy.

Currently the whole of Mill Road is part of the Cumulative Impact Policy and is split into two wards – Petersfield and Romsey. The Romsey area of Mill Road is from the Railway Bridge to Brookfields.

Looking at the statistics provided as part of the Police response to the review of the Statement of Licensing Policy in October 2017, the number of licensed premises in Romsey was 22 and the number of alcohol related crime and incidents for the same ward had dropped year on year to a low of 62 in 2016/17.

When comparing the statistics provided for all areas within the cumulative impact area, the following was found:

Ward	Licensed Premises	Alcohol Related Crime and Incidents	No. of incidents per licensed premises
Market	206	570	2.77
Petersfield	72	138	1.92
Trumpington	48	99	2.06
Coleridge	37	62	1.68
Romsey	22	61	2.77

Based on the above, even though Romsey has the least amount of licensed premises, the incidents per the number of the licensed premises are the joint highest alongside the Market ward.

At the current time there are 28 premises in Romsey with a Premises Licence or a Club Premises Certificate. 19 of these are situated on Mill Road (68%).

The licensing authority believe that the current Cumulative Impact Policy is of a great benefit to Cambridge City and based on the above information believe that the Cumulative Impact Area should remain as it is with the Romsey area of Mill Road staying as one of the areas within the policy.

Luke Catchpole

From: [REDACTED]
Sent: 04 February 2018 21:57
To: licensing
Subject: Mill Road cumulative impact area consultation

Dear Sir or Madam,

I am writing in relation to the Mill Road cumulative impact area consultation.

In my view it is still necessary for the Romsey area to remain part of the special policy on cumulative impact. I live on Mill Road within the relevant area, and regularly see or hear alcohol related incidents outside my house, as well as having rubbish (wine bottles, beer cans, and pint glasses) left in the street and garden outside my house. With the addition of a significant amount of new student housing in the area, I think that these incidents are likely to increase. There is also a clear issue with street drinkers around the Co-op and I believe that removing the area from the cumulative impact zone is likely to worsen the problem.

Kind regards,

[REDACTED]

APPENDIX D

Luke Catchpole

From: [REDACTED]
Sent: 31 January 2018 09:46
To: licensing
Subject: Cumulative Impact Area (CIA) consultation response

I read with interest the comments on the city council website about the possible removal of Romsey from the Mill Road CIA.

I object strongly to such a removal. We used to have a significant problem with street drinkers in Mill Road, and over the past five years these have much improved. Whilst it is not possible to point to one individual measure as being responsible for the improvement, I see no reason to doubt that every element of the package of measures introduced to address the problem, including the CIA, have been effective.

Your open letter says that "as part of the review ... statistics were provided breaking down the total number of Alcohol-related crime and incidents by ward. These figures have brought into question whether there is sufficient evidence for the Romsey area ... to remain" but it gives no pointer to the statistics, which makes it hard to critique them. Given that the internet makes it trivial to link to and thus propagate information, I can imagine no good reason why you would not provide the raw data.

But unless there has been a return of street drinking to pre-CIA levels, which would surprise me, I can't imagine what evidence you could find, given that the CIA remains in place. If it is merely that you see no evidence that it remains effective, I would remind the committee that absence of evidence is not evidence of absence.

At any rate, I live very close to the Mill Road, I have no problems in buying alcohol, I haven't seen a return to the street drinking levels that preceded the introduction of the CIA, and I object to the removal of Romsey from the Area.

[REDACTED]

APPENDIX D

Luke Catchpole

From: [REDACTED]
Sent: 30 January 2018 17:01
To: licensing
Subject: Mill Road Cumulative Impact area consultation

Dear Licensing officer and committee,
Thank you for consulting on whether to reduce the area of the Mill Road Cumulative Impact Zone.

I don't know what your latest review figures are, but taking from your letter this phrase

"As part of the review of the Statement of Licensing Policy, statistics were provided breaking down the total number of Alcohol related crime and incidents by ward. These figures have brought into question whether there is sufficient evidence for the Romsey area of Mill Road to remain as part of the Special policy on cumulative impact".

If the figures have improved I would say that the CIZ is working and should therefore be continued. This appears to be a successful policy - why throw it out?

It is important to remember the situation before the CIZ was put in place. I don't think the residents, City Council or police would want to revert to that.

Kind regards,

Luke Catchpole

From: [REDACTED]
Sent: 29 January 2018 13:36
To: licensing
Subject: Mill Road cumulative impact area consultation

To the Commercial and Licensing team

I prefer that the Romsey area REMAIN part of the special policy on cumulative impact. My son has begun to make independent visits to the Romsey Co-op and I am reluctant to see any change in policy that could lead to him feeling unsafe.

Yours faithfully,

[REDACTED]

APPENDIX D

Luke Catchpole

From: [REDACTED]
Sent: 28 January 2018 20:18
To: licensing
Subject: Mill Road Cumulative Impact Area

I write to urge the Licencing Authorities to maintain its policy about alcohol sales throughout the length of Mill Road, including Romsey. Incidents of alcohol fuelled social misbehavior, including begging are still unfortunately to be seen regularly outside the Co-op, sometimes on top of the bridge, and around Gt Eastern St car park

[REDACTED]

APPENDIX D

Luke Catchpole

From: [REDACTED]
Sent: 28 January 2018 19:22
To: licensing
Subject: Mill Road Cumulative Impact Area

I understand that the cumulative impact area is being discussed.

As far as Romsey is concerned there is regular drinking and begging outside the co-op. This is a small group of regular drinkers/drug takers, and probably like others I have given up reporting them as it is difficult to find anyone to report it to, and nothing seems to happen if you do.

Also on Romsey Recreation Ground.

In the past there were regular PCSO patrols, with officers who would stop chat and listen to comments. They seem to have stopped now, or walk through quickly when seen ?

Also seem to be regular drinkers/beggars outside Salvation Army in evening.

Removing the impact area would simply encourage more of this

Thank you

[REDACTED]

Luke Catchpole

From: [REDACTED]
Sent: 28 January 2018 18:33
To: licensing
Cc: [REDACTED]
Subject: Mill Road cumulative impact area consultation – alcohol sales

Dear Sirs/Mesdames,

I understand – from Mill Road cumulative impact area consultation | Cambridge City Council – that in assessing whether the Mill Road 'cumulative impact' area is still needed, statistics on *reports* of alcohol-related crimes and incidents have been reviewed, and that these *reported* figures have brought into question whether there is sufficient evidence for the Romsey area of Mill Road – from the railway bridge to Brookfields – to remain part of the special policy on cumulative impact.

My view is that this policy is still needed for the whole of Mill Road, including Romsey.

- I would suggest that the statistics are likely to understate the problem, I have seen numerous occasions where individuals have been begging on the Co-op forecourt, by the cash machine, to fund their alcohol addiction. A member of the Co-op staff has asked the individual to leave, reminding them that they are banned from the premises. I doubt if these instances are logged or reported.
- Insofar as there have been reduced instances, there may be temporary factors involved. One such temporary factor is the work on N°1 Great Eastern Street. This has made the adjacent play area temporarily less attractive to street-drinkers as a large amount of vegetation – which provided cover for urination and defecation – has been removed. Doubtless some re-landscaping will take place on completion of construction work.
- This section of Mill Road is the home to 'The Bridge' is drug advice and counselling centre. It is also home to Brookfields Hospital' recovery services and The Edge café. To put the users of these services at risk from increased availability of alcohol off-sales would, in my view, be negligent.
- The Romsey section of Mill Road will shortly become the home to Cambridge's new mosque, in front of which will be an open, public garden. The increased availability of alcohol off-sales nearby would, in my view, put at risk the mis-use of this new public asset.

Yours faithfully,

[REDACTED]

Luke Catchpole

From: [REDACTED]
Sent: 28 January 2018 18:32
To: licensing
Subject: Mill Road cumulative impact area

Good morning,

I have lived off Mill Road since 1971 and do not support the removal of the Romsey area from the cumulative impact area. I believe that it is essential that there is no change to the size of the current area because all the problems we experienced years ago will return.

[REDACTED]



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Luke Catchpole

From: [REDACTED]
Sent: 18 January 2018 08:55
To: licensing
Subject: Opposition to the ending of the Mill Road Cumulative Impact Zone (CIZ)

As County Councillor for Romsey Division I strongly oppose the proposals to end the Cumulative Impact Zone east of the bridge on Mill Road.

[REDACTED]

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Luke Catchpole

From: [REDACTED]
Sent: 18 January 2018 13:13
To: licensing
Subject: Cumulative Impact Area Romsey Mill Rd.

Dear Sir/Madame,

I am writing to say that I don't think the cumulative impact zone should be lifted just because there seems to have been 'little incident' - how do you know if this is because there has been a CIZ in place or not?

Also there is a lot of building going on in Romsey and with the new student flats there will be a whole new influx of people with considerably more potential trouble associated with alcohol sales.

Regards

[REDACTED]

APPENDIX D

Luke Catchpole

From: [REDACTED]
Sent: 17 January 2018 13:01
To: licensing
Subject: consultation on removal of part of Mill Road from the CIZ

I am writing to object to the proposed changes to the Mill Road Cumulative Impact Zone.

The Mill Road area of Cambridge has suffered for many years from alcohol related anti-social behaviour.

This has taken two forms, intoxicated aggressive begging on Mill Road during the day and noise and disturbance late at night drunks in the surrounding residential streets.

The original intention decision to limit the number of retail outlets selling alcohol was reflection of the concern of residents to both these problems. It was also a direct result of the inability of the Council to prevent the grant of an extended license to the International Food Store at 96 Mill Road.

Since then the policy has been successful in preventing three additional licensed premises from opening in the street, one of which is located in the area that is suggested for removal from the CIZ.

I understand that the police are now stating that the problems have reduced to such an extent that the policy can be relaxed. This is muddled thinking. If the number of licensed premises selling low cost alcohol is increased, and the problems of anti-social behaviour return, it is then almost impossible to reverse the decision. Whilst in theory it is possible for residents to ask for a licensing review in reality (as we know from experience) it is almost impossible to achieve. The level of evidence requires a police officer to be present when an intoxicated person is sold alcohol. Given the current levels of police resources this is not a viable policy.

I would also like to challenge the suggestion that the CIZ can be removed from part of the street.

Mill Road is one contiguous shopping street and to consider it can be split into two divisions is not logical. If low cost alcohol is sold in the Romsey part of Mill Road there is no prohibition to it being taken into the Petersfield part of Mill Road that still experiences considerable problems from anti-social behaviour.

Yours sincerely

[REDACTED]

Luke Catchpole

From: [REDACTED]
Sent: 16 January 2018 17:02
To: licensing
Subject: Mill Road Cumulative Impact Area

Dear Licensing,

I understand that there is a public consultation currently taking place concerning the proposal to remove the Romsey end of Mill Road (from the railway bridge to Brookfields) from the existing Cumulative Impact Area.

I do not support the removal of the Romsey end of Mill Road from the Cumulative Impact Area given that my understanding is that the reduction in alcohol-related crime indicates the success of the Cumulative Impact Area and is a reason for maintaining it, including the Romsey end of Mill Road. Removing the Cumulative Impact Area from the Romsey end of Mill Road is likely to result in an increase in alcohol-related crime.

In addition, development in the area, and projects such as additional public seating for the Romsey end of Mill Road, may lead to a focus on the area that requires the Cumulative Impact Area status for this area to remain.

Regards,

[REDACTED]

APPENDIX D

Luke Catchpole

From: [REDACTED]
Sent: 15 January 2018 14:13
To: licensing
Subject: Opposition to ending of Mill Road Cumulative Impact Zone (CIZ) east of bridge

I want to add my voice as a Councillor for nearby Coleridge ward to oppose the shrinking of the CIZ.

It has paid a crucial part in reducing street drinking and related anti-social behaviour along the full length of Mill Road,
there are already plenty of licensed outlets, who now take a far more responsible attitude to the sale of high strength drinks,
and it needs to continue for the whole length of Mill Road.

Councillor [REDACTED]

APPENDIX D

Luke Catchpole

From: [REDACTED]
Sent: 14 January 2018 20:49
To: licensing
Subject: Mill road culmative impact Zone

I am writing to inform you of my views in regards the the above.

Currently the zone is working well and any efforts to remove this from Romsey side of Mill road will be a disaster.

Best wishes

[REDACTED]

APPENDIX D

Luke Catchpole

From: [REDACTED]
Sent: 14 January 2018 16:51
To: licensing
Subject: Mill Road cumulative impact area consultation

Dear sir

I am writing to object to the proposal to remove half of Mill Road (from the bridge to the end of Mill Road) from the cumulative impact area. There continues to be a problem with street drinking along this section of the road, and wherever there are benches, such as outside the co-op store or at the top of Sedgwick street or on the playground/car park area at the beginning of Great Eastern Street. These areas become unusable for residents. As a local resident, I have seen how the impact zone here has contained the problem, but if it is abolished on just one section of Mill Road, it will worsen the problem in that area, and encourage drinkers to move to the unrestricted area.

Please keep the whole length of Mill Road as it is currently, not just on one half.

Regards

[REDACTED]



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APPENDIX D

Luke Catchpole

From: [REDACTED]
Sent: 13 January 2018 15:39
To: licensing
Subject: Mill Road Impact Area Consultation

Hi,

I am writing to respond to the Mill Road Impact Area Consultation as a Romsey Ward Councillor. I believe that the CIA should remain in place at the Romsey end of Mill Road for the following reasons:

- The reduction in alcohol related crime indicates that the Cumulative Impact Area is working.
- There are several developments planned on or near Mill Rd which will increase the number of residents and specifically the number of students living in the area e.g. the McClarens development with an additional 270 student rooms. This may lead to an increase in alcohol related incidents.
- There are plans to add seating to both Mill Rd and Cavendish Rd as part of S106 projects. This may make the area more appealing to street drinkers, which may increase the need for the Cumulative Impact Area.

Please could you take these comments into consideration as part of the consultation?

Many thanks

[REDACTED]

Luke Catchpole

From: [REDACTED]
Sent: 12 January 2018 00:10
To: licensing
Subject: Cumulative Impact Area consultation response

I am writing to object to the proposed removal of the Romsey Area of Mill Road (from the Railway Bridge to Brookfields) from the Cumulative Impact Area. I support the proposal that the entire length of Mill Road should be a Cumulative Impact Area.

[REDACTED]

Luke Catchpole

From: [REDACTED]
Sent: 15 December 2017 22:52
To: licensing
Subject: Mill Road Cumulative Impact Zone

Dear Sir,

I read with bemusement the article in today's Cambridge News which stated that the police think Cumulative Impact Zone for Mill Road is no longer needed. If the ban on new alcohol licences has reduced alcohol-related crime and nuisance, that is a very good reason to keep the ban. Police thinking here is barmy. You might as well say that since wearing glasses you have no longer bumped into things, so it is all right to take them off. Have the police come under pressure from businesses wanting to sell alcohol? The proposal is even more absurd given the construction of students flats and a mosque in Romsey. Whatever are the police thinking?

There is still too much drink-fuelled rowdiness in the city and I should have thought it was in the police's interest to keep it to a minimum. I still remember my dismay at seeing a police van disgorging constables into Petty Cury one Friday evening, some ten or more years ago, obviously in anticipation of late-night mayhem. That was something I had never previously seen and it showed the way things had gone, especially after Gordon Brown's ill-judged relaxation of licencing hours.

Councillor Baigent's remarks are spot on.

Yours sincerely,

[REDACTED]

Luke Catchpole

From: [REDACTED]
Sent: 14 December 2017 10:28
To: licensing
Subject: Cumulative Impact Zone (CIZ) order objection

Cumulative Impact Zone (CIZ) order.

I wish to formally object to the police proposing reducing the CIZ order for Mill Road. The role of the Police is to enforce the law and not to make or influence the law/ licensing.

Mill road has huge social problems of street drink and alcohol related problems, which are constantly ignored by the Police in 2017. I personally feel intimidating walking along mill road as it is in 2017 by the amount of social/ alcohol problems.

I am also concerned by the large scale building project of students flat at the brook roads end of Mill road and the proposed new building at the formal council building, by mill road bridge. With this increase in footfall I would have thought a CIZ order would continue to be necessary. To ensure social order. I am surprised that the CIZ order wishes to be reduced as the area still have a lot of social problems.

Figures and statistic can be easily misinterpreted. Until people have physically walked along Mill Road and seen for themselves the problems of street drinking and alcohol related problems etc. They will never be able to appreciate the problems that our community experience.

I wish the CIZ order to stay in place as it's current policy.

Regards

[REDACTED]

[REDACTED]

Luke Catchpole

From: [REDACTED]
Sent: 13 December 2017 18:05
To: licensing
Subject: Mill Road Cumulative Impact Area consultation

Hi,

I don't think Romsey should be taken out of the cumulative impact area. Certainly the main shopping area between Coleridge Road and the railway bridge should remain within it. It might be reasonable to take out the stretch from Coleridge Road to Brookfields, though - there is only one pub and one off licence in that section anyway, as far as I'm aware. Doing that would allow the effects to be monitored, comparing the two stretches, prior to any future review, but I don't think doing it all at once without knowing what will happen is sensible.

[REDACTED]

Luke Catchpole

From: [REDACTED]
Sent: 12 December 2017 17:47
To: licensing
Subject: Cumulative Impact Area consultation response

I would like to object to the possible removal of Romsey area of Mill Road (from Railway Bridge to Brookfields) from the Cumulative Impact Area. The Cumulative Impact Area has produced great results, making Mill Road not only a vibrant area of the city, but a safe environment for students and families alike. As a resident of Mill Road (owner of [REDACTED]), I think the area has already a significant amount of night life and given that McLaren development of 315-349 will add a significant number of students to the area, the removal of the Cumulative Impact Area may reverse the progress made during the last few years. I and other neighbors will be monitoring police incidents in the area and if the removal goes ahead and the numbers go up (which I'm sure they will), we will make sure the public learns about it.

Best regards,

[REDACTED]

Luke Catchpole

From: [REDACTED]
Sent: 12 December 2017 16:36
To: licensing
Subject: Cumulative Impact area- Proposed removal of Romsey from the area.

I live in Romsey and feel that the area has benefited significantly since the introduction of the Cumulative Impact area. There has been a reduction in Street drinking on this side of the Mill Rd Bridge. And the area has been quieter with less noise from drunken behaviour both during the day and in the evening from the general public. In my view this points to the existing policy being a reasonable success. There are still numerous places to buy alcohol and drink alcohol socially on the Romsey side of the bridge and indeed all along Mill Rd. There is no reason to allow an increase.

Despite this, there is still a significant problem with street drinkers on Mill Road . If you remove Romsey from the cumulative impact area, all you will do is risk expanding problem areas along the whole of the road , and leave the Romsey side of the bridge with no means of enforcement.

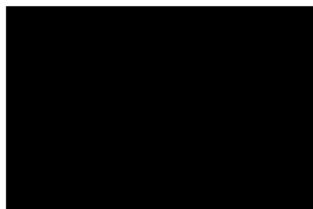
I strongly support retaining Romsey within the cumulative impact zone.

Luke Catchpole

From: [REDACTED]
Sent: 05 December 2017 12:20
To: licensing
Subject: Cumulative Impact Area-consultation response

To whom it may concern,

I understand the consultation on the Mill Road Cumulative Impact Area is about the possible removal of the Romsey area from the Cumulative Impact Area; however, I would like to suggest adding to this new impact area some of the side streets from East road to the bridge. I feel we are at a critical juncture in the number of licensed premises in the area, and we now need a means to allow stricter licensing. On Gwydir street, for example, every night there is constant noise and nuisance behaviour, because we now have at least 8 licensed premises in less than 1 square kilometre (Hot Numbers Cafe, The Petersfield, Cambridge Blue, The Alex, The Kingston Arms, The Dobbiers Inn, The Geldart, The Blue Moon, etc.....). None of these are on Mill Road.



APPENDIX D

Luke Catchpole

From: [REDACTED]
Sent: 16 November 2017 20:45
To: licensing
Subject: Proposed revisions to specific cumulative impact areas of Mill Road

16th November 2017

Dear person at the licensing authority

we are told that there has been a reduction in the number of alcohol related crimes over the ward. But the suggestion is to change the cumulative impact zone for a very small and narrowly specified area - from the Mill Road bridge to Brookfields.

This area is inseparable from the whole of Mill Road, and there definitely should not be any change to the cumulative impact area/zone for either the whole, or any part of Mill Road.

It would also seem that it goes without saying that if there has actually been a reduction in the number of alcohol related crimes in the area of Mill Rd specified (and we are not given the exact figures) then this is exactly because the existing CIA is being successful.

I strongly oppose any revisions and/or changes and reduction to the overall Mill Road CIA that would reduce the strength and effectiveness of this CIA over all of, or any part of Mill Road.

Luke Catchpole

From: [REDACTED]
Sent: 16 November 2017 15:37
To: licensing
Cc: [REDACTED]
Subject: Cumulative Impact Area consultation response

I am responding to this consultation:

<https://www.cambridge.gov.uk/consultations/mill-road-cumulative-impact-area-consultation>

I object strongly to any change to the CIA. It is precisely because of the CIA that the problem has been reduced.

Both sides of Mill Road are very much needed to remain in the Cumulative Impact Zone. There is no need to increase availability of alcohol in either area.

[REDACTED]

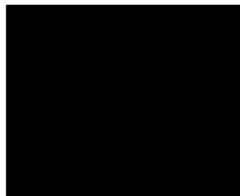
Luke Catchpole

From: [REDACTED]
Sent: 13 November 2017 15:40
To: licensing
Subject: Cumulative Impact Area

Thank you for contacting us re Cumulative Impact policy Area

The existing boundaries including Romsey should be maintained.

1. There is going to be a large increase in the number of young people living on Mill Road in Romsey with the opening in 2018 of the McLaren student flats, the proposed student flats at Romsey Labour Club, and the proposed student flats at the NHS site in Vinery Road. This group need to know that there are firm controls re their behaviour and re their own safety.
2. There is still a regular group of drinkers and beggars outside the Co-op/Londls. These can be threatening to the elderly and the young, and need controlling if social services cannot provide help.



Luke Catchpole

From: [REDACTED]
Sent: 13 November 2017 13:28
To: licensing
Subject: Cumulative Impact Area Consultation Response - Mill Road

Dear Licensing Team,

I'm responding, as a resident of Romsey Town, to your consultation on possible changes to the cumulative impact area that currently covers the length of Mill Road from East Road to Brookfields.

Since the creation of the cumulative impact area the Romsey Town end of Mill Road has benefited tremendously from a marked reduction in alcohol-related incidents and has thus become a much safer-seeming area in which to shop and enjoy leisure activities.

I object to the proposed exclusion of the whole of this end of Mill Road from the cumulative impact area on the grounds that such an action would return the area to the levels of incident and consequent air of potential personal danger that we experienced before its introduction. There is no shortage of outlets for the sale of alcohol, for consumption on- and off-premises, on this stretch of road and no need for any additional licenses to be granted. I say this as a drinker myself who makes frequent use of the current outlets.

I would not object to a change that removed the just furthest end of Mill Road (from Ross Street down to Brookfields) from the cumulative impact area as I can appreciate that this is potentially an area of regeneration and retail expansion that could well benefit from additional licensed premises.

Regards,

[REDACTED]

Luke Catchpole

From: [REDACTED]
Sent: 13 November 2017 09:01
To: licensing
Subject: Proposed changes to Cumulative Impact Area - Public Consultation
Attachments: Consultation letter.docx; AT700001.htm

This is an early response from me as a City Councillor and I may come back with further arguments.

My view is that we should not change the situation whereby the whole of Mill Road remains a Cumulative Impact Area for the following reasons:

- If one part of Mill Road loses this designation and there is a relaxation on rules regarding the sale of alcohol, it is likely to result in displacement of alcohol related incidents.
- There are a number of new builds that will house students in the near future (McLaren's alone will hold around 240 students) and we should pause before changing the designation to see if this has an impact on alcohol related incidents.
- Two open/public spaces are due to be refurbished during the next year and these will provide additional seating that may attract street drinkers
-

[REDACTED]

Cambridge City Councillor for Romsey

[REDACTED]

APPENDIX E – Summary of Responses to Proposed changes to Cumulative Impact Policy

Respondent	Summary of Comments	Consideration/appraisal	Response
Licensing Authority as a Responsible Authority	Looking further into the figures and statistics provided as part of the Police response to Review of Statement of Licensing Policy. Concluded that the levels in Romsey are above other areas in Cumulative Impact Area and CIA should remain as it is.	Comment considered.	Table provided within response gives another way that the figures can be used and deciphered. Based on the table, it suggests that the evidence is there to keep the Romsey area of Mill Road as part of the Cumulative Impact Area and for the policy to remain as it is.
Individual Respondent	Romsey area of Mill Road should remain as part of Cumulative Impact Policy. Alcohol related issues in the area and new housing planned for future could also impact on this is area removed.	Comment considered.	Cumulative Impact Policies can only be based on evidence at the time and cannot take into account what might happen in the future.
Individual Respondent	Romsey area of Mill Road should remain as part of Cumulative Impact Policy. CIA is effective and has played its part in improving the situation on Mill Road. To remove the area from the CIA could see the issues return.	Comment considered.	The Cumulative Impact Policy has been a success and helped the areas within the CIA. The policy has to be regularly reviewed and the continued implementation must be based on the evidence available at that time.
Individual Respondent	The Cumulative Impact Policy is working and should continue in its current form. Situation would be reversed if Romsey area of Mill Road is removed from CIA.	Comment considered.	The Cumulative Impact Policy has been a success and helped the areas within the CIA. The policy has to be regularly reviewed and the continued implementation must be based on the evidence available at that time.
Individual Respondent	Romsey area of Mill Road should remain as part of Cumulative Impact Policy. Worried about safety of children if it was removed.	Comments considered	Cumulative Impact Policies can only be based on evidence at the time and cannot take into account what might happen in the future.
Individual Respondent	Romsey area of Mill Road should remain as part of Cumulative Impact Policy. Continued incidents witnessed in the area.	Comments considered	Decision will be taken based on the current evidence provided and comments made in response to the consultation.
Individual Respondent	Romsey area of Mill Road should remain as part of Cumulative Impact Policy. Still incidents in the area and removing the area from CIA would make the problems worse.	Comments considered	Decision will be taken based on the current evidence provided and comments made in response to the consultation.
Individual Respondent	Romsey area of Mill Road should remain as part of Cumulative Impact Policy. Issues	Comments considered	Decision will be taken based on the current evidence provided and comments made in response to the

APPENDIX E – Summary of Responses to Proposed changes to Cumulative Impact Policy

	still can be seen in the area. Area on Mill Road has premises that provide recovery services to those suffering from drug and alcohol addiction. To remove this area from CIA could impact on their users and put them at risk.		consultation.
Individual Respondent	The Cumulative Impact Policy is working and should continue in its current form. Situation would be reversed if Romsey area of Mill Road is removed from CIA.	Comments considered.	The Cumulative Impact Policy has been a success and helped the areas within the CIA. The policy has to be regularly reviewed and the continued implementation must be based on the evidence available at that time.
County Councillor	Strongly opposes the removal of Romsey area from Mill Road.	Comments considered	Decision will be taken based on the current evidence provided and comments made in response to the consultation.
Individual Respondent	Romsey area of Mill Road should remain as part of Cumulative Impact Policy. New housing planned for future could also impact on this is area removed.	Comments considered	Cumulative Impact Policies can only be based on evidence at the time and cannot take into account what might happen in the future.
Individual Respondent	Romsey area of Mill Road should remain as part of Cumulative Impact Policy. Was originally brought in due to issues in the area and has worked. If removed, very likely that problems will return. Also Mill Road is one road, shouldn't be split into two due to differing wards. Alcohol bought in Romsey area of Mill Road can easily be taken to Petersfield area of Mill Road.	Comments considered	Decision will be taken based on the current evidence provided and comments made in response to the consultation.
Councillor	Romsey area of Mill Road should remain as part of Cumulative Impact Policy. CIA is working and maintaining the CIA as it is will help keep this trend going. New housing planned for future could also impact on this is area removed.	Comments considered	The Cumulative Impact Policy has been a success and helped the areas within the CIA. The policy has to be regularly reviewed and the continued implementation must be based on the evidence available at that time. Cannot take into account what might happen in the future.
Councillor	Romsey area of Mill Road should remain as part of Cumulative Impact Policy. Played a	Comments considered	Decision will be taken based on the current evidence provided and comments made in response to the

APPENDIX E – Summary of Responses to Proposed changes to Cumulative Impact Policy

	crucial part in reducing issues in the area. Needs to continue to keep the same results.		consultation.
Individual Respondent	Romsey area of Mill Road should remain as part of Cumulative Impact Policy. Is working well and if removed would be a disaster for the area.	Comments considered	Decision will be taken based on the current evidence provided and comments made in response to the consultation.
Individual Respondent	Romsey area of Mill Road should remain as part of Cumulative Impact Policy. Still an issue with street drinkers in the area and anti- social behaviour. Problem will only worsen if area removed from CIA.	Comments considered	Decision will be taken based on the current evidence provided and comments made in response to the consultation.
Councillor	Romsey area of Mill Road should remain as part of Cumulative Impact Policy. The reduction in alcohol related crime indicates CIA is working. Several developments planned for the area. Seating also to be added to the area, which could appeal to street drinkers.	Comments considered	Decision will be taken based on the current evidence provided and comments made in response to the consultation. Cannot take into account what might happen in the future.
Individual Respondent	Romsey area of Mill Road should remain as part of Cumulative Impact Policy.	Comments considered	Decision will be taken based on the current evidence provided and comments made in response to the consultation.
Individual Respondent	Romsey area of Mill Road should remain as part of Cumulative Impact Policy. Policy is working and that is why it should remain.	Comments considered	Decision will be taken based on the current evidence provided and comments made in response to the consultation.
Individual Respondent	Romsey area of Mill Road should remain as part of Cumulative Impact Policy. Still a number of issues on Mill Road. New housing planned for future could also impact on this is area removed.	Comments considered	Decision will be taken based on the current evidence provided and comments made in response to the consultation. Cannot take into account what might happen in the future.
Individual Respondent	Romsey area of Mill Road should remain as part of Cumulative Impact Policy. Maybe look to remove the stretch of Mill Road from Coleridge Road to Brookfields and then monitor to see the impact.	Comments considered	Decision will be taken based on the current evidence provided and comments made in response to the consultation. Consultation was carried out for Romsey area of Mill Road. To split the area further would need further evidence and possibly another consultation.

APPENDIX E – Summary of Responses to Proposed changes to Cumulative Impact Policy

Individual Respondent	Romsey area of Mill Road should remain as part of Cumulative Impact Policy. Has worked well and made the area vibrant and safe. If removed, danger this would be reversed. New housing planned for future could also impact on this is area removed.	Comments considered	Decision will be taken based on the current evidence provided and comments made in response to the consultation. Cannot take into account what might happen in the future.
Individual Respondent	Romsey area of Mill Road should remain as part of Cumulative Impact Policy. Area has benefitted from being in CIA. Still issues with street drinking on Mill Road and the removal of the area from CIA could make this worse.	Comments considered	Decision will be taken based on the current evidence provided and comments made in response to the consultation.
Individual Respondent	Rather than removing Romsey area of Mill Road from Cumulative Impact Policy, extra areas should be added to incorporate side streets from East Road to the Railway Bridge on Mill Road.	Comments considered	Evidence would need to be provided that these areas should be included within the Cumulative Impact Policy and a further consultation carried out.
Individual Respondent	Romsey area of Mill Road should remain as part of Cumulative Impact Policy. Also Mill Road is one road, shouldn't be split into two due to differing wards. Has shown to be working, removing it would put this at risk.	Comments considered	Decision will be taken based on the current evidence provided and comments made in response to the consultation.
Individual Respondent	Romsey area of Mill Road should remain as part of Cumulative Impact Policy. CIA is the reason that figures have improved.	Comments considered	Decision will be taken based on the current evidence provided and comments made in response to the consultation.
Individual Respondent	Romsey area of Mill Road should remain as part of Cumulative Impact Policy. Would return to previous levels of incident and anti-social behaviour.	Comments considered	Decision will be taken based on the current evidence provided and comments made in response to the consultation.
Councillor	Romsey area of Mill Road should remain as part of Cumulative Impact Policy. The reduction in alcohol related crime indicates CIA is working. Several developments planned for the area. Seating also to be added to the area, which could appeal to street drinkers.	Comments considered	Decision will be taken based on the current evidence provided and comments made in response to the consultation. Cannot take into account what might happen in the future.

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Cambridge City Council Equality Impact Assessment (EqIA)

Please fill this out on the computer as a Word document or complete the form on SurveyMonkey – find the link on the Intranet.

This tool helps the Council ensure that we fulfil legal obligations of the [Public Sector Equality Duty](#) to have due regard to the need to –

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Guidance on how to complete this tool can be found on the Cambridge City Council intranet. For specific questions on the tool email Helen Crowther, Equality and Anti-Poverty Officer at equalities@cambridge.gov.uk or phone 01223 457046. Once you have drafted the EqIA please send this to equalities@cambridge.gov.uk for checking. For advice on consulting on equality impacts, please contact Graham Saint, Strategy Officer, (graham.saint@cambridge.gov.uk or 01223 457044).

1. Title of strategy, policy, plan, project, contract or major change to your service:
Proposed change to remove Romsey area of Mill Road from Cumulative Impact Policy.
2. Webpage link to full details of the strategy, policy, plan, project, contract or major change to your service (if available)
https://www.cambridge.gov.uk/content/licensing-overview
3. What is the objective or purpose of your strategy, policy, plan, project, contract or major change to your service?
<p>The Statement of Licensing Policy, which was reviewed in October 2017, contains details of a Special Policy on Cumulative Effect (the Cumulative Impact Policy).</p> <p>As part of the review carried out in October the response from Cambridge Constabulary, based on the figures provided in Appendix 3 of the Statement of Licensing Policy questioned whether the Romsey area of Mill Road should remain as part of the Cumulative Impact Area.</p> <p>A twelve week formal consultation was carried out on the potential decision to remove the Romsey area of Mill Road from the Cumulative Impact Area.</p>
4. Responsible Service
Environmental Services

5. Who will be affected by this strategy, policy, plan, project, contract or major change to your service? (Please tick those that apply)
<p>✓ <input type="checkbox"/> Residents of Cambridge City</p> <p>✓ <input type="checkbox"/> Visitors to Cambridge City</p> <p>✓ <input type="checkbox"/> Staff</p>
Please state any specific client group or groups (e.g. City Council tenants, tourists, people who work in the city but do not live here):

5. Who will be affected by this strategy, policy, plan, project, contract or major change to your service? (Please tick those that apply)
6. What type of strategy, policy, plan, project, contract or major change to your service is this? (Please tick)
<input type="checkbox"/> New <input type="checkbox"/> Major change ✓ <input type="checkbox"/> Minor change
7. Are other departments or partners involved in delivering this strategy, policy, plan, project, contract or major change to your service? (Please tick)
<input type="checkbox"/> No ✓ <input type="checkbox"/> Yes (Please provide details): Responsible authorities play a part in maintaining the cumulative impact policy, most notably the Police. The review of the policy has been sent to responsible authorities, those directly affected by the policy and has been open to a public consultation. All responses received have been considered when reviewing the policy.
8. Has the report on your strategy, policy, plan, project, contract or major change to your service gone to Committee? If so, which one?
Is going to Licensing Committee on 19 th March 2018

9. What research methods/ evidence have you used in order to identify equality impacts of your strategy, policy, plan, project, contract or major change to your service?

The proposed change has been subject to a 12 week public consultation. The consultation was advertised on the Cambridge City Council website and an advert appeared in Cambridge News. People could respond via email or in writing. A total of 29 responses were received, none of the responses commented on equality.

In preparing this consultation the Licensing Authority has consulted with the following:

- the Chief Officer of Police for Cambridgeshire
- the Chief Officer of the Cambridgeshire Fire and Rescue Service
- persons/bodies representative of the Local Authority with the function of public health
- persons/bodies representative of local holders of premises licences
- persons/bodies representative of local holders of club premises certificates
- persons/bodies representative of local holders of personal licences
- persons/bodies representative of businesses and residents in the City of Cambridge
- the child protection agency
- other organisations as appear to the Licensing Authority to be affected by licensing matters, including local community, cultural, educational and entertainment organisations.

The Licensing Authority will continue to work in partnership with its neighbouring authorities, the police, other agencies, local liaison groups, businesses and individuals towards the achievement of the licensing objectives through good practice.

10. Potential impacts

For each category below, please explain if the strategy, policy, plan, project, contract or major change to your service could have a positive/ negative impact or no impact. Where an impact has been identified, please explain what it is. Consider impacts on service users, visitors and staff members separately.

(a) Age - Any group of people of a particular age (e.g. 32 year-olds) , or within a particular age range (e.g. 16-24 year-olds) – in particular, please consider any safeguarding issues for children and vulnerable adults

Some within this group could be impacted if the Cumulative Impact Area was changed and more premises were able to sell alcohol. In particular vulnerable adults with an alcohol problem could find that alcohol is more accessible.

(b) Disability - A person has a disability if she or he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities

(b) Disability - A person has a disability if she or he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities

We do not believe that any changes to the cumulative impact area will impact negatively on this target group. The proposed changes have been open to a public consultation and no responses have been received in regards to the changes impacting on those with a disability.

The Licensing Authority will have regard to equality and will expect an applicant to meet their statutory obligations in this area and not unlawfully discriminate or refuse service on grounds of disability regardless of whether the premises is located within a Cumulative Impact Area or not.

(c) Sex – A man or a woman.

In 2015 we undertook needs assessments with women, low-income men, disabled people and Black, Asian Minority Ethnic People on experiences of these social groups of living in Cambridge City. The Encompass Network did similar needs assessment of LGBT+ people in South Cambridgeshire and Cambridge City in 2014. Women overwhelmingly made comments related to safety as being a concern at night about the worst element of living in Cambridge. When they expanded on this, one main issue they shared was feeling unsafe around people drinking. Therefore, as the licencing policy's objectives include the prevention of crime and disorder, ensuring public safety and the prevention of public nuisance related to alcohol consumption, women will benefit from the policy as a social group highly concerned with this. This group could be impacted if the Cumulative Impact Area was changed and more premises were able to sell alcohol.

(d) Transgender – A person who does not identify with the gender they were assigned to at birth (includes gender reassignment that is the process of transitioning from one gender to another)

We do not believe that the proposed changes to the cumulative impact area will have an impact on this target group. The proposed changes have been open to a public consultation and no responses have been received in regards to the policy impacting on transgender people.

The Licensing Authority will have regard to equality and will expect an applicant to meet their statutory obligations in this area and not unlawfully discriminate or refuse service on grounds of gender regardless of whether the premises is located within a Cumulative Impact Area or not.

(e) Pregnancy and maternity

We do not believe that the proposed changes to the cumulative impact area will impact negatively on this target group. The proposed changes have been open to a public consultation and no responses have been received in regards to the policy impacting on pregnancy or maternity.

(f) Marriage and civil partnership

We do not believe that the proposed changes to the cumulative impact area will impact negatively on this target group. The proposed changes have been open to a public consultation and no responses have been received in regards to the policy impacting on marriage or civil partnership.

(g) Race - The protected characteristic 'race' refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

We do not believe that the proposed changes to the cumulative impact area will impact negatively on this target group. The proposed changes have been open to a public consultation and no responses have been received in regards to the policy impacting on race.

The Licensing Authority will have regard to equality and will expect an applicant to meet their statutory obligations in this area and not unlawfully discriminate or refuse service on grounds of race regardless of whether the premises is located within a Cumulative Impact Area or not.

(h) Religion or belief

We do not believe that the proposed changes to the cumulative impact area will impact negatively on this target group. The proposed changes have been open to a public consultation and no responses have been received in regards to the policy impacting on religion.

The Licensing Authority will have regard to equality and will expect an applicant to meet their statutory obligations in this area and not unlawfully discriminate or refuse service on grounds of religion regardless of whether the premises is located within a Cumulative Impact Area or not.

(i) Sexual orientation

We do not believe that the proposed changes to the cumulative impact area will impact negatively on this target group. The proposed changes have been open to a public consultation and no responses have been received in regards to the policy impacting on sexual orientation.

The Licensing Authority will have regard to equality and will expect an applicant to meet their statutory obligations in this area and not unlawfully discriminate or refuse service on grounds of sexual orientation regardless of whether the premises is located within a Cumulative Impact Area or not.

(j) Other factors that may lead to inequality – in particular – please consider the impact of any changes on low income groups or those experiencing the impacts of poverty

The proposed changes will have no impact on any other factors that may lead to inequality.

11. Action plan – New equality impacts will be identified in different stages throughout the planning and implementation stages of changes to your strategy, policy, plan, project, contract or major change to your service. How will you monitor these going forward? Also, how will you ensure that any potential negative impacts of the changes will be mitigated? (Please include dates where possible for when you will update this EqIA accordingly.)

Forthcoming changes to legislation mean that the Cumulative Impact Policy will soon have a statutory footing and will introduce a requirement on licensing authorities to review the evidence on which Cumulative Impact Policies are based at least every three years.

12. Do you have any additional comments?

The licensing objectives also include the prevention of crime and disorder, ensuring public safety and the prevention of public nuisance. In meeting these objectives the policy is intended to have a positive impact on all social groups, including in helping to reduce incidences of hate crime. As part of implementing cultural strategies, proper account will be taken of the need to encourage and promote a broad range of entertainment, particularly live music, dancing, circus activity, street art and theatre, including the performance of a wide range of traditional and historic plays for the wider cultural benefit of the community which also balances the evening economy. A cumulative impact policy creates a rebuttable presumption that applications for new premises licence or club premises certificates or variations that are likely to add to the existing cumulative impact will normally be refused, following relevant representation, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.

13. Sign off

Name and job title of lead officer for this equality impact assessment:

Luke Catchpole, Senior Technical Officer

Names and job titles of other assessment team members and people consulted:

Karen O'Connor, Team Manager (Commercial & Licensing)

Date of EqIA sign off: 22nd February 2018

Date of next review of the equalities impact assessment: Unknown

Sent to Helen Crowther, Equality and Anti-Poverty Officer?

Yes

No

Date to be published on Cambridge City Council website (if known):