



## Cambridge City Council Licensing Committee

**Date:** Monday, 16 October 2017

**Time:** 10.00 am

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

**Contact:** [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk), tel:01223 457000

### Agenda

- |   |  |                   |
|---|--|-------------------|
| 1 | Apologies  |                   |
| 2 | Declarations of Interest                                     |                   |
| 3 | Minutes  | (Pages 3 - 8)     |
| 4 | Public Questions   |                   |
| 5 | Hackney Carriage Table of Fares                              | (Pages 9 - 28)    |
| 6 | Review of Statement of Licensing Policy                      | (Pages 29 - 148)  |
| 7 | Review of Hackney Carriage and Private Hire Licensing Policy | (Pages 149 - 242) |

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

**Alternates:** Holt

## Information for the public

The public may record (e.g. film, audio, tweet, blog) meetings which are open to the public. For details go to:

[www.cambridge.gov.uk/have-your-say-at-committee-meetings](http://www.cambridge.gov.uk/have-your-say-at-committee-meetings)

For full information about committee meetings, committee reports, councillors and the democratic process:

- Website: <http://democracy.cambridge.gov.uk>
- Email: [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk)
- Phone: 01223 457000

**LICENSING COMMITTEE**

24 July 2017  
10.00 - 11.35 am

**Present:** Councillors Bird (Chair), Benstead, Abbott, Gawthrope, McPherson, T. Moore, Pippas and Smart

**Officers:**

Environmental Health Manager: Yvonne O'Donnell

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

Committee Manager: Toni Birkin

<b>FOR THE INFORMATION OF THE COUNCIL</b>
---

**17/64/Lic Apologies for absence**

Apologies were received from Councillor Gehring and Radcliffe.

**17/65/Lic Declarations of Interest**

No interests were declared.

**17/66/Lic Minutes of the previous meeting**

The minutes of the meeting of the 20<sup>th</sup> March 2017 were agreed and signed as a correct record.

**17/67/Lic Public Questions**

Public questions were received from Mr Mohammed and Mr Wratten. Full details of their comments can be found with minute items 17/68/Lic, 17/69/Lic and 17/70/Lic.

**17/68/Lic Enhanced DBS Checks for Non-Driver Operators and Proprietors**

Questions from members of the public.

Mr Wratten and Mr Mohammed responded to the report and made the following comments:

- i. Enhanced DBS (Disclosure and Barring Service) checks were unnecessary for non-drivers who would never have any direct contact with the public.
- ii. Accepted that standard checks were necessary and non-drivers would have access to information such as child movements and service user's holidays.

The Committee received a report from Team Manager (Commercial & Licensing) regarding an amendment the Hackney Carriage and Private Hire Licensing Policy (the 'policy').

In October 2016 Cambridge City Council's the policy was reviewed and updated following consultation with the trade and members of the public. One of the changes relates to the requirement for 'non-driver proprietors' of vehicle and operator licences to undertake a criminal record check at 'enhanced disclosure' level at three-yearly intervals. This check is now known as an Enhanced DBS check.

The DBS, however, advised the Council in May 2017 that non-driver proprietors of vehicle and operator licences were not eligible for an Enhanced DBS check and therefore the policy needed to be changed.

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

- i. Sought clarification regarding how useful the enhanced checks had been.
- ii. Agreed that standards checks were a good idea due to the confidential information that non-drivers had access to.
- iii. Suggested that safeguarding training was important, even for non-drivers, as those answering the phone might be the first point of contact with a vulnerable individual.
- iv. Stated that taxi drivers were viewed a safe person by those in distress.
- v. Taxi call centre staff could have vital information and need to be aware of how to report any concerns.

The Committee:

**Resolved (unanimously)**

- i. To amend the policy to require non-driver proprietors and operators to undertake a Basic DBS check at 3-yearly intervals.



- ii. Confirmed the continuation of the requirement for all non-driver proprietors to attend, and successfully pass, the Customer Awareness, Safeguarding, Equality and Protection training course.
- iii. Directed the refund of £19 to each non-driver proprietor who had already undertaken an Enhanced DBS check.

## **17/69/Lic Review of the Hackney Carriage and Private Hire Licensing Policy**

Questions from members of the public.

Mr Wratten read out an email from Michael Peacock responding to the report that made the following comments:

- i. In over 20 years as a taxi driver, he had never used either the first Aid kit or the Fire Extinguisher.
- ii. Vehicles licenced outside Cambridge did not need to carry this equipment.
- iii. Incorrect use of equipment could make an emergency situation worse.
- iv. Supported the proposal for taxis to have card readers.
- v. Questioned the age restrictions on replacement vehicles. If a four year old taxi was written off replacing it with a vehicle of the same age this would not add to air pollution.

The Committee received a report from Team Manager (Commercial & Licensing) regarding a review of the Hackney Carriage and Private Hire Licensing Policy.

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

- i. Deaths related to poor air quality were on the increase. Any improvement in emissions was to be encouraged.
- ii. Newer cars resulted in less harmful emissions and age restrictions on taxi should not be relaxed.
- iii. Requiring Taxi drivers carrying First Aid Kits and Fire Extinguishers was a public health asset.
- iv. The Committee might want to consider first aid training for all drivers as a later date.
- v. Card readers were a business decision and should be left to the individual business to decide.

- vi. Standard livery for Cambridge Hackney Carriages was to be encouraged as long as it could be phased in so that the financial burden on drivers was not onerous.
- vii. Members could see both benefits and drawback of rear access, wheelchair accessible, vehicles.

The Committee:

### **Resolved (unanimously)**

- i. To approve that officers go out to consult on of the proposed changes to the Hackney Carriage and Private Hire Licensing Policy, using the form within Appendix B of the Officer's report. The results of the consultation would then be presented at the next full meeting of the Licensing Committee in October 2017.

### **17/70/Lic Hackney Carriage Table of Fares**

#### **Questions from members of the public**

Mr Wratten and Mr Mohammed responded to the report and made the following comments:

- i. The trade needed an increase in fares and costs had risen.
- ii. Raising the starting price was the fairest way in increase charges.

The Committee received a report from Team Manager (Commercial & Licensing) regarding the hackney Carriage Table of Fares.

The Committee noted that recommendation 2.1.2 bullet point one should read '*An increase in all Tarriffs (drop) of 10p*'.

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

- i. Questioned the proposed additional surcharge to carry bicycles was excessive and that a charge in line with the £1 charged in Oxford would be more appropriate.
- ii. Suggested that such a policy would be problematic as bicycles came in many shapes and sizes.
- iii. Questioned the charge for prams from a diversity and equality point of view.
- iv. Members raised concerns that the 20 MPH speed limit could slow journeys to the point where a waiting charge was generated.

- v. Stated that converting meters to yards in the Table of Fares would result in strange numbers and this would be confusing for the public.
- vi. Suggested that the Table of Fares needed to be open and transparent for the public.

In response to Members' questions the Team Manager (Commercial & Licensing) and the Environmental Health Manager said the following:

- i. The change from meters to yards would result in strange looking numbers in the table but would allow a simple change that would not require car equipment to be re-calibrated. Showing the distance in the Table of Rates as both metric and imperial would be an option.
- ii. With regard to prams, drivers needed to ensure that all passengers were carried in a way that complied with passenger seatbelt law. A driver would be within his rights to refuse a fare if a passenger wanted to carry a pram on board with the infant still inside it.

In consultation with the Committee the Environmental Health Manager proposed the following amendment to the recommendations:

2.1.1 Amend the fare chart to provide the statutorily required distances in yards. Members are recommended to consider whether the distances should be provided in:

- i. Yards only
- ii. Both yards and metres

2.1.2 Consider the fare change proposals submitted by the trade and determine if it is appropriate to authorise an increase in fares, in relation to:

- An increase in ~~the all~~ Tariffs (drop) ~~price from £2.80 to £2.90~~ by 10 pence.
- An increase in the distance tariff by reducing the distances travelled for 20p; from 90 metres in the first instance and subsequent 179 metres thereafter.
- An additional extra charge of ~~£3.00~~ **£1.00** for 'specialist vehicles' such as bicycles ~~and prams~~ **not able to be put in the luggage compartment of the vehicle.**

The amendments were agreed *nem con*.

The Chair decided that the amended recommendations should be voted on and recorded separately as follows:

- i. To amend the fare chart to provide the statutorily required distances in yards. Members are recommended to consider whether the distances should be provided in both yards and metres.
  - Yards only **(Refused unanimously)**
  - Both yards and Metres **(Agreed Unanimously)**
- ii. Consider the fare change proposals submitted by the trade and determine if it is appropriate to authorise an increase in fares, in relation to:
  - An increase in all Tariff 1 (drop) by 10 pence. **(Agreed by 7 votes to 1)**
  - An increase in the distance tariff by reducing the distances travelled for 20p; from 90 metres in the first instance and subsequent 179 metres thereafter. **(Refused unanimously)**
  - An additional extra charge of £1.00 for bicycles not able to be put in the luggage compartment of the vehicle. **(Agreed Unanimously)**

#### The Committee:

#### **Resolved**

- i. To amend the fare chart to provide the statutorily required distances in yards and metres.
- ii. An increase in all Tariffs (drop) by 10 pence.
- iii. Add an additional extra charge of £1.00 for bicycles not able to be carried in the luggage compartment of the vehicle.

The meeting ended at 11.35 am

**CHAIR**

## Item

# HACKNEY CARRIAGE TABLE OF FARES

### To:

Licensing Committee

### Report by:

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

Tel: 01223 - 457083

E-mail: karen.oconnor@cambridge.gov.uk

### Wards affected:

All

## 1. Executive Summary

- 1.1 Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 provides that in respect of the charges for Hackney Carriages, the Council: *"may fix the rates or fares within the district as well for time as distance, and all other charges in connection with the hire of a vehicle...by means of a table."*
- 1.2 Following requests from the trade, Licensing Committee resolved on Monday 24 July 2017 to formally consult on changes to the Hackney Carriage Table of Fares. The proposals consisted of three suggested changes:
  - Adding 10p across all base tariffs
  - Adding an extra charge of £1.00 for the carriage of 'Bicycles not able to be put in the luggage compartment of the vehicle'
  - Yards becoming the primary distance unit with metres in brackets
- 1.3 Formal consultation with the trade, and other interested parties, took place between 31 July 2017 and 3 September 2017, with a proposed implementation date for the revised Hackney Carriage Tables of Fares of 25 September 2017.

- 1.4 A total of ten responses were received to the consultation, with feedback relating to objections to:
- Allowance of a fuel surcharge
  - Allowance of an extra charge for passengers paying the fare using a debit or credit card
  - Changing fares by increasing the base rate of tariffs; rather, it has been suggested the distance and waiting time be reduced
  - The £1.00 surcharge for carriage of a bicycle not able to be put in the luggage compartment of the vehicle; two individuals commented that this was too low
- 1.5 As objections were received to the proposed changes to the Hackney Carriage Table of Fares, these are brought to this Committee for further consideration and determination.
- 1.6 The Hackney Carriage Table of Fares, with or without modifications, must come into effect not later than two months after the first specified implementation date of 25 September 2017.

## **2. Recommendations**

- 2.1 Members of the Licensing Committee are recommended to:
- 2.1.1 Consider the responses received to the consultation and determine what, if any, changes should be introduced regarding the fares within Hackney Carriage Table of Fares.
- 2.1.3 Set a date for adoption of the revised Hackney Carriage Table of Fares as Monday 13 November 2017, or a suitable alternative within the two month statutory deadline.
- 2.1.4 Remove under 'Extra Charges' the 5% surcharge for payment by credit or debit card when legislation prohibits this; anticipated to be 13 January 2018.

## **3. Background**

- 3.1 Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 provides that in respect of the charges for Hackney Carriages, the Council: *"may fix the rates or fares within the district as well for time as distance, and all other charges in connection with the hire of a vehicle...by means of a table."*

- 3.2 The existing Table of Fares came into effect on the 26 September 2016 and is attached to this report as Appendix A.
- 3.3 Fares comprise charges for:
- Distance travelled (3 tariffs, depending on the time of day and the day of the week);
  - Waiting time;
  - Extra charges, which include:
    - Journeys with 5 or more passengers;
    - A potential fuel surcharge;
    - A vehicle unfit to continue working charge; and
    - A surcharge for payment by credit or debit card
- 3.4 At its meeting on the 30 January 2012, the Licensing Committee resolved to *“to determine any future amendment to the Table of Fares by using the percentage increase as calculated by Transport for London”*.
- 3.5 In May 2017 Cambridge City Licensed Taxis Ltd (CCLT) requested an increase of 1.7% in line with the recent Transport for London increase. There were also further requests from the trade for an additional surcharge to be applied to the carriage of ‘specialist vehicles’ e.g. adult bicycles, prams etc.
- 3.6 It was also subsequently noted by the Commercial & Licensing Team that the Table of Fares legally needs to state distances in imperial rather than just metric units, as required by the Units of Measurement Regulations 1995.
- 3.7 At Licensing Committee on Monday 24 July 2017 members agreed, subject to consultation, on a proposed Table of Fares (attached as Appendix B) to take effect from Monday 25 September 2017.
- 3.8 Formal consultation of the proposed Table of Fares took place between Monday 31 July 2017 and Sunday 3 September 2017. A letter (Appendix C) was sent to all current Hackney Carriage drivers and other known interested parties (listed in Appendix D). Details of the consultation were also provided on Cambridge City Council’s website.
- 3.9 As provided by section 65(2) of the Local Government (Miscellaneous Provisions) Act 1976 comments are allowed on the whole Table of Fares and not just the changes proposed.

3.10 A total of ten responses were received to the consultation, which included objections to:

- Allowance of a fuel surcharge
- Allowance of an extra charge for passengers paying the fare using a debit or credit card
- Changing fares by increasing the base rate of tariffs; rather, it has been suggested the distance and waiting time be reduced
- The £1.00 surcharge for carriage of a bicycle not able to be put in the luggage compartment of the vehicle; two individuals commented that this was too low

The redacted responses received are attached as Appendix E.

3.11 Section 65(4) of the Local Government (Miscellaneous Provisions) Act 1976 provides that, *“If objection is duly made as aforesaid and is not withdrawn, the district council shall set a further date, not later than two months after the first specified date, on which the Table of Fares shall come into force with or without modifications as decided by them after consideration of the objections”*.

3.12 Central government has stated that all charges for paying with a credit or debit card will be banned from the 13 January 2018. Up until this point drivers may legally charge passengers a maximum of 5% for paying using a debit or credit card. However, once the new regulations come into force the Table of Fares will need to be amended again. Members may therefore wish to consider removing the credit/debit card surcharge at this time to avoid the need for further changes.

3.13 By way of comparison of fares with other licensing authorities, Private Hire & Taxi Monthly publish a monthly ‘league table’ of Taxi Fare Tables across of all 366 councils. As of September 2017, Cambridge City is ranked 54th in the table with a price of £6.40 for a 2 mile taxi fare.

3.14 In order to allow officers adequate time to produce and distribute the updated fare cards to the trade, which keeping within the two month limit, an implementation date of Monday 13 November 2017 is suggested.



## **4. Implications**

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

Production of the revised fare chart will be recouped through the taxi licensing budget.

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

Nil.

### **(c) Equality and Poverty Implications**

Nil.

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

Nil.

### **(e) Procurement Implications**

Nil.

### **(f) Community Safety Implications**

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

## **5. Consultation and communication considerations**

- 5.1 In accordance with the statutory procedure set out in Section 65 of the Local Government (Miscellaneous Provisions) Act 1976, the Council is required to undertake public consultation prior to making any amendment to the Hackney Carriage Table of Fares.
- 5.2 The consultation on the proposed Table of Fares ran from Monday 31 July 2017 to Sunday 3 September 2017. Feedback was encouraged and a copy of the proposed Table of Fares and covering letter (attached as Appendix D) was sent to all currently licensed drivers and vehicle proprietors. The consultation was also advertised in Cambridge News, displayed on the council website, advertised through social media and discussed at the last meeting of the Taxi Trade Forum in August 2017.
- 5.3 Members should be advised that the Table of Fares that went out to consult included a typo. Under *“Each tariff includes initial distance of 90 metres or part hereof”*, 176 metres was stated instead

## **6. Background papers**

Background papers used in the preparation of this report:

- (a) Local Government (Miscellaneous Provisions) Act 1976

## **7. Appendices**

Appendix A – Current Hackney Carriage Table of Fares (from 26 September 2016)

Appendix B – Proposed Hackney Carriage Table of Fares – September 2017

Appendix C – Letter accompanying proposed Table of Fares

Appendix D - List of stakeholders consulted

Appendix E – Redacted responses received in response to the consultation

## **8. Inspection of papers**

To inspect the background papers or if you have a query on the report please contact:

Alex Beebe, Licensing, Policy and Admin Team Leader

Tel: 01223 – 457723

E-mail: [alex.beebe@cambridge.gov.uk](mailto:alex.beebe@cambridge.gov.uk).

## Cambridge City Hackney Carriage

### Maximum rate of charges from 26<sup>th</sup> September 2016

Local Government Miscellaneous Provisions Act 1976

- Fares are calculated on a combination of distance and time or parts thereof.
- The meter must only be switched on when the passengers are safely in the vehicle and the journey is about to commence.
- All journeys taken in Hackney Carriages within the Cambridge City Boundary must be charged on the meter. This is the maximum legal fare

Tariff 1: Between 07:00 – 19:00 hours

**£2.80**

Tariff 2: Between 19:00 - 07:00

And Sundays and Bank Holidays

**£3.80**

Tariff 3: 19:00 Christmas Eve – 07:00 Boxing Day

19:00 New Years Eve – 07:00 New Years Day

**£4.80**

**Each tariff includes initial distance of 90 metres or part thereof**

For Each subsequent 179 metres or part thereof

**20p**

**HIRING CHARGES** – WAITING TIME AS INDICATED BELOW – will be charged when the vehicle is motionless or when it is travelling below the changeover speed of 16.79

km/p/h

For each period or part thereof 40 seconds

**20p**

### EXTRA CHARGES

- For each journey with 5 or more passengers **£3.00**
- Fuel Surcharge (only applicable if the national retail price of diesel, as measured by the Arval index, has exceeded 179.9p per litre since 15 August 2012) **£0.40**  
\*\*There will be a separate notice in this vehicle if this extra charge is payable.
- Vehicle unfit to continue working **£80**
- Surcharge for payment by credit or debit card **5%**

### Exclusions: the Taxicard scheme

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

Complaints about the vehicle or driver should be made to:

Yvonne O'Donnell – Environmental Health Manager

PO Box 700

Cambridge, CB1 0JH

01223 457888



## Cambridge City Hackney Carriage

### Maximum rate of charges from 26<sup>th</sup> September 2016

Local Government Miscellaneous Provisions Act 1976

- Fares are calculated on a combination of distance and time or parts thereof.
- The meter must only be switched on when the passengers are safely in the vehicle and the journey is about to commence.
- All journeys taken in Hackney Carriages within the Cambridge City Boundary must be charged on the meter. This is the maximum legal fare

Tariff 1: Between 07:00 – 19:00 hours

**£2.80**

Tariff 2: Between 19:00 - 07:00

And Sundays and Bank Holidays

**£3.80**

Tariff 3: 19:00 Christmas Eve – 07:00 Boxing Day

19:00 New Years Eve – 07:00 New Years Day

**£4.80**

**Each tariff includes initial distance of 90 metres or part thereof**

For Each subsequent 179 metres or part thereof

**20p**

**HIRING CHARGES** – WAITING TIME AS INDICATED BELOW – will be charged when the vehicle is motionless or when it is travelling below the changeover speed of 16.79

km/p/h

For each period or part thereof 40 seconds

**20p**

### EXTRA CHARGES

- For each journey with 5 or more passengers **£3.00**
- Fuel Surcharge (only applicable if the national retail price of diesel, as measured by the Arval index, has exceeded 179.9p per litre since 15 August 2012) **£0.40**  
\*\*There will be a separate notice in this vehicle if this extra charge is payable.
- Vehicle unfit to continue working **£80**
- Surcharge for payment by credit or debit card **5%**

### Exclusions: the Taxicard scheme

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

Complaints about the vehicle or driver should be made to:

Yvonne O'Donnell – Environmental Health Manager

PO Box 700


Cambridge, CB1 0JH

01223 457888



This page is intentionally left blank

## Appendix B – Proposed Fare Chart September 2017

<p align="center"><b>Cambridge City Hackney Carriage</b>  <b>Maximum rate of charges from 25<sup>th</sup> September 2017</b>  Local Government Miscellaneous Provisions Act 1976</p> <ul style="list-style-type: none"> <li>Fares are calculated on a combination of distance and time or parts thereof.</li> <li>The meter must only be switched on when the passengers are safely in the vehicle and the journey is about to commence.</li> <li>All journeys taken in Hackney Carriages within the Cambridge City Boundary must be charged on the meter. This is the maximum legal fare</li> </ul>	
Tariff 1: Between 07:00 – 19:00 hours	<b>£2.90</b>
Tariff 2: Between 19:00 - 07:00 And Sundays and Bank Holidays	<b>£3.90</b>
Tariff 2: 19:00 Christmas Eve – 07:00 Boxing Day 19:00 New Years Eve – 07:00 New Years Day	<b>£4.90</b>
<b>Each tariff includes initial distance of 98.42 yards (90 metres) or part thereof</b>	
For Each subsequent 195.75 yards (179 metres) or part thereof	<b>20p</b>
HIRING CHARGES – WAITING TIME AS INDICATED BELOW – will be charged when the vehicle is motionless or when it is travelling below the changeover speed of 16.79 km/p/h	
For each period or part thereof 40 seconds	<b>20p</b>
<b>EXTRA CHARGES</b>	
1. For each journey with 5 or more passengers	<b>£3.00</b>
2. Bicycles not able to be put in the luggage compartment of the vehicle	<b>£1.00</b>
3. Fuel Surcharge (only applicable if the national retail price of diesel, as measured by the Arval index, has exceeded 179.9p per litre since 15 August 2012) **There will be a separate notice in this vehicle if this extra charge is payable.	<b>£0.40</b>
4. Vehicle unfit to continue working	<b>£80</b>
5. Surcharge for payment by credit or debit card	<b>5%</b>
<b>Exclusions: the Taxicard scheme</b>	
Any fare calculated in accordance with the Table of Fares may be subject to any concession scheme approved by the council provided the driver of this vehicle is a participant in such a scheme and the passenger has provided any necessary proof of entitlement to the benefit of such a scheme to the satisfaction of the driver	
Complaints about the vehicle or driver should be made to: Yvonne O'Donnell – Environmental Health Manager PO Box 700 Cambridge, CB1 0JH 01223 457888	
	

This page is intentionally left blank

## Appendix C – Letter accompanying consultation document

### Enquiries to:

Commercial & Licensing Team

T: 01223 458516

E: [taxi@cambridge.gov.uk](mailto:taxi@cambridge.gov.uk)



Environmental  
Services

[www.cambridge.gov.uk](http://www.cambridge.gov.uk)

Monday 31<sup>st</sup> July 2017

Dear Sir / Madam,

### Consultation on the Hackney Carriage Table of Fares and Review of the Hackney Carriage & Private Hire Licensing Policy

I am writing to invite you to comment on the following consultations:

- Changes to the Hackney Carriage Table of Fares
- Review of the Hackney Carriage & Private Hire Licensing Policy

Please find enclosed the proposed table of fares, due to come into effect on the 25<sup>th</sup> September 2017, as well as a consultation document outlining the proposed changes to the licensing policy as requested by the licensed trade,

You can send us your comments on either consultation as follows:

- By e-mail to [taxi@cambridge.gov.uk](mailto:taxi@cambridge.gov.uk) please include the words 'Taxi Policy' in the subject field; or
- In writing to Commercial & Licensing, Environmental Services, Cambridge City Council, and PO Box 700, Cambridge, CB1 0JH.

**Your comments should be submitted no later than Sunday 3<sup>rd</sup> September 2017.**

If you have any queries about the consultations, or any suggestions as to other bodies, or individuals who you feel may wish to participate in the consultations, please do let us know.

We look forward to hearing from you.

Yours faithfully,



Alex Beebe  
Licensing, Policy and Admin Team Leader

*Enclosed. Consultation document  
Proposed Hackney Carriage Fares*

---

PO Box 700, Cambridge, CB1 0JH  
[www.cambridge.gov.uk](http://www.cambridge.gov.uk) • Switchboard: 01223 457000

This page is intentionally left blank



## **Appendix D – List of stakeholder groups consulted**

A1 Cabco

Safer Communities, Cambridge City Council

Adam Ratcliffe, CAMBAC

Age UK - Cambridgeshire and Peterborough

All Councillors, Cambridge City Council

Cambridge & District Stroke Club

Cambridge City Licensed Taxis (CCLT) - Andy Vines

Cambridge Hackney Carriage Association (CHCA)

Cambridgeshire Alliance for Independent Living

Cambridgeshire Constabulary

Cambridgeshire Ethnic Community Forum

Cambridgeshire Hearing Help

Camcab

Camsight

Camtax Ltd

Citizens Advice

COPE

DASV Partnership

David Lines, Cambridgeshire County Council

Disability Cambridgeshire

East Cambs District Council

Fenland Council

Guide Dogs for the Blind

Huntingdonshire District Council

Independent Living Services, Cambridge City Council

MENCAP (Eddie's)

MIND Cambridge

## **Appendix D – List of stakeholder groups consulted**

MS Society Cambridge

National Private Hire Association

Panther Taxis

Papworth Trust

Parking Enforcement, Cambridgeshire County Council

Parkinsons Cambridge

Peterborough City Council

PHAB

South Cambs District Council

Streets and Open Spaces Team, Cambridge City Council

The Red Cross

## APPENDIX E - CONSULTATION RESPONSES – HACKNEY CARRIAGE TABLE OF FARES

Date received	Comment	Date responded	Response
31/07/2017	<p>Dear Sir/Madam</p> <p>I am writing in response to the current Taxi Fare consultation, in particular what is meant by 'waiting time'.</p> <p>I have heard conflicting stories and would like to know at what point a does the meter start running for passenger who might need extra help. In particular, I wonder what constitutes 'waiting time'. For example, if the taxi driver has to spend time fixing a ramp so a wheelchair user can access the taxi, does the meter start from when the taxi accepts the fare or from when the taxi has the passengers safely on board?</p> <p>I am not a frequent taxi user and am able-bodied but notice the meter is put on as soon as I pick up a taxi from a taxi rank, which is acceptable. But if I telephone for a taxi from my house, I note that the meter is already running by the time I have walked from my front door and got into the taxi. I am therefore concerned that users who will take longer to board a taxi are paying extra for their 'disability', which seems a little unfair. So who in effect is paying for the 'waiting time' here?</p> <p>Many thanks.</p> <p>[REDACTED]</p>	03/08/2017	<p>Good morning,</p> <p>A driver can only start the taximeter once the journey is ready to begin. Drivers may not turn on the meter whilst loading or securing a person and their wheelchair. Drivers who are found to be failing in their duty in this regard will be subject to our disciplinary procedures, which may include having their driver's licence reviewed.</p> <p>The waiting time is charged only when the vehicle is stationary or moving very slowly, for instance, stuck in traffic etc.</p> <p>I hope you find the above information useful. If you have any questions or require further assistance then please do not hesitate to contact me at this office.</p>
03/08/2017	<p>As a bicycle is needing a multi I think the charge of £3 is very fair no?</p> <p>Kind Regards,</p> <p>[REDACTED]</p>	<p>23/08/2017 Ack 03/08/2017</p>	<p>Good afternoon [REDACTED],</p> <p>I write further to my e-mail to you dated 3<sup>rd</sup> August 2017.</p> <p>Due to the fact objections have been received against the proposed Hackney Carriage Table of Fares, the matter will be referred for review to the next meeting of the Licensing Committee on Monday 16th October 2017.</p> <p>If you would like to attend the committee hearing in person in order to make a statement and/or answer any queries the committee may have then please let me know.</p> <p>As mentioned at the last Taxi Trade Forum on Friday 4<sup>th</sup> August 2017, when the additional charge for carriage of a bicycle was discussed at the last meeting of Licensing Committee on Monday 24th July 2017 members felt at the time that £1.00 was more an</p>

## APPENDIX E - CONSULTATION RESPONSES – HACKNEY CARRIAGE TBALE OF FARES

			appropriate level to charge. This was informed, in part, due to comparisons with fare charts issued by other licensing authorities.
06/08/2017	<p>Dear Yvonne,</p> <p>I would like to object to the following allowance for diesel taxis to be increased. The council should be acting to challenge the use of diesel taxis in Cambridge and one step would be to stop the increase in fares according to the cost of diesel.</p> <p><input type="checkbox"/> Fuel Surcharge (implemented once the national retail price of diesel,</p> <p style="padding-left: 40px;">as measured by the Arval index, has exceeded 179.9p per litre)                      £0.40</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>	23/08/2017	<p>Good afternoon [REDACTED],</p> <p>Due to the fact objections have been received against the proposed Hackney Carriage Table of Fares, the matter will be referred for review to the next meeting of the Licensing Committee on Monday 16th October 2017.</p> <p>If you would like to attend the committee hearing in person in order to make a statement and/or answer any queries the committee may have then please let me know.</p>
07/08/2017	<p>I have read the information sent my only request is that bikes should pay £3 as they always need a multi and if you call say Panther and request a multi seater for what ever reason its extra £3 [REDACTED] [REDACTED]</p>	23/08/2017 Ack 08/08/2017	<p>Good afternoon,</p> <p>I write further to my e-mail to you dated the 8th August 2017.</p> <p>Due to the fact objections have been received against the proposed Hackney Carriage Table of Fares, the matter will be referred for review to the next meeting of the Licensing Committee on Monday 16th October 2017.</p> <p>If you would like to attend the committee hearing in person in order to make a statement and/or answer any queries the committee may have then please let me know.</p> <p>For your information please be advised that when the additional charge for carriage of a bicycle was discussed at the last meeting of Licensing Committee on Monday 24th July 2017 members felt at the time that £1.00 was more an appropriate level to charge. This was informed, in part, due to comparisons with fare charts issued by other licensing authorities.</p>
07/08/2017	I object to taxis putting a credit card surcharge on when the credit	23/08/2017	Good afternoon,


## APPENDIX E - CONSULTATION RESPONSES – HACKNEY CARRIAGE TBALE OF FARES

<p>Page 25</p>	<p>card companies themselves have been banned from fees being charged.</p> <p>If the credit card companies do not charge , then why should the taxis, this is profiteering and extremely unlawful.</p> <p>May I suggest in future before you do anything, that you check the law and the facts as to what you are implementing.</p> <p>As for any fuel tariff, why is that necessary ? we all know the cost of fuel and that most taxis in Cambridge now are Hybrid which cost less to run, in fact they should be cheaper fares if you ask me.</p> <p>Once again I find the city council not knowing how taxis run and think they can take the public for a ride.</p> <p>May I suggest you think again on both of these rises.</p> <p>██████████</p>	<p>Ack 10/08/2017</p>	<p>I write further to my e-mail to you dated Thursday 10<sup>th</sup> August 2017.</p> <p>First of all I would like to make you aware that although Cambridge City Council sets Hackney Carriage fares this generally only comes about when the trade puts in a request for the fares to be changed. Any amendments requested must be approved by the Licensing Committee before the new fares go out to consult.</p> <p>The debit/credit card surcharge has been an item on the fare chart since March 2014. Recently we investigated into the legality of drivers charging a fee for passengers making payment with a debit/credit card and confirmed that it is legal provided that the charge is commensurate with any fees incurred to the driver, which we have validated. With that being said, the government has recently stated that they intend to abolish debit/credit card surcharges in January 2018. The trade are aware of this so the fare chart will need to be updated accordingly when the law comes into effect or sooner should Licensing Committee members decide to undertake further consultation on this aspect.</p> <p>With reference to the fuel surcharge this has been in effect since August 2012. It has never been used because fuel prices have remained below the threshold of 179.9p per litre. Although there are some hybrid vehicles on the Hackney Carriage Vehicle fleet the majority are not. The Council is, however, is working with the trade in promoting hybrid and electric vehicles. There are various projects ongoing with installing rapid charge points across the city exclusively for the use of Hackney Carriage and Private Vehicles and we may offer discounted licence fees for electric/hybrid vehicles in the future. One constraint is the technology, but electric multi-seaters (multi-seaters make up around two-thirds of the fleet) are beginning to become commercially available.</p> <p>Once again thank you your feedback. All responses received will be put before the Licensing Committee at their next meeting on Monday 16<sup>th</sup> October 2017.</p>
<p>22/08/2017</p>	<p>Thank you.</p> <p>This is no use without the existing fares being shown for</p>	<p>23/08/2017</p>	<p>Good morning ██████████,</p> <p>I will add your comments to the consultation paperwork.</p>

## APPENDIX E - CONSULTATION RESPONSES – HACKNEY CARRIAGE TBAL OF FARES

	<p>comparison.....</p> <p>The 'Cambridge blue' idea is sound.</p> <p>I would favour keeping the requirement for vehicles under 4 years old, for new starts.</p> <p>Why do you suggest a 5% surcharge for debit card payments?</p> <p><b>[REDACTED]</b></p>		<p>Please find attached the current fare table, which is also available on our website at:  <a href="https://www.cambridge.gov.uk/hackney-carriage-and-private-hire">https://www.cambridge.gov.uk/hackney-carriage-and-private-hire</a>.</p> <p>The 5% surcharge for card payments is already on the current fare chart. This was an extra charge requested by the trade and added to the fare table back in March 2014. As you may be aware, credit and debit card surcharges will be banned in January 2018.</p>
24/08/2017	<p>Hi I don't think in cambridge we need livery to distinguish between Hackney and private hire taxi, cambridge is a small town and people are already aware of which taxi is what. Also it's a costly to do livery at least £2000. Why you want taxi driver to spend that much amount where business is down!! Also no need cctv because lots of taxi already have them! So no need cctv and also the fare rising by 10p is not good. It should be kept same but 179 subsequent meters should be increased rather than 10pence. Thanks for listening</p>	25/08/2017	Acknowledgement e-mail sent
26/08/2017	<p><b>[REDACTED]</b></p> <p>My response to Table of fares and Licensing Policy.</p> <p>Table of fares- Increase very minimal when compared to the recent increases in licensing and badge fees.</p>	29/08/2017	Acknowledgement e-mail sent
27/08/2017	<p>Dear sir <b>[REDACTED]</b> I <b>[REDACTED]</b> current badge holder Cambridge city council. I fully support new tariff changes effect on 25th September 2017.</p>	29/08/2017	Acknowledgement e-mail sent
31/08/2017	<p>Hi I just think rather than you increasing 10pence you should be done</p> <ul style="list-style-type: none"> <li>• For each subsequent 160metres or part thereof: 20p</li> <li>• For each period of 30 seconds spent motionless or travelling slower than 16.79km/h or part thereof: 20p</li> </ul> <p>Because when customer get into a cab and see meter start from 2.90 or 3.90 they will be terrified! They will think fare will be too much! So please don't increase 10pence but do the other way which I mentioned on the top! Thanks</p>	31/08/2017	Acknowledgement e-mail sent

## APPENDIX E - CONSULTATION RESPONSES – HACKNEY CARRIAGE TBALE OF FARES

03/09/2017	<p>Dear Yvonne,</p> <p>I have been requested to respond to the proposed changes to the maximum table of fares.</p> <p>Due to increase in customer Card usage &amp; removal of the 5% charge in January 2018, I would like to propose, on behalf of the Hackney Carriage trade, a blanket increase of 5% across the existing tariffs, to further increase the benifit to customers &amp; encourage secure card activities within both the trades.</p> <p></p>	05/09/2017	Acknowledgement e-mail sent
------------	---	------------	-----------------------------

This page is intentionally left blank





Item

## Review of Statement of Licensing Policy

**To:**

Licensing Committee

**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 Licensing Act 2003 requires a licensing authority to prepare and publish a statement of its licensing policy at least every five years. The current Policy expires on 24 October 2017, and without a revised statement of Licensing Policy, Cambridge City Council will not be able to process any applications covered by the Licensing Act 2003.
- 1.2 Following a twelve week formal consultation five responses were received. These included comments relating to the cumulative impact areas, public health, littering and protection of licensed persons working in the industry.
- 1.3 With the revised crime statistics Cambridgeshire Constabulary have suggested that the current Special Policy on Cumulative Effect (the Cumulative Impact Policy) be amended so that the Romsey area of Mill Road (from Railway Bridge to Brookfields) may be removed from the current Cumulative Impact Area.

- 1.4 All responses were considered and proposed amendments to Statement of Licensing Policy made.
- 1.5 In order to update the Cumulative Impact Policy, a further formal twelve week consultation is required, in order to give interested parties an opportunity to respond to these further proposals.
- 1.6 Additionally, 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.
- 1.7 This will mean that the requirement to review the Statement of Licensing Policy will remain at five years, whilst the requirement to review Cumulative Impact Policy will become every three years.
- 1.8 It is proposed to separate these two Policies as they will have differing statutory review periods; five years for the Statement of Licensing Policy and three for the Cumulative Impact Policy.

## **2. Recommendations**

- 2.1 Members are recommended to:
  - 2.1.1 Consider the results of the public consultation exercise as summarised in Appendix D of this report;
  - 2.1.2 Approve that the amended Statement of Licensing Policy attached to this report as Appendix F is to be adopted by full Council on 19 October 2019;
  - 2.1.3 Agree for the proposed changes to the Cumulative Impact Policy to be the subject of a further twelve week public consultation;
  - 2.1.4 Request officers to return to Licensing Committee with the outcome of the consultation; and
  - 2.1.5 Note the forthcoming changes in relation to the review periods for the Statement of Licensing Policy and Cumulative Impact Policy, and agree in principle to separating these two documents.

## **3. Background**

- 3.1 Section 5 of the Licensing Act 2003 requires a licensing authority to prepare and publish a statement of its licensing policy at least every five years. During the five-year period, the policy must be kept under review and the licensing authority may make any revisions to it as it considers appropriate.

- 3.2 The existing Statement of Licensing Policy for Cambridge City Council became effective on 25 October 2012 (Appendix A). As such, the current Statement of Licensing Policy expires on 24 October 2017.
- 3.3 Should a new Statement of Licensing Policy not be in place by this date, then under the legislation, Cambridge City Council will not be able to process any applications covered by the Licensing Act 2003 until the policy is in place.
- 3.4 The process towards publishing a revised Statement of Licensing Policy commenced in April 2017 with an officer review of the existing Statement, taking into account the current Statutory Guidance, and updated alcohol related crime statistics provided by Cambridgeshire Constabulary.
- 3.5 Subsequently, the revised Statement was subject to a twelve week public consultation between 15<sup>th</sup> May 2017 and 6<sup>th</sup> August 2017. This was undertaken by directly contacting the relevant responsible authorities and residents associations, and publishing the consultation on our website and in the Cambridge News on Monday 15 May 2017 (see Appendix B for a full list). Additionally all those holding a premises licence or club premises certificate were directly consulted.
- 3.6 A total of 5 responses were received to the consultation (Appendix C). Responses were from Cambridgeshire Constabulary, Cambridgeshire County Council, ALMR (Association of Licensed Multiple Retailers, and two individuals. Notable comments were made in relation to cumulative impact areas, public health, littering and protection of licensed persons working in the industry.
- 3.7 All responses were considered by officers and responses sent to consultees addressing the matters they raised. Appendix D details the specific considerations and actions taken in relation to the consultation responses.
- 3.8 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, and relevant maps showing the primary areas are included within Appendices 1 and 2 of the original Policy.
- 3.9 Since the last revision of the Statement of Licensing Policy, the Statutory Guidance, issued under Section 182 of the Licensing Act 2003 has been amended, and now provides further guidance on Cumulative Impact areas.
- 3.10 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.

- 3.11 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. The effect of adopting a special policy of this kind is to create 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.
- 3.12 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 as part of the general consultation required in respect of the whole statement of licensing policy.
  - Subject to the consultation, include and publish details of the special policy in the licensing policy statement.
- 3.13 Based on the revised pattern of violent crime observed, Cambridgeshire Constabulary have questioned whether the current Cumulative Impact Areas are proportionate for all currently included areas. Specifically, the Romsey area of Mill Road (from Railway Bridge to Brookfields) has seen a reduction in relevant crime levels, and it is suggested that this may be removed from the current Cumulative Impact Area.
- 3.14 Where appropriate the draft Statement of Licensing Policy was amended accordingly. However, the suggested amendments do not at this stage include the proposed amendments to the Cumulative impact areas, as this would be subject to a separate twelve week formal consultation period.

- 3.15 Appendix E highlights all proposed amendments to the existing Statement of Licensing Policy, and Appendix F provides the final proposed Statement of Licensing Policy.
- 3.16 As the evidence provided by Cambridgeshire Constabulary regarding alcohol related violent crimes no longer supports the existing Cumulative Impact areas, a separate consultation exercise will need to be undertaken in order to review the appropriateness of removing the Romsey area of Mill Road from the existing Cumulative Impact Area.
- 3.17 In addition, amendments to the method by which Cumulative Impact Policies are overseen will be introduced by Section 141 of the Policing and Crime Act 2017 which will amend the Licensing Act 2003. It will put Cumulative Impact Policies on a statutory footing and will additionally introduce a requirement on licensing authorities to review the evidence on which Cumulative Impact Policies are based at least every three years.
- 3.18 This will mean that the requirement to review the Statement of Licensing Policy will remain at five years, whilst the requirement to review Cumulative Impact Policy will become every three years.
- 3.19 Whilst not in place yet, Members will have the opportunity to either separate these two policies that will have differing review periods, or keep with one policy that covers both items but would require a full review every three years.
- 3.20 It is proposed that by separating the two policies, the documents may be independently reviewed in a more focussed and streamlined manner. Furthermore Cambridgeshire Constabulary have confirmed their support for this approach.
- 3.21 Although no date has yet been given to when this will take effect, should Members support the separation of these policies, it would mean that the Cumulative Impact Policy will be a standalone policy rather than included as part of the Statement of Licensing Policy.
- 3.22 The result will be that the Statement of Licensing Policy and Cumulative Impact Policy will have differing statutory review periods; five years for the former and three for the latter.

## **4. Implications**

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

Provision has been made in the Council's budget to review the statement of licensing policy and the council will meet the cost of consultation.

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

There are no additional staffing implications. Budget provision has been made for the review of the policy.

### **(c) Equality and Poverty Implications**

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

### **(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. The policy promotes that fact and states that any decision by the Licensing Authority will be with a view to promoting the licensing objectives.

## **5. Consultation and communication considerations**

- 5.1 In accordance with Government Code of Practice on consultation, the draft Statement of Licensing Policy was submitted for public consultation over a twelve week period between 15 May 2017 and 6 August 2017. Legislation requires that we undertake consultation with bodies prescribed in the Act for the review of the Cumulative Impact Policy.
- 5.2 Consultation was undertaken as widely as possible, with approximately 600 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. The consultation was also available to view on Cambridge City Council website and appeared in the Cambridge News on Monday 15 May 2017.
- 5.3 All comments received are listed in the attached Appendix C, 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 D 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 Existing Statement of Licensing Policy

## **7. Appendices**

Appendix A – Current Statement of Licensing Policy

Appendix B – List of Consultees

Appendix C – Comments and Responses from Consultation

Appendix D – Evaluation and Response to Consultee Feedback

Appendix E – Draft Statement of Licensing Policy with changes made in red

Appendix F – Proposed Statement of Licensing Policy

Appendix G - 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, Technical Officer, tel: 01223 457818, email: [luke.catchpole@cambridge.gov.uk](mailto:luke.catchpole@cambridge.gov.uk).

This page is intentionally left blank



## **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.

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.

## **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 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.

- 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.

### **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
  - 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.
- 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 particular area.
- 5.5 The Licensing Authority has received representations from Cambridgeshire Constabulary that within the Cambridge Leisure Park, Cambridge City Centre, Mill Road and Hills Road areas, a high concentration of licensed premises has produced a detrimental impact upon the licensing objectives.
- 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 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 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**

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 and ample taxi ranks
- powers to designate parts of the city as places where alcohol may not be consumed publicly
- 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 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 There are a great variety of premises for which licences may be sought including theatres, cinemas, restaurants, pubs, nightclubs, cafes, take aways, 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.

- 7.2 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.
- 7.3 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 drinking
  - where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.
- 7.4 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.
- 7.5 In the case of premises which are used for film exhibitions conditions will be imposed restricting access only to those who meet the required age limit in line with any certificate granted by the British Board of Film Classification or, in specific cases, a certificate given to the film by the Council itself.
- 7.6 The Licensing Authority recognises the Office of Children and Young People's Services (Social Care) of Cambridgeshire County Council as being competent to advise on matters relating to the protection of children from harm.



- 7.7 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 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 Crime Prevention: conditions attached to premises licences and club premises certificates will, so far as possible, reflect local crime prevention strategies e.g. the use of closed circuit television cameras in certain premises.
- 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, planning, transport, tourism, race equality and equal opportunity 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.
- 9.2 Transport: 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 Tourism, employment, planning and building control: 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 Cultural strategies: 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 the 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 Promotion of Racial Equality: The Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000, places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination; and to promote equality of opportunity and good relations between persons of different ethnicity.
- 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, 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 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](http://www.cambridge.gov.uk)

## **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.

## **13. Effective Date and Review**

- 13.1 This policy statement will take effect on 24th October 2012.
- 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 24th October 2017, 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](http://www.cambridge.gov.uk)

e-mail: [licensing@cambridge.gov.uk](mailto:licensing@cambridge.gov.uk)

telephone: 01223 457879

fax: 01223 457909

post: Licensing, Refuse and Environment Service,  
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 08:00- 18:00)

- 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 <http://www.cambridge.gov.uk/ccm/navigation/business/licensing-and-permissions/alcohol-and-entertainment-licensing/>
- 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.

**15. Responsible Authorities** are:

**The Licensing Authority**

Licensing, Refuse and Environment Service, Cambridge City Council,  
PO Box 700, Cambridge, CB1 0JH  
Tel: 01223 457879 Fax: 01223 457909  
e-mail: [licensing@cambridge.gov.uk](mailto: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**

The Chief Fire Officer, Cambridgeshire Fire & Rescue Service,  
Cambourne Fire Station, Back Lane, Gt Cambourne, Cambs CB23 6FY  
Telephone: 01954 714030 Fax: 01954 714031  
Email: [danny.hans@cambsfire.gov.uk](mailto:danny.hans@cambsfire.gov.uk)

**Health & Safety**

The Environmental Health Manager, Refuse and Environment Service,  
Cambridge City Council, PO Box 700, Cambridge, CB1 0JH  
Telephone: 01223 457890 Fax: 01223 457909  
e-mail: [env.services@cambridge.gov.uk](mailto:env.services@cambridge.gov.uk)

or, for relevant premises:

The Health & Safety Executive (HSE), Woodlands, Manton Lane,  
Manton Lane Industrial Estate, Bedford, MK41 7LW  
Telephone: 0845 345 0055 Fax: 01234 220633  
e-mail: [formsadmin.Luton@hse.gsi.gov.uk](mailto:formsadmin.Luton@hse.gsi.gov.uk)

**Planning**

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

Telephone: 01223 457100 Fax: 01223 457109

e-mail: [planning@cambridge.gov.uk](mailto:planning@cambridge.gov.uk)

**Environmental Protection**

The Environmental Health Manager, Refuse and Environment Service, Cambridge City Council, PO Box 700, Cambridge, CB1 0JH

Telephone: 01223 457890 Fax: 01223 457909

e-mail: [env.services@cambridge.gov.uk](mailto:env.services@cambridge.gov.uk)

**Child Protection**

Audit Manager, Child Protection and Review Unit, Licensing Applications, PO Box CC1010, Room C007, Castle Court, Shire Hall, Cambridge, CB3 0AP

Telephone: 01223 706380 Fax: 01223 475965

**Trading Standards**

Cambridgeshire County Council, PO Box 450, Cambridge City, CB3 6ZR

e-mail: [trading.standards@cambridgeshire.gov.uk](mailto:trading.standards@cambridgeshire.gov.uk)

**Local Authority Responsible for Public Health**

Head of Public Health Programmes, Oak Tree Centre, Public Health G49, 1 Oak Drive, Huntingdon, Cambridgeshire, PE29 7HN

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](mailto: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

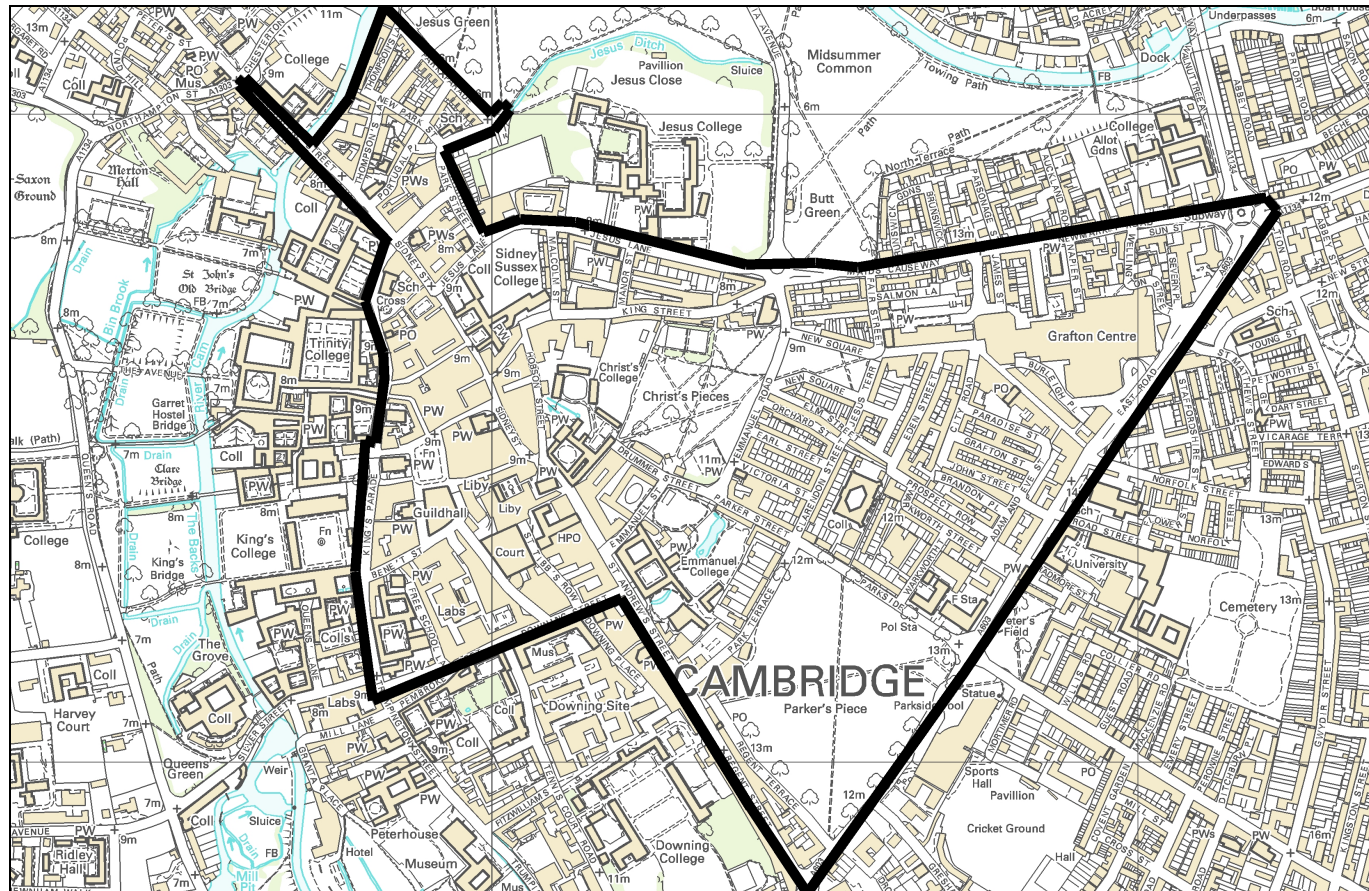
e-mail [river.manager@camconservators.org.uk](mailto:river.manager@camconservators.org.uk)

**Maritime & Coastguard Agency**

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



## Appendix 1 - Cumulative Impact Area City Centre





## Appendix 2 - Cumulative Impact Area: Cambridge Leisure Park

### Cambridge Leisure Park



Scale (at A4):1:1000

Date: 26/11/2007

By: Leigh Roberts

Based upon Ordnance Survey material with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes copyright and may lead to prosecution. 100022205 2007

## Appendix 3 – Evidence on Special Policy on Cumulative Effect

Mrs Christine Allison  
The Licensing Officer  
Environmental Services  
Mandela House  
4 Regent Street  
Cambridge CB2 1BY

1<sup>st</sup> September 2010

Dear Mrs Allison



Creating a safer  
**Cambridgeshire**

### **Licensing Act 2003 - Response to Consultation on the review of the Statement of Licensing Policy and the inclusion of a Cumulative Impact Policy**

I write in response to the above consultation. Having considered the available evidence I strongly recommend that the Licensing Authority continues the adoption of the existing cumulative impact areas of the Cambridge City Centre, Cambridge Leisure Park and Mill Road. In these areas a high concentration of licensed premises has continued to have a negative impact upon the Licensing Objectives, in particular the prevention of crime and disorder, public safety, and the prevention of public nuisance.

Furthermore, following local concerns, additional analytical work has been conducted regarding Hills Road, specifically in relation to the length of Hills Road between the junctions of Regent Street and Purbeck Road. The analysis highlights that although the whole of Hills Road has a relatively low density of licensed premises and alcohol-related crime and anti-social behaviour, the majority (94%) of the licensed premises and alcohol-related crime and anti-social behaviour (94%) fall within the section of Hills Road running from the City to Purbeck Road. Hills Road now has a higher percentage of alcohol-related offences than Mill Road and over twice the amount of alcohol-related anti-social behaviour than Cambridge Leisure Park, even though it has a lower density of licensed premises.

It is therefore requested that the section of Hills Road running from the City to Purbeck Road is considered for adoption as a Cumulative Impact Area.

The document attached supports the statement that Cambridge City Centre, Cambridge Leisure Park, Mill Road and Hills Road areas are subject to high levels of alcohol related disorder, violent crime and anti-social behaviour, and that this impact is linked to the concentration of licensed premises.

I am confident that the adoption of those areas within the licensing policy will assist our continued work in partnership to create a safer, pleasant, environment for those working, living, and visiting our city.

Yours Sincerely

Rob Needle  
Chief Superintendent  
Divisional Commander



# Cambridge City Cumulative Impact Policy Review 2010

V3



## Background

The Licensing Act 2003 provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken. They are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

In areas where there is a significant concentration of licensed premises and there is sufficient evidence of negative impact on the statutory objectives The Licensing Act gives provision for the adoption of a Cumulative Impact Policy. The effect of adopting such a policy is to create a rebuttable presumption that applications for new premises licenses or major variations will be refused if representations are made about the likely impact of the proposals on the licensing objectives. This effectively requires the applicant to demonstrate that the operation of the premises involved will not add to the cumulative impact already being experienced.

In 2007 Cambridge City Council Licensing Committee adopted a Cumulative Impact Policy covering areas of Cambridge City Centre, Mill Road and Cambridge Leisure Park.

## Purpose

The purpose of this report is to review whether there are ongoing significant levels of crime and disorder that can be reasonably attributed to a high concentration of licensed premises within the Cumulative Impact Area and subsequently recommend whether any changes need to be made to the current area boundaries.

## Methodology & Data Sources

The location of all licensed premises in Cambridge City was sourced from the licensed premises database by PC Pete Sinclair licensing officer. Licensed premises analysed included premises licensed for the sale of alcohol (licensed public houses, restaurants, off-licences, café/take-aways, leisure/cinema/sports, clubs, wine bars, schools/colleges and hotels) and premises with a late night refreshment license. The licensed premises were mapped enabling the concentration of premises and proximity to crime and disorder hotspots to be ascertained.

The following data sets were extracted from the Force data warehouse using i2 workstation:

- Cambridge City violent crime<sup>1</sup> and criminal damage offences and anti-social behaviour incidents which occurred between 01/04/2007 and 31/03/2010.
- Alcohol related<sup>2</sup> Cambridge City violent crime and criminal damage offences and anti social behaviour incidents which occurred between 01/04/2007 and 31/03/2010.

These records were then mapped using Blue 8 software to show the locations of the highest concentrations of offences and incidents in Cambridge City.

---

<sup>1</sup> Throughout this document violent crime includes public order and affray offences.

<sup>2</sup> Alcohol – related offences and disorder were measured using an i2 query searching notes for keywords of 'alcohol', 'drinking', 'drunk' or 'intoxicated'.



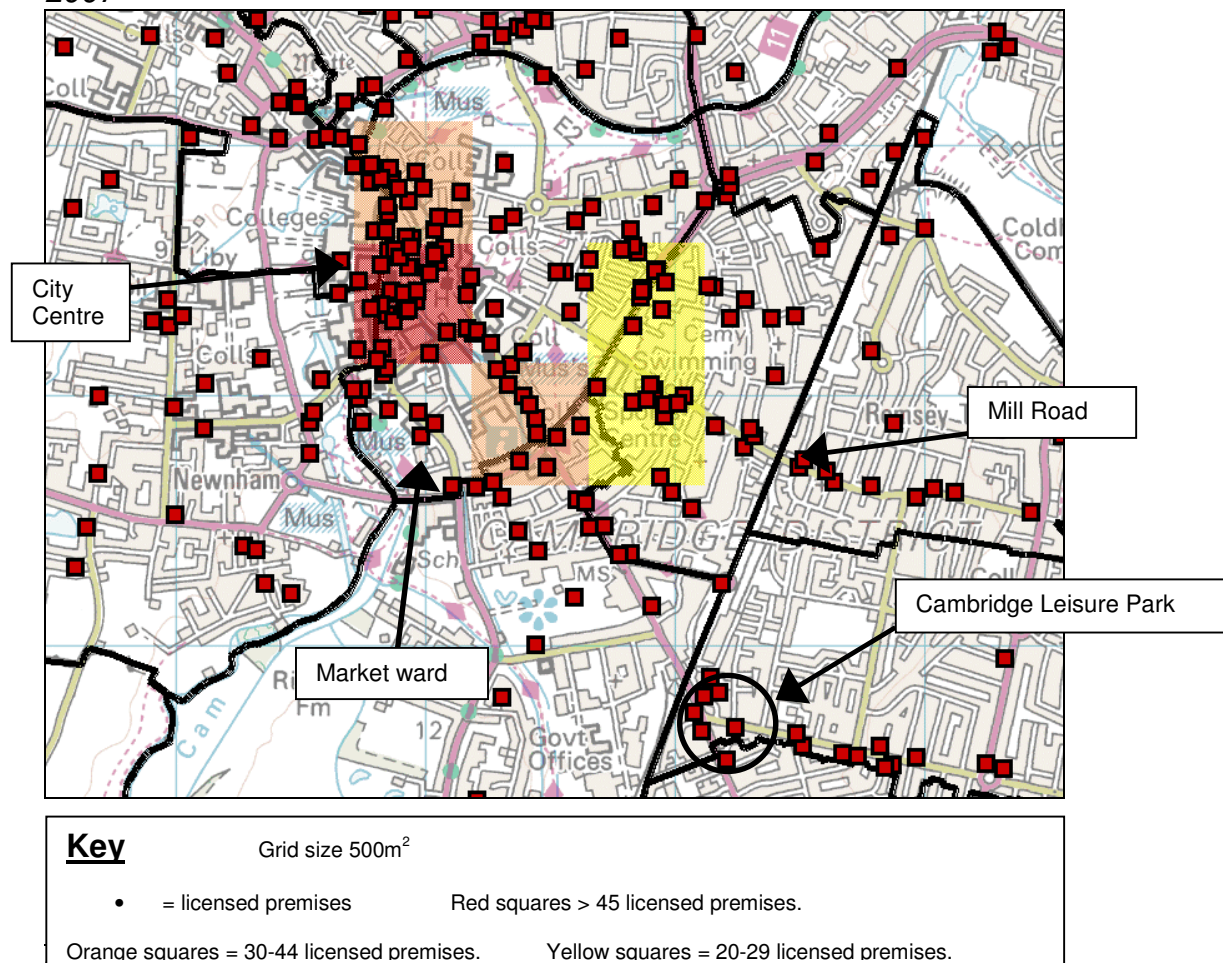
### 1. Licensed Premises in Cambridge City Overview

At the time of writing<sup>3</sup> there are 522 licensed premises<sup>4</sup> within Cambridge City. Market ward has the highest number, 173 (33%), and density, 1.0 per hectare, of licensed premises.

*Fig. 1 Number and density of licensed premises with Cambridge City by ward*

Beat	Number	%	Area (hectares)	Density per hectare
Market	173	33%	169	1.0
Petersfield	60	11%	105	0.6
West Chesterton	33	6%	152	0.2
Coleridge	32	6%	192	0.2
Romsey	21	4%	148	0.1
Arbury	18	3%	149	0.1
Castle	34	7%	341	0.1
Newnham	41	8%	443	0.1
Kings Hedges	12	2%	157	0.1
East Chesterton	14	3%	260	0.1
Abbey	20	4%	393	0.1
Trumpington	36	7%	730	0.0
Cherry Hinton	17	3%	367	0.0
Queen Ediths	10	2%	450	0.0

*Fig.2 Licensed premises within Market ward and surrounding area August 2007*



<sup>4</sup> This includes licensed public houses, restaurants, off-licences, café/take-aways, leisure/cinema/sports, clubs, wine bars, and hotels. This does not include betting shops, amusement arcades, conference centres, village/community halls and 'other' licensed premises.

The map of licensed premises in Figure 2 illustrates that the majority of the licensed premises in Market ward are clustered in the area bounded by Sidney Street, Kings Parade and Benet Street. There is also a high density of licensed premises along Regent Street and St Andrews Street and along East Road. These areas fall within the current City Centre Cumulative Impact Area.

Figure 4 overleaf shows a more detailed map of the City with the current Cumulative Impact Area and licensed premises shown. The numbers of licensed premises in each particular location are marked on the map. This illustrates the Cumulative Impact Area locations of City Centre, Mill Road and Cambridge Leisure Park cover the areas of high density of licensed premises. There are however also several areas identified through mapping not included in the current Cumulative Impact Area that have a relatively high density of licensed premises as shown in the table below.

*Fig. 3 Number and density of licensed premises within current CIA and other areas.*

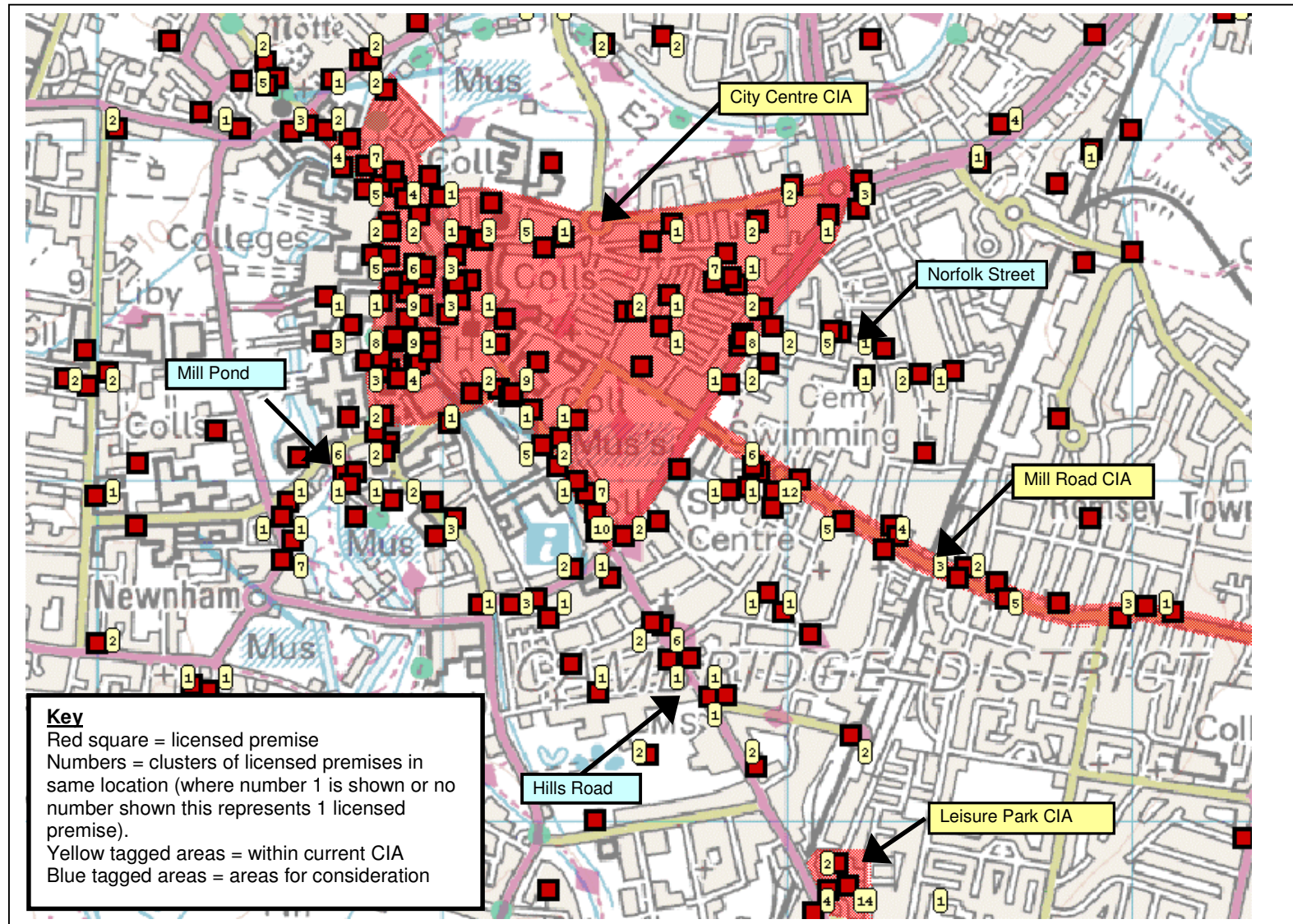
Type	Areas	Number license d premis es	% of total City	Area (hectare s)	Density per hectare
<b>Sector</b>	<b>Cambridge City</b>	522	100%	4070	0.1
<b>Ward</b>	<b>Market Ward</b>	172	33%	169	1.0
<b>Current Cumulative Impact Area</b>	<b>City Centre</b>	173	33	89	2.0
	<b>Mill Road</b>	40	8	10	4.0
	<b>Leisure Park</b>	17	3	3	5.7
<b>Other areas with high density of licensed premises</b>	<b>Hills Road<sup>5</sup></b>	17	3	19	0.9
	<b>Norfolk Street</b>	7	1	1	7.0
	<b>Mill pond area</b>	10	4	4	2.5

These other high licensed premises density areas will also be reviewed within this document to establish whether there is a high level of alcohol related crime and disorder that can reasonably be attributed to the presence of licensed premises. Consideration can subsequently be given to including them within the Cumulative Impact Area.

<sup>5</sup> Not including Addenbrookes.



Fig. 4 Map to show licensed premises in and around current Cambridge City Cumulative Impact Area





## *2. Violent crime and anti-social behaviour in Cambridge City overview*

Over the past three years total violent crime and anti-social behaviour has decreased<sup>6</sup> in Cambridge City. Alcohol-related violent crime has however risen. In 2009/10 39% of violent crime was classified as alcohol-related compared to 25% in 2007/08. Some of this increase may be due to improved recording of alcohol-related offences.

Alcohol related anti-social behaviour has fallen however the percentage of total anti-social behaviour that is alcohol-related has slightly increased.

This illustrates that alcohol-related crime and disorder is a continuing problem within Cambridge City.

*Fig. 5 Table to show violent crime offences and anti-social behaviour incidents occurring in Cambridge City between 07/08 and 09/10.*

<b>Offence/incident</b>	<b>2007/08</b>	<b>2008/09</b>	<b>2009/10</b>	<b>% change 2007/08 to 2009/10</b>
<b>Violent crime</b>	2952	2804	2519	- 15%
<b>Anti-social behaviour</b>	10675	10227	8686	-19%
<b>Alcohol-related violent crime (% of total violent crime)</b>	727 (25%)	832 (30%)	976 (39%)	+ 34% (+ 14%)
<b>Alcohol-related ASB (% of total ASB)</b>	2372 (22%)	2391 (23%)	2080 (24%)	-12% (+2%)

The grid analysis below indicates the main hotspot for alcohol-related violent crime and anti-social behaviour over the past three years was the City Centre area. The hotspots identified through this grid analysis all fall within the current City Centre cumulative impact area<sup>7</sup>.

*Fig.. 6 Grid analysis of alcohol-related violent crime and anti-social behaviour in Cambridge City 07/08 to 09/10.*

<sup>6</sup> Offences and incidents are taken from data warehouse based on date occurred.

<sup>7</sup> The hotspots shown by the yellow and lower orange square are caused by the high density of alcohol related crime and disorder along Regent Street and St Andrews Street and therefore do fall within the City Centre CIA area.

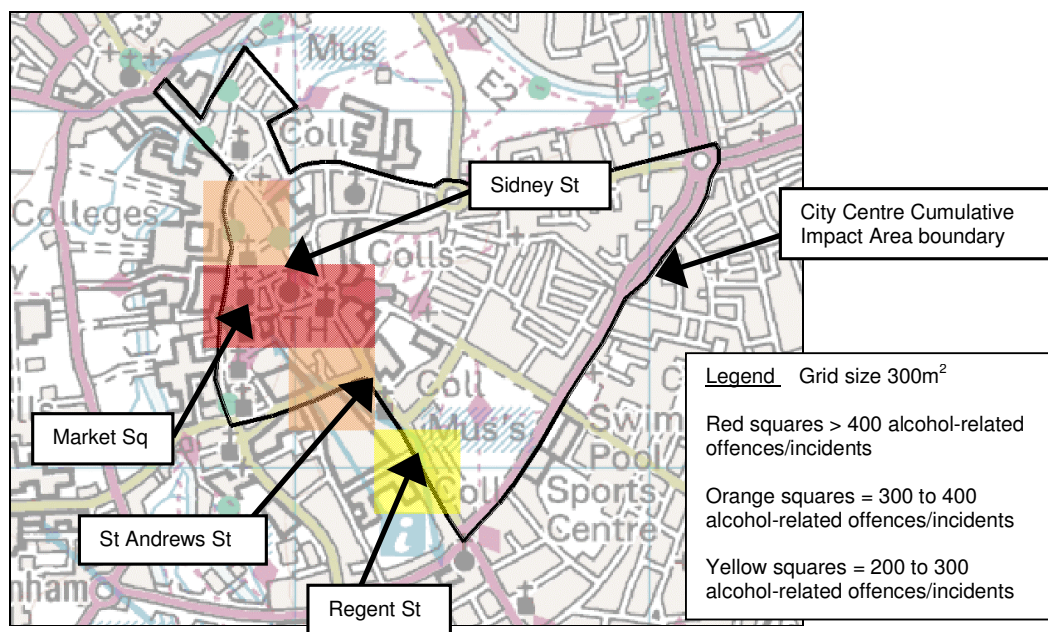


Fig. 7 Table to show violent Crime and anti-social behaviour 2009/10 by area.

		VIOLENT CRIME			ANTI-SOCIAL BEHAVIOUR		
		Violent Crime	Density <sup>8</sup>	3 year trend <sup>9</sup>	ASB	Density	3 year trend
<b>Sector</b>	<b>Cambridge City</b>	2519	0.6	↓	8685	2.1	↓
<b>Ward</b>	<b>Market Ward</b>	835	4.9	↓	1759	10.4	↓
<b>Current CIA</b>	<b>City Centre</b>	820	9.2	↓	1613	18.1	↓
	<b>Mill Road</b>	62	6.2	↓	195	19.5	↓
	<b>Leisure Park</b>	30	10.0	↑	41	13.7	↓
	<b>Total current CIA</b>	912	8.9	↓	1849	18.1	↓
<b>Other areas with high density of licensed premises</b>	<b>Hills Road<sup>10</sup></b>	22	1.2	↓	97	5.1	↓
	<b>Norfolk Street</b>	3	3.0	=	29	29.0	=
	<b>Mill Pond Area</b>	6	1.5	↓	38	9.5	↓

<sup>8</sup> Offences/incidents per hectare.

<sup>9</sup> 3 year trend is measured as the difference between 2009/10 and 2007/08 figures. If difference is >or <5% and/or 5 incidents then an arrow illustrating the direction of change is shown.

<sup>10</sup> Not including Addenbrookes.

Fig. 8 Table to show alcohol-related violent crime and anti-social behaviour 2009/10 by area.

		VIOLENT CRIME			ANTI-SOCIAL BEHAVIOUR			TOTAL ALCOHOL RELATED		
		Violent Crime	Density	3 year trend	ASB	Density	3 year trend	Total	Density	3 year trend
<b>Sector</b>	<b>Cambridge City</b>	976 (39%)	0.2	↑	2080 (24%)	0.5	↓	3056 (27%)	0.8	=
<b>Ward</b>	<b>Market Ward</b>	405 (49%)	2.4	↑	750 (43%)	4.4	↓	1155 (45%)	6.8	=
<b>Current CIA</b>	<b>City Centre</b>	356 (43%)	4.0	↑	670 (42%)	7.5	↓	1026 (42%)	11.5	=
	<b>Mill Road</b>	18 (29%)	1.8	↓	55 (28%)	5.5	↓	73 (28%)	7.3	↓
	<b>Leisure Park</b>	10 (33%)	3.3	↑	14 (34%)	4.7	↓	24 (34%)	8.0	=
	<b>Total current CIA</b>	384 (42%)	3.8	↑	739 (40%)	7.2	↓	1123 (41%)	11.0	↓
<b>Other areas with high density of licensed premises</b>	<b>Hills Road<sup>10</sup></b>	8 (36%)	0.4	=	33 (34%)	1.7	=	41 (34%)	2.2	=
	<b>Norfolk Street</b>	2 (67%)	2.0	=	15 (52%)	15.0	↑	17 (53%)	17.0	↑
	<b>Mill Pond Area</b>	5 (83%)	1.3	↓	25 (66%)	6.3	↑	30 (68%)	7.5	=

The tables in Fig 8 & 9 show violent crime and ASB data and alcohol-related offences/incidents for the identified areas. This data will be analysed in the following section where each geographical area will be considered in more detail.

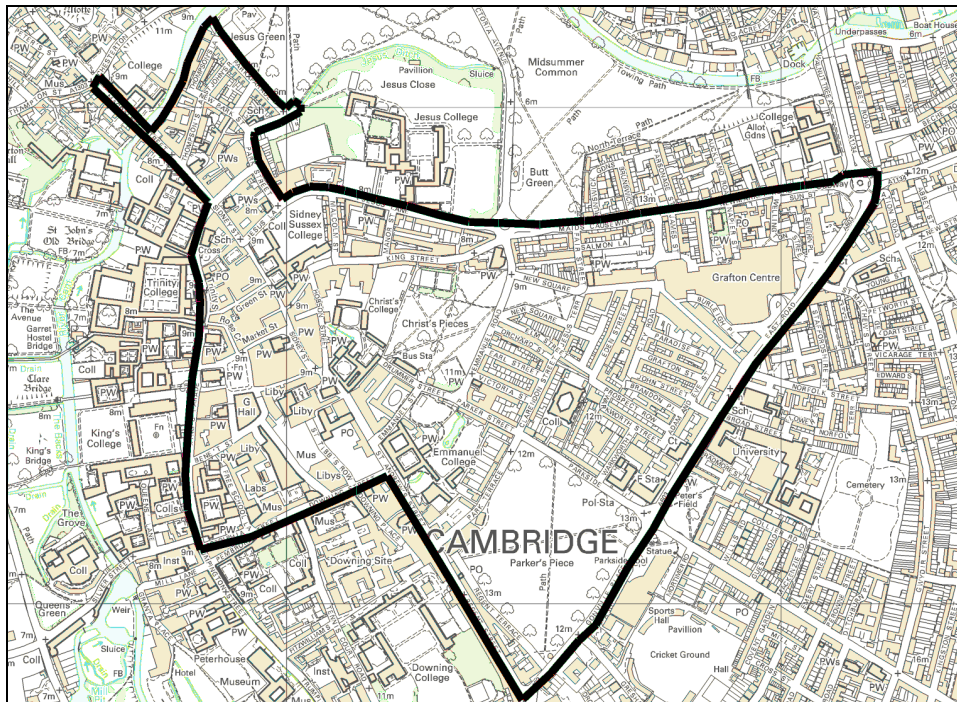
### 3. Analysis by area

#### 3.1 Current Cumulative Impact Area

##### City Centre Cumulative Impact Area

The area encompasses the main city centre area following the boundary of Gonville Place, East Road, Maids Causeway, Jesus Lane, Park Street, Pak Parade, Quayside, Magdalene Street, Kings Parade, Downing Street, St Andrews Street, and Regent Street. A comprehensive list of streets enclosed in the area can be found in Appendix A. The area includes both sides of the road boundaries.

Fig.9 Current City Centre Cumulative Impact Area



Of note the area contains:

- 172 licensed premises in 89 hectares (2 premises per hectare).
- All of the City Centre nightclubs (6) – Ballare, Fez Club, Soul Tree, The Place, Niche (Pure), Kamar.
- 46 pubs/bars including large venues such as The Regal (Wetherspoons), B bar, Revolution, The Slug and Lettuce.
- 63 restaurants/cafes.
- 15 off licensed premises.
- 8 late night licensed take-aways including two fast food vans located on Market Square.
- The main taxi rank on Sidney Street.

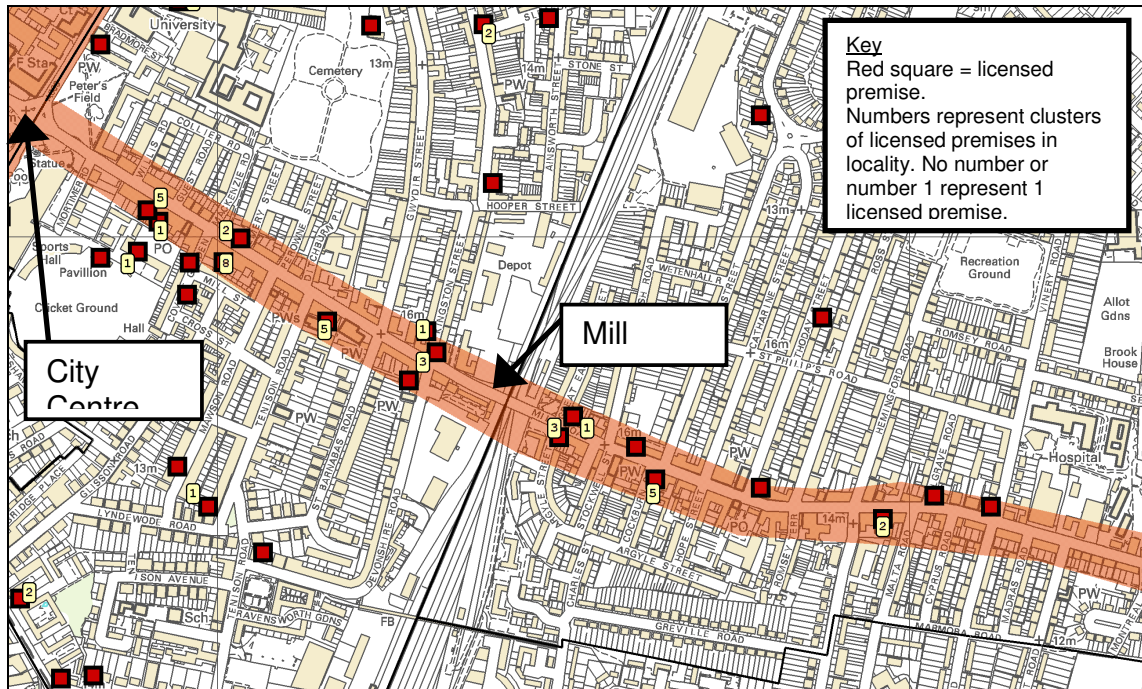
Total violent crime and anti-social behaviour have reduced in this area over the three year period however alcohol-related violent crime has increased and offences involving alcohol make up a high percentage of the total violent crime and anti-social behaviour (42%). There is also a high density of alcohol-related crime and disorder (11.5 per hectare compared to 0.8 per hectare across Cambridge City). It is recommended this area remains as a Cumulative Impact Area.

### Mill Road Cumulative Impact Area

*Fig 10. Map to show Mill Road<sup>11</sup> and licensed premises in area*

<sup>11</sup> Shaded red area highlights Mill Road and does not illustrate boundaries of Cumulative Impact Area.





Mill Road is a busy thoroughfare into the City Centre.

42% of all licensed premises in Petersfield are on Mill Road (25). A further 15 licensed premises are located on the Romsey section of Mill Road. This gives Mill Road a total of 40 licensed premises and a high density of 4.0 licensed premises per hectare. The majority of these licensed premises are made up of off-licences (14), restaurants (12) and cafés/take-aways (7). There are also 4 public houses.

Total violent crime and anti-social behaviour and alcohol related offences have reduced over the three year period with Mill Road being the only area analysed to show a decrease in alcohol related violent crime and the lowest proportion of alcohol-related anti-social behaviour (28%, compared to 45% in City Centre CIA). This may be due to the robust policing strategy in the area to tackle historical problems of alcohol related crime. Although offence levels have decreased Mill Road still has a high level of total anti-social behaviour as well as a high density of licensed premises, particularly off-licenses. It is recommended that Mill Road remains as a Cumulative Impact Area.

### Cambridge Leisure Park Cumulative Impact Area

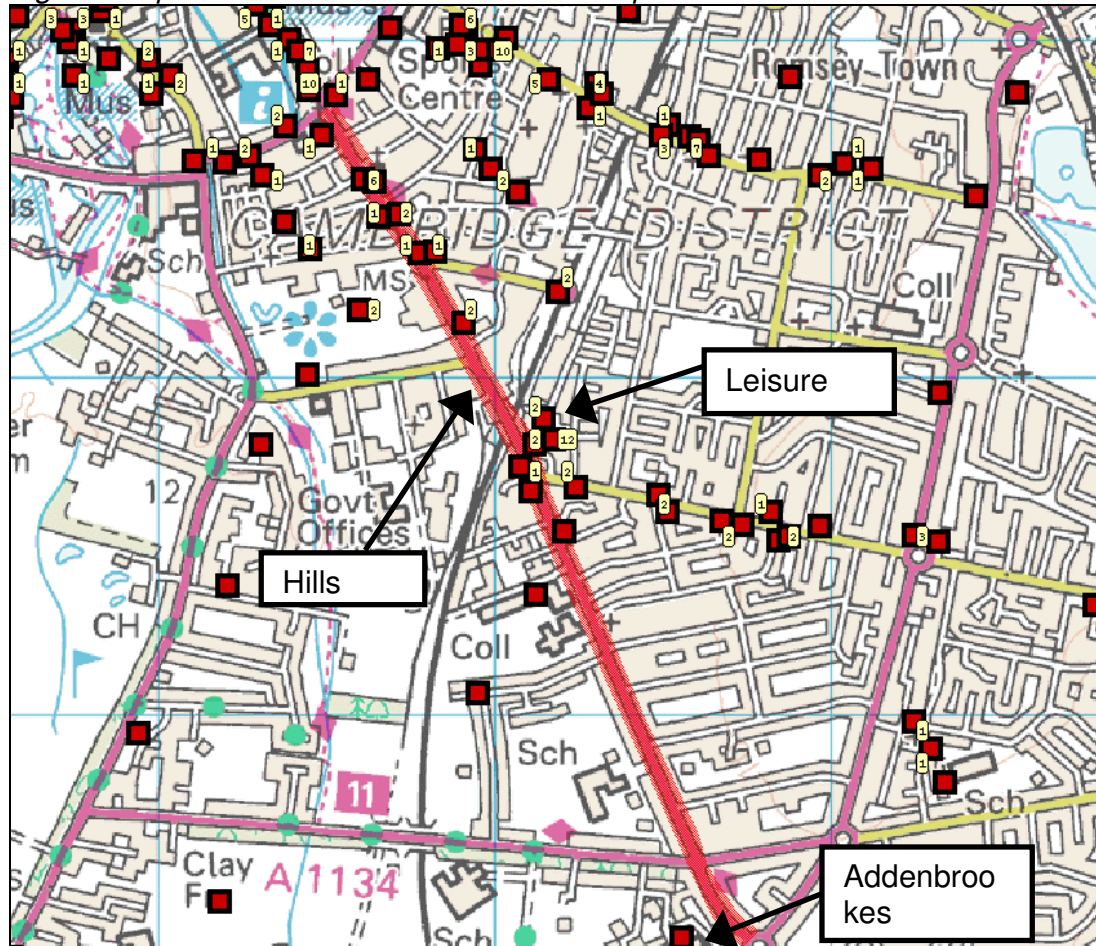
*Fig. 11 Map to show Cambridge Leisure Park and licensed premises in area*



### 3.2 Other areas for consideration

#### **Hills Road**

*Fig. 12 Map to show Hills Road and licensed premises in area*



Hills Road leads out of the City Centre to The Leisure Park and Addenbrookes Hospital and is a busy thoroughfare into and out of the City. For the purposes of this analysis licensed premises and offences/incidents occurring at Addenbrookes Hospital have been removed.

There are 17 licensed premises giving a density of 1.1 licensed premises per hectare which is a lower density than the other areas considered however still significantly higher than the density for Cambridge City of 0.1. There are 5 restaurant/café, 4 off-licensed premises, 4 pubs, 2 hotels, 1 social clubs and 1 college bar. The majority (13) of these premises are found within a short section of the road nearest to the City Centre.

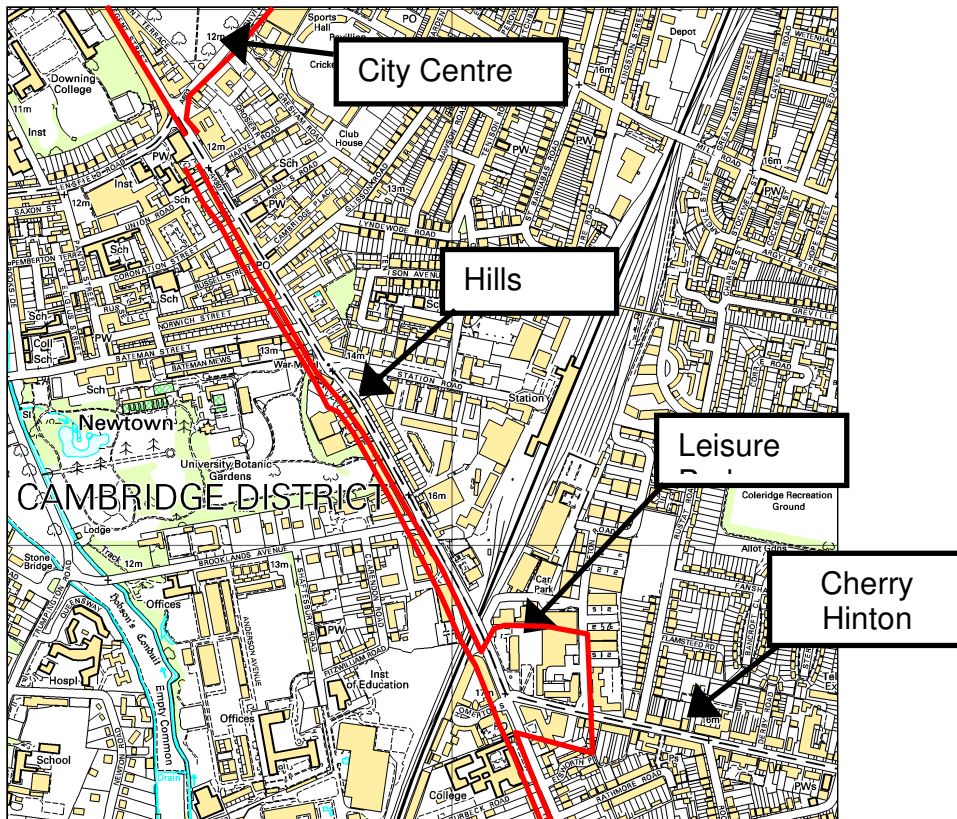
Although Hills Road has a relatively low density of licensed premises and alcohol-related crime and anti-social behaviour it should be noted that the majority (94%) of the licensed premises and alcohol-related crime and anti-social behaviour (94%) fall within the section of Hills Road running from the City to Purbeck Road<sup>13</sup>. When this section of the

<sup>13</sup> See Figure 13.



road is analysed the density of licensed premises increases to 1.9 and the density of alcohol-related crime and anti-social behaviour to 4.

*Fig. 13 Map to show section of Hills Road between City Centre and Purbeck Road*



Alcohol-related violent crime and anti-social behaviour has remained stable over the 3 year period however notably Hills Road has a higher percentage of alcohol-related offences than Mill Road and over twice the amount of alcohol-related anti-social behaviour than the leisure park.

It is recommended that the section of Hills Road running from the City to Purbeck Road is considered for adoption as a Cumulative Impact Area.

### **Norfolk Street**

*Fig. 14 Map to show Norfolk Street and licensed premises in area*





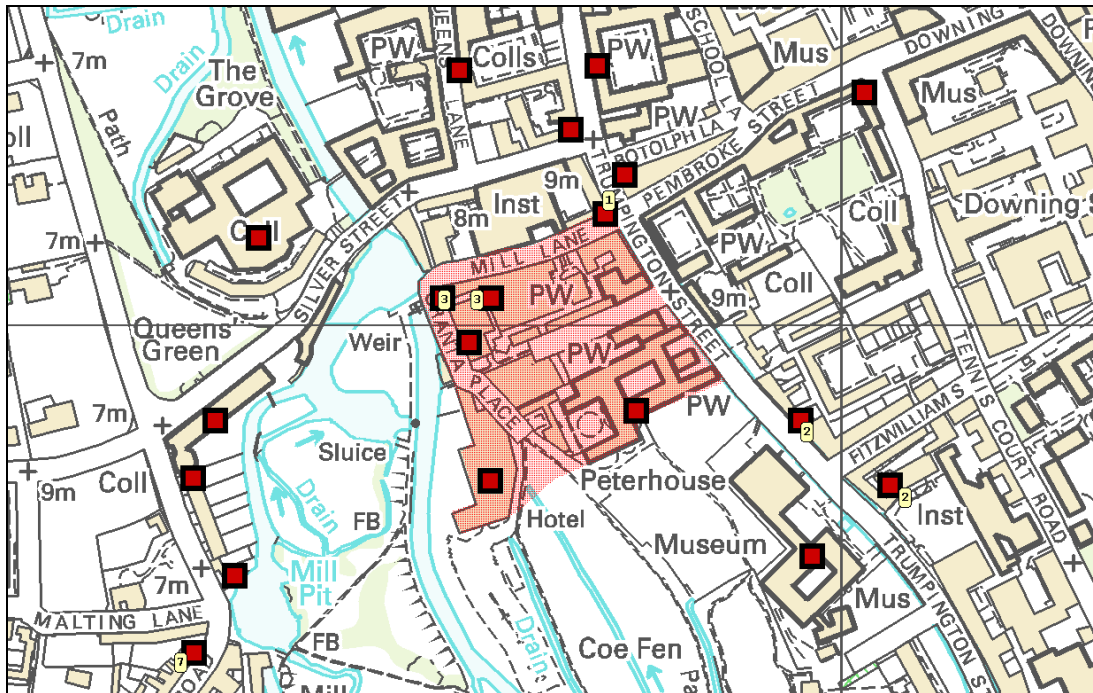
Norfolk Street is situated off East Road and contains 7 licensed premises in a small area (1 hectare) giving a high density of 7 licensed premises per hectare. These consist of 3 off licensed premises, 3 restaurants and 1 pub.

Although Norfolk Street has a high density of licensed premises there were only 3 violent offences occurring on the street over the past year. The area has a high density of anti-social behaviour due to its short length however actual numbers of incidents are low.

It is not recommended that Norfolk Street is considered for adoption as a Cumulative Impact Area.

### Mill Pond Area

*Fig. 15 Map to show Mill Pond licensed premises in area*



The Mill Pond area is situated by the river near to the City Centre. The area is a popular congregation point in the summer months as contains a grassy area where people sit out and picnic/drink alcohol. There are 10 licensed premises in the area consisting of 4 university college bars/clubs 2 restaurants, 1 pub 1 hotel and a conference centre this gives a density of 2.5 licensed premises per hectare however it should be noted that only 50% of these are open to the public.

The Mill Pond Area has a low level of violent crime offences with only 6 occurring in the last year although 5 of these were alcohol related. Levels of anti-social behaviour are higher however with a high percentage related to alcohol.

Due to the low density of licensed premises open to the public and low levels of violent crime it is recommended that the Mill Pond Area is not considered for adoption as a Cumulative Impact Area.

#### 4. Conclusion

The current Cumulative Impact Areas of the City Centre, Mill Road and Cambridge Leisure Park continue to have a high density of licensed premises and alcohol-related violent crime and anti-social behaviour. It is recommended that these areas remain<sup>14</sup> as Cumulative Impact Areas. Of the other areas identified as having a high density of licensed premises it is recommended that consideration is also given to adopting a section of Hills Road<sup>15</sup> as a Cumulative Impact Area.

<sup>14</sup> Also that the Cambridge Leisure Park CIA is extended to include the section of Cherry Hinton Rd from Hills Rd to Clifton Rd.

<sup>15</sup> Up to Purbeck Road. See Fig 13

## Appendix A

<b>Streets in suggested Cumulative Impact Area Market Ward</b>			
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

This page is intentionally left blank

## **Appendix B – List of Consultees during the review of the Statement of Licensing Policy**

The following groups were all consulted during the 12 week consultation for the review of the Statement of Licensing Policy:

- 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 15<sup>th</sup> May 2017.

In addition to the above the consultation was published on Cambridge City Council's website and an advert appeared in Cambridge News on 15 May 2017.

This page is intentionally left blank

**Luke Catchpole**

---

**From:** [REDACTED]  
**Sent:** 16 May 2017 10:49  
**To:** [REDACTED]  
**Subject:** Draft Statement of Licencing Policy

Sir,

A sensible and balanced policy.

My comment is that outside commercial premises selling alcohol, there can be a problem with littering and general mess from discarded cans, food etc. Can a requirement be placed on licence holders to clear up the mess resulting from their business? Events in public areas, eg.

Jesus Green, should be managed by operators that are required to clear up after events rather than relying on the Council to clear up mess.

Regards

--  
[REDACTED]

[REDACTED]  
**Subject:** Re: REMINDER: Customer Awareness: Safeguarding, Equality and Protection training - Friday 7th July

Hi [REDACTED]

The course was useful in a number of respects.

It occurs to me, however, that the Council has a large number of licensees and personnel for whose protection (e.g. against theft ('running'), assault etc.) it appears to take no responsibility. Instead, it shrugs this off as a police matter.

This may be so but it could help if a Council Policy were drafted to the effect that the Council will not tolerate theft, assault, abuse etc. against personnel/ licensees and such document were made public.

I understand that Officers are unwilling and perhaps unable to deal with such matters but a statement of Council's position in the Press and broadcast in repeat mode every so often may, in a simple way, act as a deterrent, raise licensee morale and help reduce the nonsense which traders have, on a regular basis, to endure,

Best wishes,

[REDACTED]

[REDACTED]



Please reply to:



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



## ALMR response to Cambridge consultation on licensing policy

The ALMR welcomes the opportunity to respond to the draft licensing policy.

### Who we are

The Association of Licensed Multiple Retailers (ALMR) is the leading organisation representing the eating and drinking out sector across the UK. Our membership includes pubs, restaurants, bars, nightclubs and coffee shops. The ALMR represents over 90% of all managed pubs in the UK as well as leading casual dining chains and world-renowned nightclubs.

Two-thirds of our members are small independent companies operating 50 outlets or fewer under their own branding, but our membership also includes some of the largest high street operators including: JD Wetherspoon, Casual Dining Group and Carluccio's, with well-known branded outlets such as: All Bar One, Slug & Lettuce, TGI Fridays, Wahaca, Wagamama and Harvester.

### The eating and drinking out sector across the UK

Operators in the sector generate £63bn in turnover (an increase of 37% since 2010) and contribute £32bn GVA (+63% since 2010), pay a third of turnover in taxes and invest £4.4bn pa in our high streets and local communities.

The sector supports 1.6m jobs (+18% since 2010), creates 1 in 7 of all new jobs and has grown at 6.5% pa since 2010 (9.3% pa for restaurants).

### Overall approach to licensing

The ALMR believes the Licensing Act works at its best when industry and local authorities work closely together. In addition to the regulatory powers that local authorities have, individual premises, and groups of premises, can contribute to a safer, more enjoyable licensed sector. Dialogue between LAs and licensed premises should therefore be the mechanism to tackle any issues related to alcohol misuse.

This is supplemented in many areas by partnership schemes, where local businesses collaborate to create a more positive environment in local communities. Schemes such as Best Bar None, local pubwatches, Purple Flag schemes, Community Alcohol Partnerships and Business Improvement Districts (BIDs) all demonstrate a proactive approach from business to improving the local area and preventing alcohol misuse.

The Licensing Act allows for the application of conditions, adapted to individual premises. We understand that these have a role to play where there are specific issues but it is important that blanket conditions are not applied. It is also critical that conditions that add extra costs to businesses are carefully considered before they are applied. Conditions should only be used as a last resort, where they are specifically required for an individual property and must be proportionate.

Overall the local authority should recognise the economic and social value that licensed premises can offer and ensure that the licensing policy does not reduce the benefit that the local area gains from this sector. In fact, the local authority should be actively considering how to further the economic interests of local businesses.



Specific points about the Cambridge licensing policy

Looking at the revised Cambridge licensing policy the ALMR is broadly positive about the approach that the local authority has taken and has some additional points below.

- The cumulative effect policy identified from paragraph 5.8 onwards appears detrimental to the areas affected, deterring investment. We would recommend that this is removed or amended to emphasise a presumption of the granting of new licences unless there are specific reasons not to do so. This will promote a diverse landscape of licensed premises.
- The promotion of the use of conditions only when appropriate to an individual premise is very welcome, as is the recognition that conditions do inevitably impose additional costs (8.1 to 8.4). However, we would caution against the specific identification of CCTV as a condition.
- The focus on integrating strategies, particularly around tourism and the licensed sector, is very important. The appreciation of the night-time economy as a whole, and the cultural diversity that this can deliver, is another positive sign (section 9).
- The decrease in incidents reported in Appendix 3 does not appear to tally with the expected results of a cumulative impact policy which would take a much longer time to deliver results. We would suggest that other factors are more important here and that this should not be used to justify the continuation of the cumulative impact policy.
- The reduction in alcohol-related crime is very welcome and should be celebrated.

Date: 6<sup>th</sup> August 2017





My ref:  
Your ref:

Date: 7<sup>th</sup> August 2017

Contact:  
Telephone:  
E Mail:



Public Health Directorate  
Box no: SCO2213  
Scott House  
5 George Street  
Huntingdon  
Cambridgeshire  
PE29 3AD

## **Re: Statement of Licensing Draft Policy (Cambridge City)**

Thank you for inviting Cambridgeshire County Council to respond to the consultation on the statement of licensing Policy for Cambridge City Council. As you will be aware, since April 2013 Directors of Public Health (DPH) have been included as Responsible Authorities under the Licensing Act 2003. The role of the DPH is to help promote the health and wellbeing of the local populations they serve. Promotion of the licencing objectives, which collectively seek to protect the quality of life for those who live and work in the vicinity of licensed premises and those who socialise in licensed premises is an important contribution to this.

Please find below our comments on the draft policy for your consideration. These comments have been formulated in part, from Public Health England guidance and examples of good practice from elsewhere.

### **Section 5 – The cumulative impact of a concentration of licensed premises (pg5)**

Public Health welcome the City Council's adoption of the Cumulative Impact policy and view this as an effective measure of addressing the potential impact on the health related harms associated with harmful use which can be evidenced in areas that have a high concentration of licensed premises. I

Could consideration be given for inclusion of a statement on all the responsible authorities and perhaps a specific reference to Health becoming a responsible authority. Wording may state, for example:

'County Council Directors of Public Health (DPH) are now responsible authorities with all of the powers and responsibilities this brings. This Licensing Authority acknowledges that the DPH will be useful in providing evidence of alcohol- related health harms when there is a revision of policy particularly in relation to cumulative impact policies or early morning restriction orders. This Licensing Authority envisages that DPH's will also be useful in providing evidence such as alcohol-related A & E admissions or ambulance service data that might be directly relevant to an application under the Act.'

We would welcome further discussion with the licensing team as to how public health could support the use of the cumulative impact policy within Cambridge City Council. We have



recently had some success with representations made against licensing applications within Fenland District Council's Cumulative Impact Zone. This has supported the aims of the policy in regards to reducing the number of licensed premises in a specific geographical area and the potential impact of increased crime, disorder and the negative health impacts associated with these high density areas.

### **Section 7 – Children & Licensed Premises**

Please consider the following additions to Section 7.5

- 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.

Please consider inclusion of further examples of control measures that impact on health and wellbeing that could be included in this section e.g.

- Avoid promotions that target the sales of alcohol at very young people e.g. alcopops

### **Section 9 – Integrating Strategies and the avoidance of duplication (pg. 11)**

The statement of licensing policies will have links to the Health & Wellbeing Board Cambridgeshire Health & Wellbeing Strategy 2012-17 (currently being refreshed) but please consider reference to how health and wellbeing strategies can directly impact and support the council's licensing policy.

### **Section 15 - Responsible Authorities (pg .16)**

Public Health:

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



Child Protection:

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

Tel: 0345 045 5203

[Referralcentre2.children@cambridgeshire.gov.uk](mailto:Referralcentre2.children@cambridgeshire.gov.uk)

Thank you for taking the time to consider these comments, we look forward to receiving the final document.

Yours sincerely



Head of Public Health Business Programmes

This page is intentionally left blank

## APPENDIX D – Summary of Responses to Licensing Policy

Area of Policy	Para	Respondent	Summary of Comments	Consideration/appraisal	Response
Section 8	8.1 & 8.2	Individual Respondent	Issue with littering and asks for a requirement to be placed on licence holders to clear up the mess resulting from their business. Also events that take place on land owned by the Council, such as Jesus Green, should see organisers clear up rather than the Council.	Comment considered.	8.2 of Licensing Policy states that “Blanket standard conditions will not be imposed without regard to the merits of the individual case”. However if Litter at a certain premises is deemed to be an issue or a potential issue, then a condition can be placed on the Premises Licence to address this. In terms of events of Council land, Streets and Open Spaces enter into contracts with organisers and the issue of who will clear up after the event will be covered within the contract.
General	N/A	Individual Respondent	Policy should state that the Council will not tolerate theft, assault, abuse etc. against personnel/licenses.	Comment considered.	Licensing Policy is not the correct policy to deal with this. Cambridge City Council wants a safe environment for all people using licenced premises – staff and customers. Conditions on a Premises Licence such as CCTV and the use of door supervisors can help provide this. Also schemes such as CAMBAC exist that allow businesses to work together and learn about troublesome customers.
Section 5	5.8	Cambridge Constabulary	Police are in support of the Cumulative Impact and the Special Policy on Cumulative Effect. The Police believe that it is both necessary and proportionate to have this in place to help meet the four licensing objectives. However, the Police do not believe the evidence and statistical analysis support the Romsey area of Mill Road remaining within the Cumulative Impact Area.	Comment considered.	A Cumulative Impact Area can only be in place 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. However, removing the Romsey part of Mill Road from the Cumulative Impact Area will have an impact on businesses and residents within that area. Therefore we suggest that the Cumulative Impact Area remains as it is currently but a 12 week public consultation takes place in regards to the area being removed.
Section 5	5.8 onwards	The Association of Licensed Multiple Retailers (The ALMR)	The cumulative effect policy identified from paragraph 5.8 onwards appears detrimental to the areas affected, deterring investment. We recommend that this is removed or amended to emphasise a presumption of the granting of new licences unless there are	Comment considered.	The areas within the cumulative impact area do not appear to be lacking in investment. Removing the Cumulative Impact Area is not something that we will look to do. Emphasising a presumption to grant a licence in this area would have the same impact as removing the cumulative impact area and

## APPENDIX D – Summary of Responses to Licensing Policy

			specific reasons not to do so. This will promote a diverse landscape of licensed premises.		again is not something we would look to do.
Section 8	8.1 to 8.4	The ALMR	The promotion of the use of conditions only when appropriate to an individual premise is very welcome, as is the recognition that conditions do inevitably impose additional costs. However, we would caution against the specific identification of CCTV as a condition.	Comments considered	CCTV is used as an example of a condition that could reflect local crime prevention strategies. It is not meant to be used as a specific condition. Will remove “e.g. the use of closed circuit television cameras in certain premises” from 8.3 of the Licensing Policy.
Section 9	Section 9	The ALMR	The focus on integrating strategies, particularly around tourism and the licensed sector is very important. The appreciation of the night time economy as a whole, and the cultural diversity that this can deliver, is another positive sign,	Comments considered	Agreed.
Appendix 3		The ALMR	The decrease in incidents reported in Appendix 3 does not appear to tally with the expected results of a cumulative impact policy which would take a much longer time to deliver results. We would suggest that other factors are more important here and that this should not be used to justify the continuation of the cumulative impact policy.	Comments considered	The cumulative impact policy is not the only tool used to address issues of Alcohol Related Crime and Incidents but will play a part in the reduction in these figures provided in Appendix 3. We believe that the Cumulative Impact Policy should remain in place and the figures provided in Appendix 3 can be used to support this decision.
General		The ALMR	The reduction in alcohol-related crime is very welcome and should be celebrated.	Comments considered	Agreed.
Section 5	Section 5	Public Health, Cambridgeshire County Council	Could consideration be given for inclusion of a statement on all the responsible authorities and perhaps a specific reference to Health becoming a responsible authority. Wording may state for example; “County Council Directors of Public Health (DPH) are now responsible authorities with all of the powers and responsibilities this brings. This Licensing Authority acknowledges that the DPH will be useful in providing evidence of alcohol-related health harms when there is a revision of policy particularly in relation to	Comments considered.	A statement on responsible authorities can be included in the Licensing Policy but will appear at 2.5 rather than in Section 5. It will also be a general statement about all responsible authorities rather than going into detail on individuals. 2.5 has been added to the policy and reads as follows: “All responsible authorities (listed in Section 15) will have the chance to comment on all applications and provide evidence from their own areas of expertise if they believe an application would impact on one of the licensing objectives. All evidence provided will be taken into account by the Licensing Authority at any



## APPENDIX D – Summary of Responses to Licensing Policy

			cumulative impact policies or early morning restriction orders. This Licensing Authority envisages that DPH's will also be useful in providing evidence such as alcohol-related A&E admissions or ambulance service data that might be directly relevant to an application under the Act"		subsequent hearing".
Section 7	7.5	Public Health, Cambridgeshire County Council	<p>Please consider the following additions to Section 7.5:</p> <ul style="list-style-type: none"> <li>- Where there is a known association with the provision of illicit tobacco and alcohol</li> <li>- Where the supply of alcohol is in close proximity to services where young vulnerable people may frequent</li> </ul> <p>Please consider inclusion of further examples of control measures that impact on health and wellbeing that could be included in this section e.g.</p> <ul style="list-style-type: none"> <li>- Avoid promotions that target the sales of alcohol at very young people e.g. alcopops</li> </ul>	Comments considered	<p>Agree to add first two additions to 7.5 of the Licensing Policy.</p> <p>Promotions and advertising is covered by other legislation. If there are concerns over an individual premises and the promotions that it is carrying out, conditions could be placed on that Premises Licence to address the issue. Will not be added to Licensing Policy.</p>
Section 9	Section 9	Public Health, Cambridgeshire County Council	The statement of licensing policies will have links to the Health & Wellbeing Board Cambridgeshire Health & Wellbeing Strategy 2012-17 (currently being refreshed) but please consider reference to how health and wellbeing strategies can directly impact and support the council's licensing policy.	Comments considered	Agree and the Health and Wellbeing Strategy will be added to 9.1 in the Licensing Policy.

This page is intentionally left blank

## CAMBRIDGE CITY COUNCIL STATEMENT OF LICENSING - DRAFT POLICY

	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.

## 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 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, 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 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 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**

- 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 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 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 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.
- 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 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 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](http://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.

### 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](http://www.cambridge.gov.uk)

e-mail: [licensing@cambridge.gov.uk](mailto:licensing@cambridge.gov.uk)

telephone: 01223 457879

fax: 01223 457909

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.

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](mailto: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](mailto: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](mailto: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](mailto: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](mailto: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](mailto: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

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](mailto: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

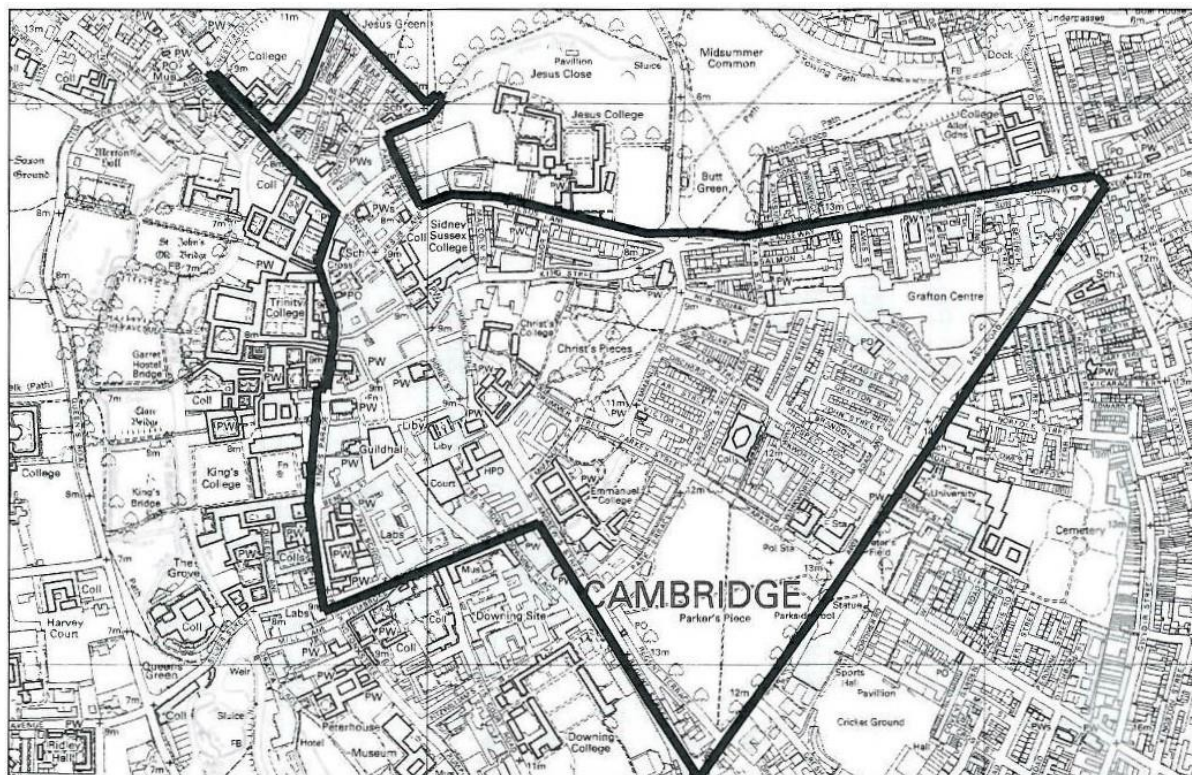
Telephone/Fax 01223 863785

e-mail [river.manager@camconservators.org.uk](mailto:river.manager@camconservators.org.uk)

**Maritime & Coastguard Agency**

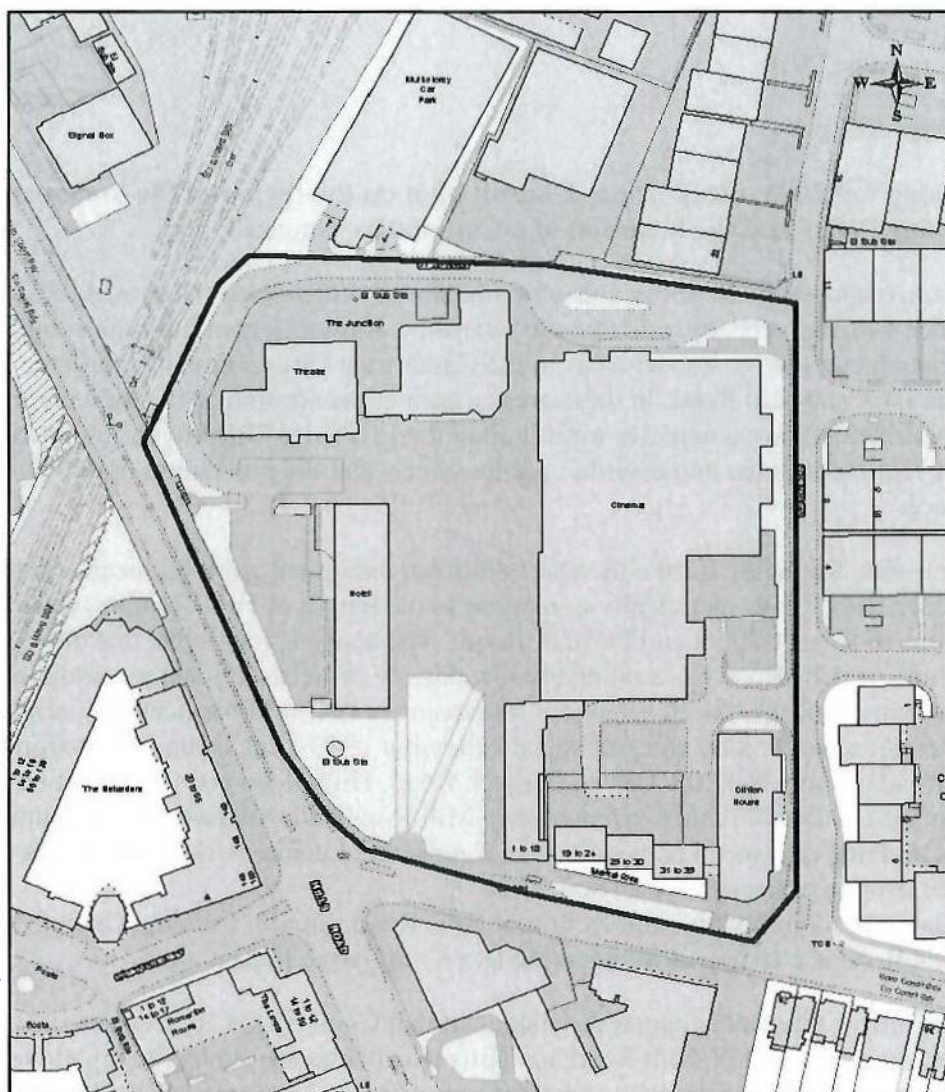
Surveyor in Charge, Harwich Marine Office, Maritime & Coastguard  
Agency, East Terrace, Walton-on-Naze, Essex, CO14 8PY

## Appendix 1 – Cumulative Impact Area City Centre



<b>Streets in Cumulative Impact Area Market Ward</b>			
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 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.

Ward	Licenced Premises
MA	206
PE	72
TR	48
CO	37
NE	35
CA	32
AR	26
AB	23
RO	22
KH	21
WC	20
CH	18
EC	14
QE	12
TOTAL	586

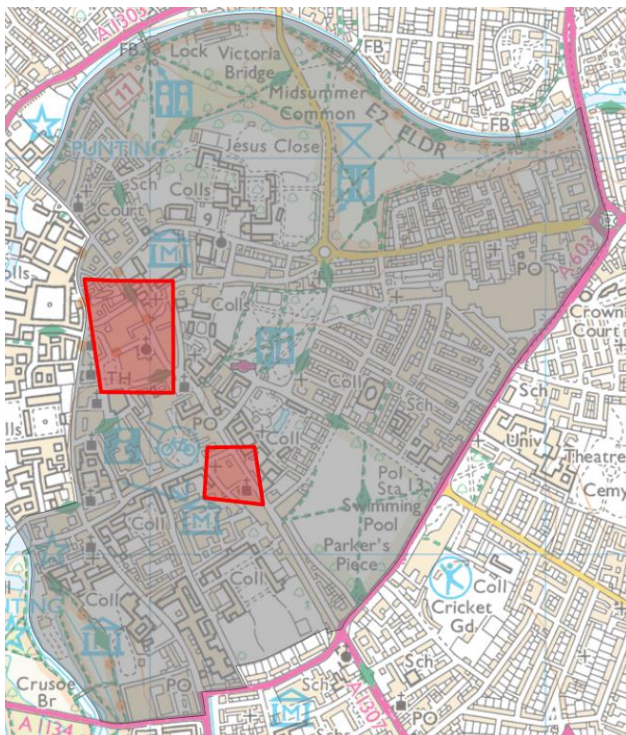
Alcohol Related Crime and Incidents				
Ward	2014/15	2015/16	2016/17	TOTAL
MA	984	625	570	2179
PE	349	223	138	710
AB	365	120	98	583
KH	369	106	85	560
AR	350	106	94	550
TR	337	88	99	524
CO	281	80	62	423
EC	263	62	65	390
WC	213	88	87	388
CH	244	52	52	348
RO	184	72	61	317
QE	168	52	32	252
CA	94	31	36	161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

## MARKET WARD

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

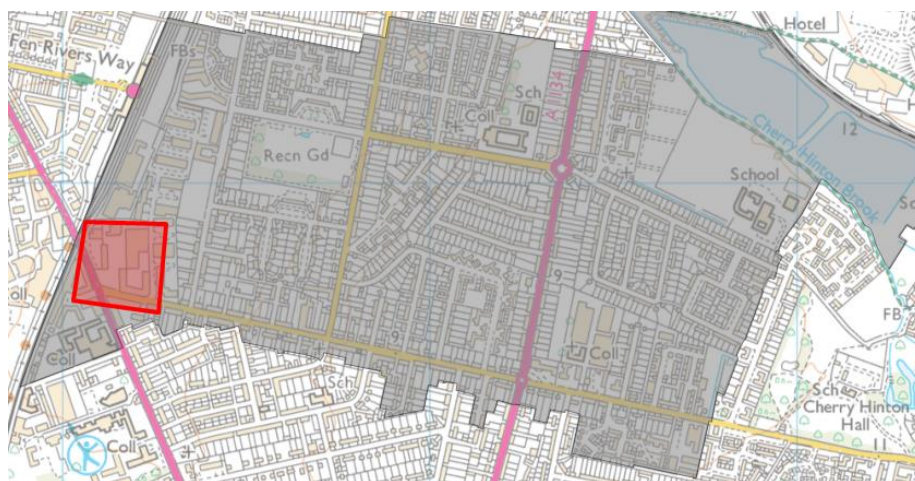
- St Andrew's Street features heavily in crime and incident data, 12% of all alcohol related crime and incidents in Market Ward occur on St Andrews Street; and
- Sidney Street where there is a mixture of violent crime occurring in the vicinity of night clubs. During the daytime, crime and incidents relate 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.



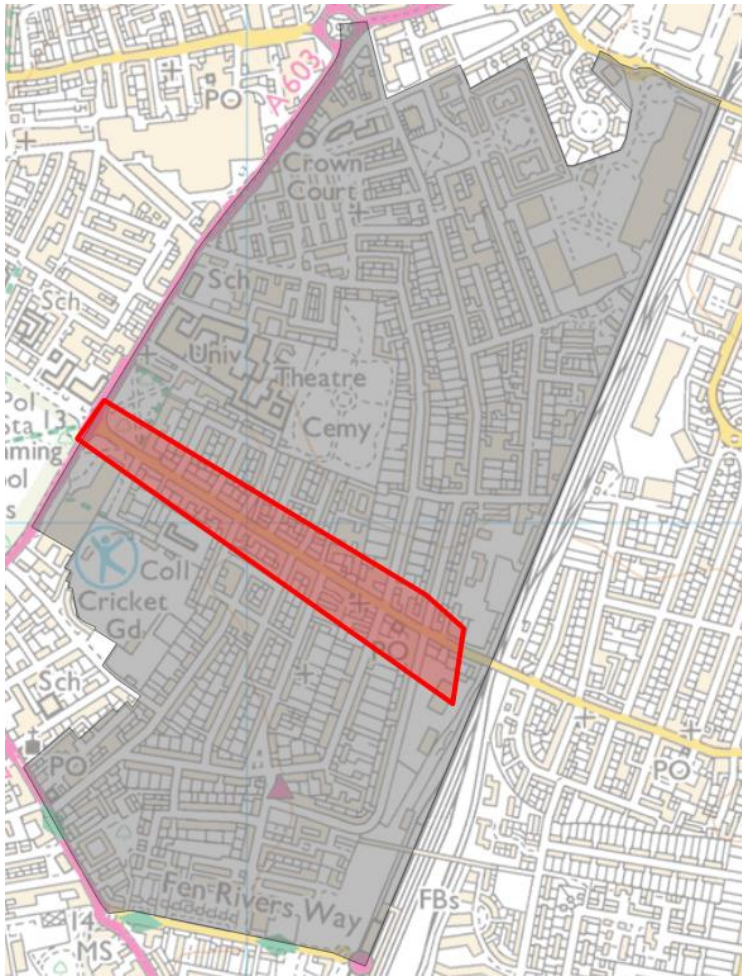


## PETERSFIELD

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.



## 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.



## 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.

This page is intentionally left blank



## CAMBRIDGE CITY COUNCIL STATEMENT OF LICENSING - DRAFT POLICY

	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.



## 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

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,



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

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

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**

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

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

- 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



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.

- 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



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

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](http://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.

### 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](http://www.cambridge.gov.uk)

e-mail: [licensing@cambridge.gov.uk](mailto: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.

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](mailto: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](mailto: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](mailto: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](mailto: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](mailto: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](mailto: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

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](mailto: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

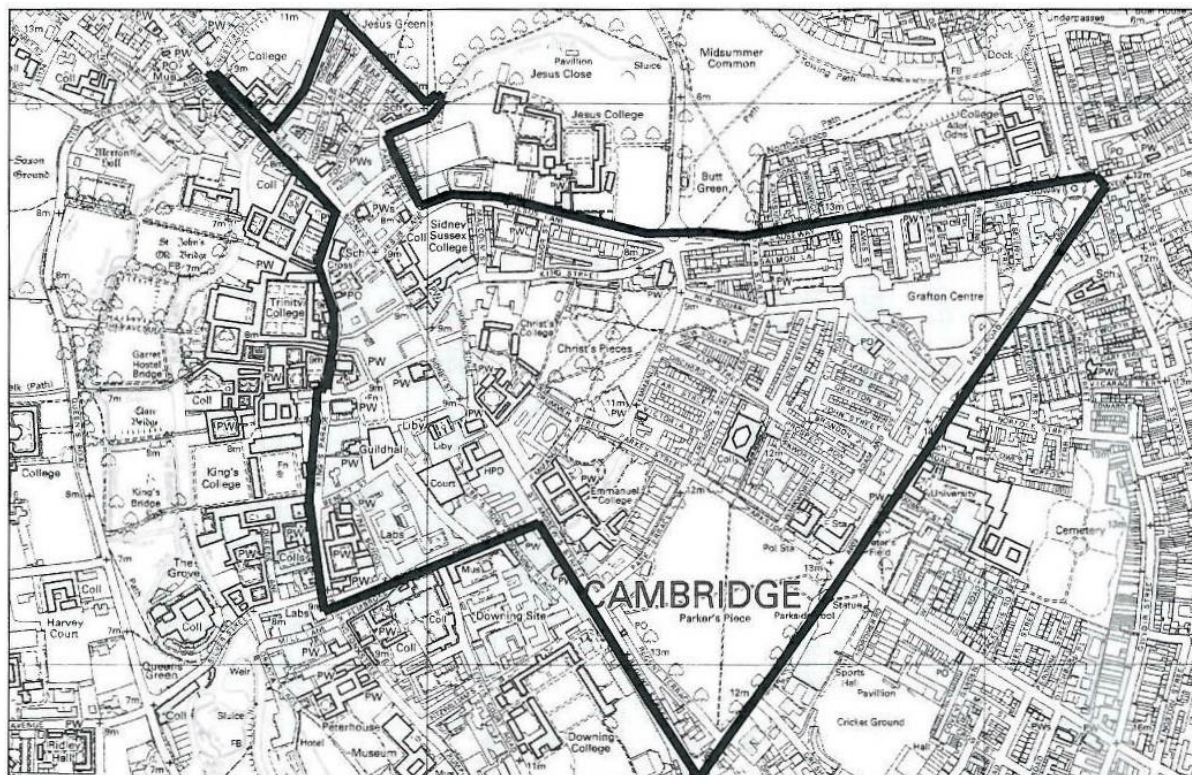
e-mail [river.manager@camconservators.org.uk](mailto:river.manager@camconservators.org.uk)

**Maritime & Coastguard Agency**

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

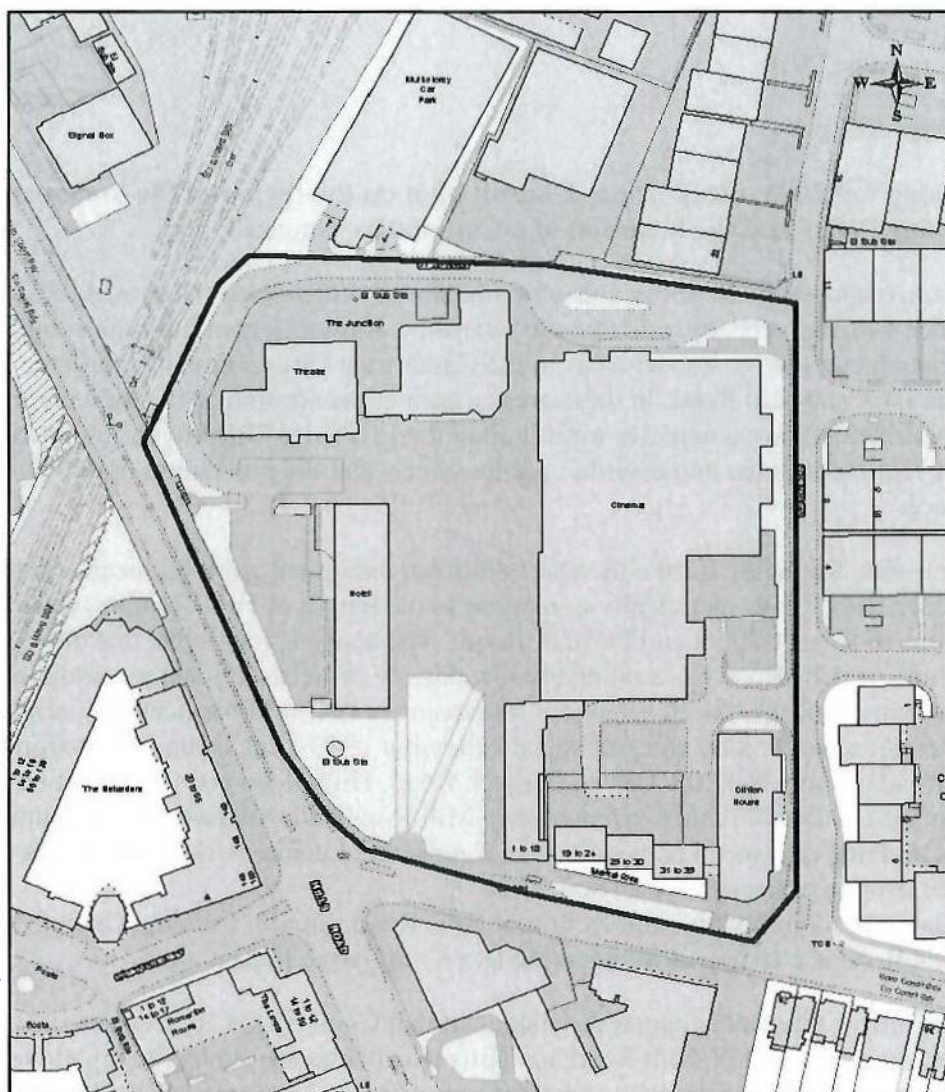


## Appendix 1 – Cumulative Impact Area City Centre



<b>Streets in Cumulative Impact Area Market Ward</b>			
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 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.

Ward	Licenced Premises
MA	206
PE	72
TR	48
CO	37
NE	35
CA	32
AR	26
AB	23
RO	22
KH	21
WC	20
CH	18
EC	14
QE	12
TOTAL	586

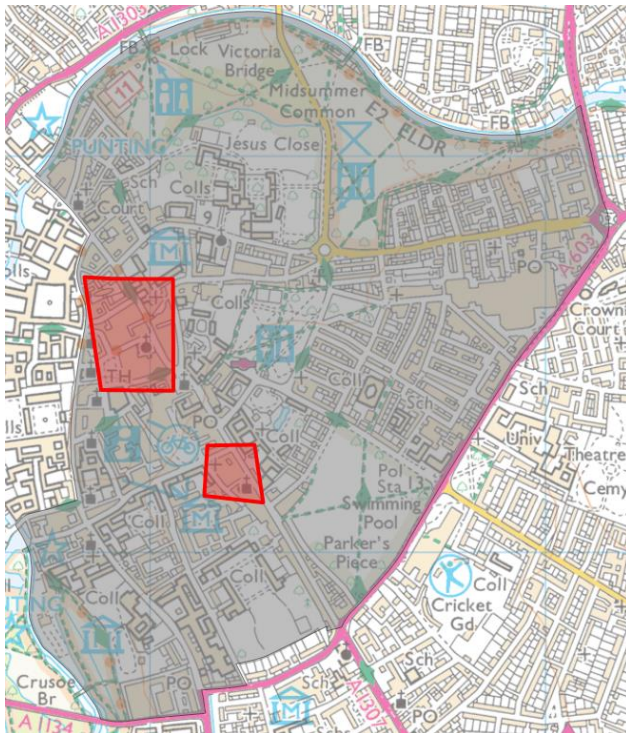
Alcohol Related Crime and Incidents				
Ward	2014/15	2015/16	2016/17	TOTAL
MA	984	625	570	2179
PE	349	223	138	710
AB	365	120	98	583
KH	369	106	85	560
AR	350	106	94	550
TR	337	88	99	524
CO	281	80	62	423
EC	263	62	65	390
WC	213	88	87	388
CH	244	52	52	348
RO	184	72	61	317
QE	168	52	32	252
CA	94	31	36	161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

## MARKET WARD

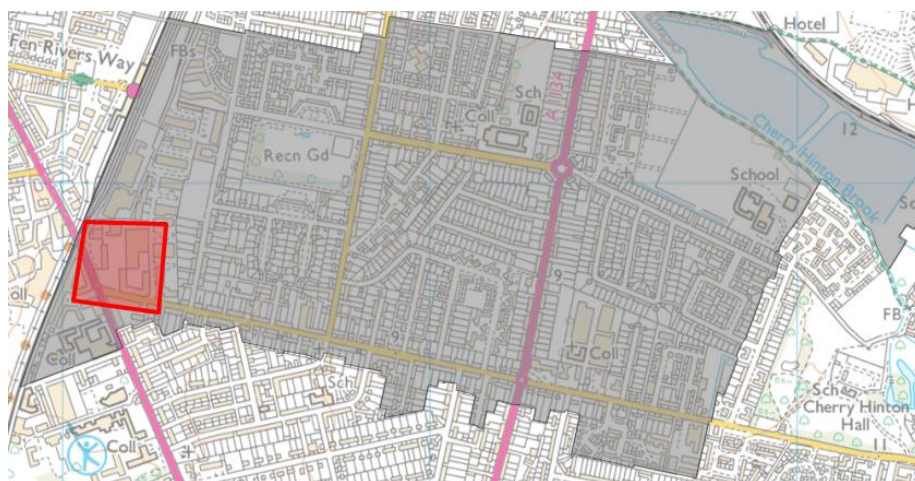
There are two main hot spots for crime and incidents in Market Ward, both situated within the current Cumulative Impact Area:

- 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.



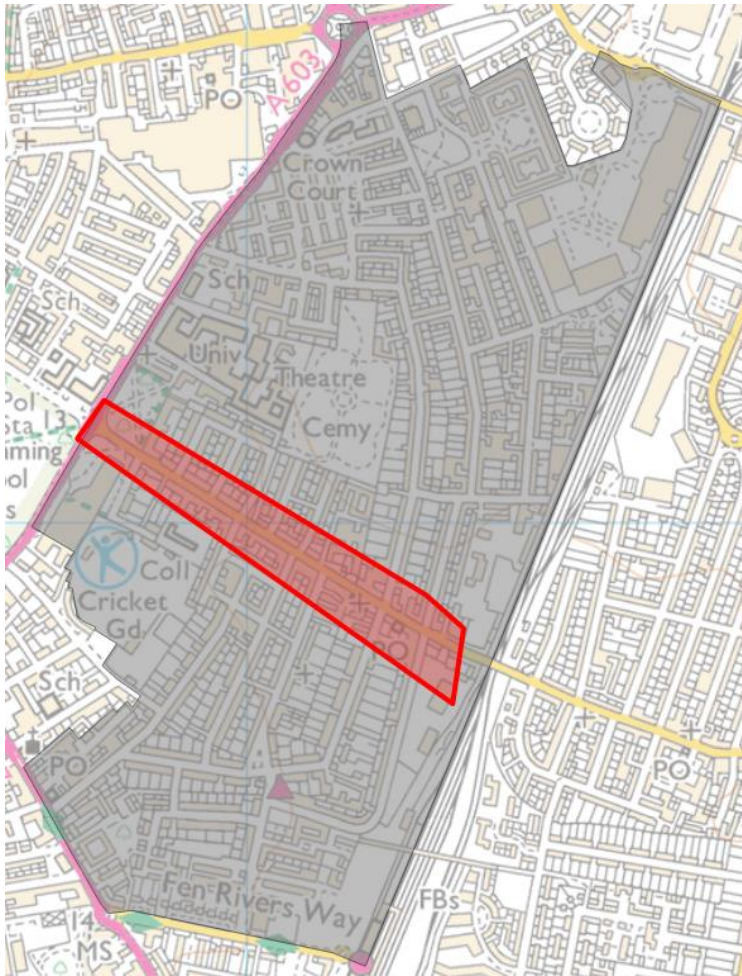
## PETERSFIELD

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.





## 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.



## 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.

This page is intentionally left blank



## 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](mailto:equalities@cambridge.gov.uk) or phone 01223 457046. Once you have drafted the EqIA please send this to [equalities@cambridge.gov.uk](mailto:equalities@cambridge.gov.uk) for checking. For advice on consulting on equality impacts, please contact Graham Saint, Strategy Officer, ([graham.saint@cambridge.gov.uk](mailto:graham.saint@cambridge.gov.uk) or 01223 457044).

<b>1. Title of strategy, policy, plan, project, contract or major change to your service:</b>
Statement of Licensing Policy
<b>2. Webpage link to full details of the strategy, policy, plan, project, contract or major change to your service (if available)</b>
<a href="https://www.cambridge.gov.uk/content/licensing-overview">https://www.cambridge.gov.uk/content/licensing-overview</a>
<b>3. What is the objective or purpose of your strategy, policy, plan, project, contract or major change to your service?</b>
<p>To enable the council to exercise its functions under Section 5 of the Licensing Act 2003. The Council is required to produce, adopt and publish a Statement of Licensing Policy. The statement must be reviewed every 5 years.</p> <p>The 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. The policy relates to all those licensing activities identified as falling within the provisions of the Act, namely: -</p> <ul style="list-style-type: none"> <li>• Retail sale of alcohol</li> <li>• Supply of alcohol by or on behalf of a club, or to the order to a member of the club</li> <li>• The provision of regulated entertainment</li> <li>• The provision of late night refreshment</li> </ul>
<b>4. Responsible Service</b>
Environmental Services

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

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

who work in the city but do not live here):

**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):

Responsible authorities play a part in delivering the policy, these include the Police, Environmental Health, Planning, Child Protection Services and Trading Standards.

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 16<sup>th</sup> October 2017

**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 policy 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 5 responses were received, none of the responses commented on equality.

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
- 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.

The policy recognises the Equality Act 2010 which places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics.

**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**

One of the licensing objectives is the protection of children from harm (see pages 7 to 9 of the Statement of Licensing Policy for more information on Licenced Premises and Children). The policy helps support this objective and a section of the policy deals with children and licensed premises. The Child Protection Services of Cambridgeshire County Council is a responsible authority and is recognised as being competent to advise on matters relating to the protection of children from harm.

During the review of the policy, they were consulted as a responsible authority and no response was received.

The safeguarding for children and vulnerable adults policy of Cambridge City Council will also be considered when determining licensing applications.

**(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 the policy will impact negatively on this target group. The policy has been open to a public consultation and no responses have been received in regards to the policy 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.

**(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.

**(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 policy will have an impact on this target group. The policy has 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.

**(e) Pregnancy and maternity**

We do not believe that the policy will impact negatively on this target group. The policy has 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 policy will impact negatively on this target group. The policy has 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 policy will impact negatively on this target group. The policy has 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

**(h) Religion or belief**

We do not believe that the policy will impact negatively on this target group. The policy has 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.

**(i) Sexual orientation**

We do not believe that the policy will impact negatively on this target group. The policy has 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.



**(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 policy 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 EqlA accordingly.)**

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 changes in law or other policies.

**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.

**13. Sign off**

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

Luke Catchpole, Technical Officer

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

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

Date of EqlA sign off: 14<sup>th</sup> September 2017

Date of next review of the equalities impact assessment: October 2022

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

✓ ☐ Yes

☐ No

Date to be published on Cambridge City Council website (if known): 20<sup>th</sup> October 2017

This page is intentionally left blank

## Item

# REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY

### **To:**

Licensing Committee

### **Report by:**

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

Tel: 01223 - 457083

E-mail: Karen.oconnor@cambridge.gov.uk

### **Wards affected:**

All

## 1. Executive Summary

- 1.1 Under the powers conferred to Cambridge City Council under the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976, (as amended), Cambridge City Council has responsibility for licensing Hackney Carriage, Private Hire and Dual Licence Drivers as well as vehicle proprietors and Private Hire Operators within the City.
- 1.2 The Hackney Carriage and Private Hire Licensing policy (the 'policy') was produced in order to provide the Council, its officers, the trade and the public with appropriate guidelines that put the Council's licensing requirements into practice in a clear and transparent manner.
- 1.3 The current Hackney Carriage & Private Hire Licensing Policy (the 'policy') applies to all drivers, vehicles and operators and was last updated in October 2016.
- 1.4 Subsequent requests from the trade to revise the policy, led to the Licensing Committee resolving to request officers go out to consult on the proposed changes to the policy.

- 1.5 The subsequent consultation has taken place, and Members are now requested to review the feedback received and determine what, if any, changes should be made to the policy.

## **2. Recommendations**

- 2.1 Members of the Licensing Committee are recommended to consider the responses received in relation to the seven items subject to consultation and determine what, if any, changes are to be made to the Hackney Carriage & Private Hire Licensing Policy in relation to the proposals received from the trade. Further consideration must be given to if each proposal applies to Hackney Carriages, private hire vehicles, or both:
  - 2.1.1 Removal of the requirement to carry a fire extinguisher.
  - 2.1.2 Removal of the requirement to carry a first aid kit.
  - 2.1.3 Raising the age limit for first registration of vehicles from four years.
  - 2.1.4 Requiring the carrying of a card payment device.
  - 2.1.5 The addition of a livery requirement
  - 2.1.6 The requirement to install CCTV, that it be locked and only accessed by the licensing authority and police.
  - 2.1.7 Allowing rear loading wheelchair accessible vehicles.
  - 2.1.8 If members are minded to make any changes to the policy, as set out above, then a timeframe will need to be set for any implementation of the changes

## **3. Background**

- 3.1 Cambridge City Council has responsibility for licensing Hackney Carriage, Private Hire and Dual Licence Drivers as well as vehicle proprietors and Private Hire Operators within the City.
- 3.2 In doing so, Cambridge City Council seeks to promote the following objectives that impact on the Hackney Carriage and Private Hire trades:
  - i) The protection of the public;
  - ii) The establishment of professional and respected hackney carriage and private hire trades;
  - iii) Access to an efficient and effective public transport service; and
  - iv) The protection of the environment

- 3.3 Under the powers conferred to Cambridge City Council under the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976, (as amended), the Hackney Carriage and Private Hire Licensing policy document (the 'policy') was produced in order to provide the Council, and Council Officers, who are required to administer the licensing function, with appropriate guidelines within which to act (Appendix A).
- 3.4 The policy is designed to put the Council's licensing requirements into practice and assist in the delivery of a transparent, accountable and efficient licensing service. It additionally, assists in ensuring that both the trade and the public have a document that fully explains the licensing procedures to all parties in a clear and transparent manner.
- 3.5 The Hackney Carriage & Private Hire Licensing Policy was last updated in October 2016.
- 3.6 Since this time, the Environmental Health Manager has received several requests from the trade for the policy to be amended, and so at the Licensing Committee on 24 July 2017 these were requests were put to Members and it was agreed that officers would go out to consult on the proposed changes to the policy.
- 3.7 The consultation ran from Monday 31 July 2017 until Sunday 3 September 2017. It was undertaken by directly contacting relevant stakeholder groups (listed in Appendix B), raising the issue at the Taxi Trade Forum on Friday 4 August 2017, and publishing consultation details via social media and on our website. Additionally all those holding a driver, vehicle or operator licence were directly consulted via letter. See Appendices C and D for the consultation document and accompanying letter.
- 3.8 A total of 37 responses were received to the consultation, in addition to two separate signed petitions. A summary of the individual responses is provided in Appendix E, and the two petitions received from Cambridge (Taxi) Driver Association in Appendices F (219 signatures opposing the livery proposal) and G (248 signatures opposing the CCTV proposal).
- 3.9 In order to aid consideration, a collation of the responses is provided in Appendix H, in which any alternative suggestions are also highlighted.
- 3.10 Additionally comments received from specific stakeholders prior to, or shortly after, the consultation period these have been included in the

below consideration of each of the seven specific items subject to consultation.

### 3.11 Removal of the need for licensed vehicles to carry a first aid kit.

- The East of England Ambulance Service NHS Trust has advised that they would like to see the practice of drivers of licensed vehicles continuing to carry first aid kits, if nothing else other than for their own treatment.
- 12 responses were in favour of removing this requirement
- 10 responses were against removing this requirement
- Additional comments were received concerning inadequate training of drivers to provide first aid.

It is also worth noting that the requirement for a licensed vehicle to carry a first aid kit is provided by the following:

- Vehicle Licence Conditions (Hackney Carriage and Private Hire Vehicles)
- FTA Hackney Carriage and Private Hire Vehicles – National Inspection Standards – adopted October 2016

### 3.12 Removal of the need for licensed vehicles to carry a fire extinguisher.

- Cambridgeshire Fire & Safety Service were approached and expressed their support for licensed vehicles carrying a fire extinguisher.
- 13 responses were in favour of removing this requirement
- 8 responses were against removing this requirement
- Additional comments were received concerning the use of extinguishers by untrained drivers

It is also worth noting that the requirement for a licensed vehicle to carry a fire extinguisher and first aid kit is provided by the following:

- City of Cambridge Hackney Carriage Bye Law 3
- Vehicle Licence Conditions (Hackney Carriage and Private Hire Vehicles)
- FTA Hackney Carriage and Private Hire Vehicles – National Inspection Standards – adopted October 2016



- 3.13 Change of age limits for vehicles. Currently the policy provides that a new vehicle cannot be granted a licence if it is more than 4 years old. Additionally a renewal will not be granted to a vehicle more than 9 years old. It has been suggested that vehicles older than 4 years could be granted a new licence, although the 9 year age limits for renewals should remain.
- The Environmental Quality and Growth Team have advised that they would prefer to see the 4 year limit for new vehicle licences, kept as existing, in order to not erode air quality standards.
  - 14 responses were in favour of raising the first registration age limit
  - 6 responses were against raising the first registration age limit
  - A number of additional comments were received, including an alternative use of vehicle mileage, environmental considerations or general vehicle condition
- 3.14 Adding a condition attached to the licences of all Hackney Carriage Vehicles to carry a card payment machine and accept debit/credit card payments.
- It is understood that the vehicles of all Cambridge City Licensed Taxis (CCLT) members currently carry a card reader.
  - 11 responses were in favour of adding this requirement
  - 9 responses were against adding this requirement
  - Additional comments were received regarding the forthcoming removal of the a charge for use of cards, using other devices (such as mobile phones) and that some destinations outside Cambridge have poor connectivity
- 3.15 Adding a livery requirement for all Hackney Carriage Vehicles. This could, for example, be a colour scheme exclusively for Hackney Carriage Vehicles, which would help the public to distinguish between a Hackney Carriage Vehicle and a Private Hire Vehicle. 'Cambridge Blue' has been suggested as a possible option.
- 7 responses were in favour of adding this requirement
  - 18 individual responses were against adding this requirement
  - An additional petition with 219 signatures against a livery standard was obtained.

- Additional comments were received that Cambridge Blue would be expensive as non-standard, and an alternative contrasting colour would be more readily distinguished by visually impaired users

3.16 Adding a condition attached to all vehicle licences that CCTV be installed, be locked, and only accessed by the licensing authority and Police. This would provide additional safety to both the public and drivers where potential issues arise.

- 9 responses were in favour of adding this requirement
- 17 individual responses were against adding this requirement
- An additional petition with 248 signatures against a requirement to install CCTV
- Additional comments were received that the CCTV should be also record front and rear views of the road, a need to be able to turn it off for personal use, able to be opened by a range of people and the Council should cover the costs of installation

3.17 Allowing rear loading wheelchair accessible vehicles. Currently the policy provides that all new licensed Hackney Carriages must be side loading; the Council will not licence rear loading wheelchair accessible Hackney Carriages.

- Cambridge County Council Highways were approached and advised it would require additional space in the bays to allow for the rear access taxis around an additional 2 metres per vehicle bay (4.4m standard or 6.6m for rear accessible vehicles). We do have a finite amount of ranking space within the city centre so rear accessible taxis will reduce the amount of available taxi rank space within the city if we changed the bays to mark them out with enough space to rank rear accessible vehicles. For example in St Andrew's Street we currently have space for 6 taxis but this would have to reduce to around 4 if the bays were all marked out at 6.6m length.
- 12 responses were in favour of adding this requirement
- 7 individual responses were against adding this requirement
- Additional comments were received that it should be allowed for private hire vehicles only, or electric vehicles only

3.18 Following completion of the consultation, and taking into account the responses received, Members are now required to review these items

and determine whether what, if any changes, should be made to the Hackney Carriage & Private Hire Licensing Policy.

## **4. Implications**

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

Provision is made in the council's budget for the taxi licensing service, which is run on cost recovery basis; however, should members agree to the addition of the livery and/or CCTV as conditions attached to vehicle licences then there is the question on who will bear the cost of the changes required.

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

Existing staff resources will absorb any changes arising from the review.

### **(c) Equality and Poverty Implications**

An Equality Impact Assessment has not yet been undertaken but will be carried out on the reviewed policy after the consultation process has been completed and prior to any changes to the policy being formally adopted.

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

Should members agree to changing the age limits for vehicles then there may be an impact on vehicle emissions.

### **(e) Procurement Implications**

Nil.

### **(f) Community Safety Implications**

Cambridge City Council has a duty to provide a safe and secure taxi service. The Council has a responsibility to review, consult and publish the Hackney Carriage and Private Hire Licensing Policy on a regular basis, or it could be believed that the Authority's policy is not sound.

## **5. Consultation and communication considerations**

- 5.1 In accordance with, the proposed amendments to the Hackney Carriage & Private Hire Licensing Policy were submitted for public consultation from Monday 31 July 2017 until Sunday 3 September 2017.
- 5.2 The consultation document as well as the covering letter is attached as Appendix E and F respectively. Feedback was encouraged and a copy of the consultation document was sent to all currently licensed drivers, vehicle proprietors and stakeholder groups (listed in Appendix G). The consultation was also displayed on the council website and advertised

through social media as well as at the last meeting of the Taxi Trade Forum in August 2017.

## **6. Background papers**

Background papers used in the preparation of this report:

- (a) Cambridge City Council's Hackney Carriage & Private Hire Taxi Handbook

## **7. Appendices**

Appendix A – Hackney Carriage & Private Hire Licensing Policy

Appendix B – List of stakeholder groups consulted

Appendix C – Consultation Document

Appendix D – Letter accompanying consultation document

Appendix E - Summary of responses received to the consultation

Appendix F – Collation of consultation responses received

## **9. Inspection of papers**

To inspect the background papers or if you have a query on the report please contact:

Alex Beebe, Licensing, Policy and Admin Team Leader

Tel: 01223 – 457723

E-mail: [alex.beebe@cambridge.gov.uk](mailto:alex.beebe@cambridge.gov.uk).



Cambridge City Council

# Hackney Carriage and Private Hire Licensing Policy

October 2016

<b>Date Adopted</b>	<b>17 October 2016</b>
<b>Author</b>	<b>Vickie Jameson</b>
<b>Version</b>	<b>1</b>
<b>Date Last Updated</b>	<b>17 October 2016</b>
<b>By</b>	<b>Vickie Jameson</b>

# Hackney Carriage and Private Hire Licensing Policy

## Table of Contents

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



<b>40</b>	Driving Proficiency
<b>41</b>	Driver Application Procedures
<b>42</b>	Conditions of Driver Licences
<b>43</b>	Code of Good Conduct
<b>PART 4</b>	<b>OPERATORS</b>
<b>44</b>	Private Hire Operators Requirements and Obligations
<b>45</b>	Insurance
<b>46</b>	Private Hire Operator Licence Duration
<b>47</b>	Record Keeping
<b>48</b>	Address from which an Operator may Operate
<b>49</b>	Sub-Contracting
<b>50</b>	Cross Border Hiring
<b>PART 5</b>	<b>ENFORCEMENT</b>
<b>51</b>	Enforcement
<b>52</b>	Compliance
<b>53</b>	Range of Powers
<b>54</b>	Disciplinary Hearings
<b>55</b>	Complaints, Compliments and Comments
<b>56</b>	Warnings
<b>57</b>	Prosecution
<b>58</b>	Suspension of a Licence
<b>59</b>	Refusal to Grant
<b>60</b>	Revocation of a Licence
<b>61</b>	Refusal to Renew
<b>62</b>	Rights of Appeal
<b>63</b>	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 17<sup>th</sup> 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 The Licensing Authority has undertaken a demand survey which concluded that there is no significant demand for Hackney Carriages that is unmet. Therefore, it has applied a limit of Hackney Carriage Vehicles as of 26<sup>th</sup> January 2015 for a period of three years.
- 11.3 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.
- 11.4 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 As Hackney Carriages pick up passengers from ranks and the road side, all new licensed Hackney Carriages must be side loading, the Licensing Authority will not licence rear loading wheelchair accessible vehicles.

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
- v) Anything likely to offend public taste

## **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 The Licensing Authority does not require enhanced security or CCTV measures to be in vehicles at this time as it is considered that the taking of such measures should be left to the judgment of individual operators, proprietors and drivers. However, the Authority wishes to support the trade in taking sensible measures to protect the drivers and passengers in licensed vehicles and does recognize that there are benefits to the trade, and public, where CCTV is installed in licensed vehicles.
- 25.4 Whilst the Licensing Authority supports the use of CCTV in licensed vehicles the Authority is also mindful of the fact that there are data protection concerns arising from the use of such surveillance. Proprietors of licensed vehicles are responsible for

ensuring that installed CCTV conforms to the relevant applicable legislation, such as the Data Protection Act 1998.

25.5 To assist the trade and protect the public the Licensing Authority will expect that, where CCTV is installed in a licensed vehicle, the Proprietor will ensure:

- i) That the appropriate person responsible for the camera is registered as the Data Controller under the Data Protection Act 1988 and is responsible for ensuring compliance with the Act and associated legislation.
- ii) The use of the camera and the footage complies with the relevant guidance of the Information Commissioners Office (ICO).
- iii) Vehicles must display relevant signage informing members of the public that CCTV is in operation and that they are being filmed.
- iv) Access provision and agreements must be in place in order for the footage to be used by the relevant bodies and agencies.

25.6 Any proprietor wishing to install CCTV within a vehicle should seek advice from the Authority prior to the grant of the licence. Any permission to install CCTV may be subject to conditions attached to the vehicle licence.

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 driver safety 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.

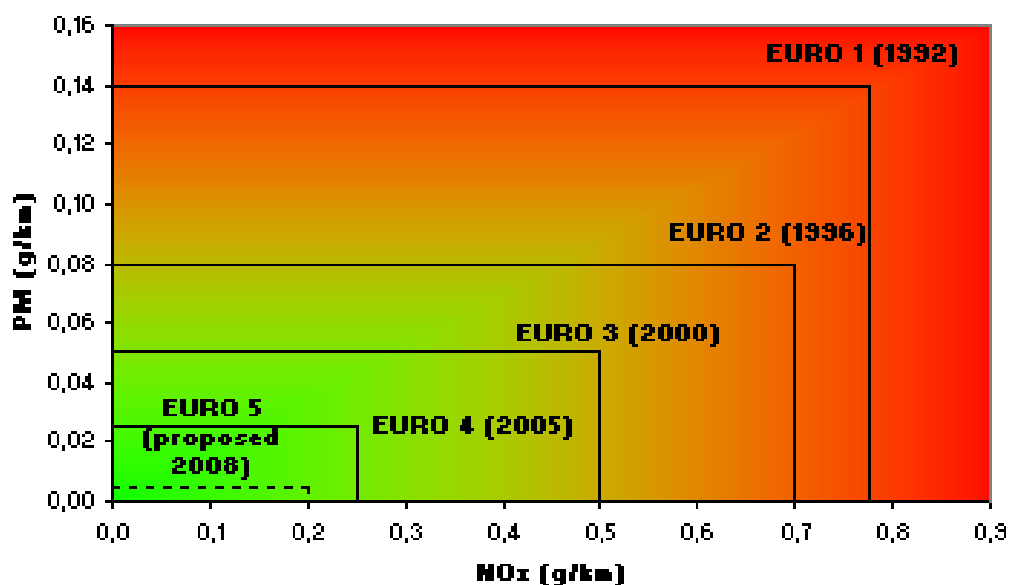
## **28.0 GRANT OF VEHICLE LICENCES**

- 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)
<b>Euro 1</b>	July 1992		0.14
<b>Euro 2</b>	January 1996		0.08
<b>Euro 3</b>	January 2000	0.50	0.05
<b>Euro 4</b>	January 2005	0.25	0.02
<b>Euro 5</b>	September 2009	0.18	0.00
<b>Euro 6</b>	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, AQMA's 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 Council's 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 £225 fee an HCV license renewal costs £210; and renewal of a PHV costs £200.

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**  
CO<sub>2</sub> emissions less than 50g/km and zero emission range of at least 70 miles £4,500
- **Category 2**  
CO<sub>2</sub> emissions less than 50g/km and zero emission range of 10 – 69 miles £2,500
- **Category 3**  
CO<sub>2</sub> 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 1<sup>st</sup> 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 1<sup>st</sup> 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 an enhanced DBS upon application and every three years after (if subsequent renewal applications are made).
- 35.5 However, the Council encourages drivers, proprietors, operators and applicants 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 enhanced DBS 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 an Enhanced DBS 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 an Enhanced DBS 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.



## **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.

This page is intentionally left blank

## **Appendix B – List of stakeholder groups consulted**

A1 Cabco

Safer Communities, Cambridge City Council

Adam Ratcliffe, CAMBAC

Age UK - Cambridgeshire and Peterborough

All Councillors, Cambridge City Council

Cambridge & District Stroke Club

Cambridge City Licensed Taxis (CCLT) - Andy Vines

Cambridge Hackney Carriage Association (CHCA)

Cambridgeshire Alliance for Independent Living

Cambridgeshire Constabulary

Cambridgeshire Ethnic Community Forum

Cambridgeshire Hearing Help

Camcab

Camsight

Camtax Ltd

Citizens Advice

COPE

DASV Partnership

David Lines, Cambridgeshire County Council

Disability Cambridgeshire

East Cambs District Council

Fenland Council

Guide Dogs for the Blind

Huntingdonshire District Council

Independent Living Services, Cambridge City Council

MENCAP (Eddie's)

MIND Cambridge



## **Appendix B – List of stakeholder groups consulted**

MS Society Cambridge

National Private Hire Association

Panther Taxis

Papworth Trust

Parking Enforcement, Cambridgeshire County Council

Parkinsons Cambridge

Peterborough City Council

PHAB

South Cambs District Council

Streets and Open Spaces Team, Cambridge City Council

The Red Cross

# Hackney Carriage & Private Hire – Licensing Policy

## Introduction and Background

Cambridge City Council has responsibility for licensing Hackney carriage, Private Hire and Dual Drivers, proprietors and operators within the City.

Cambridge City Council has adopted the provisions of the Local Government (Miscellaneous Provisions) Act 1976, which governs the licensing of Private Hire Vehicles, Private Hire Operators and drivers. The adoption of this act also encompasses the adoption of the Town Police Clauses Act 1847, which governs the licensing of Hackney Carriages.

The Hackney Carriage and Private Hire Licensing Policy applies to all drivers, vehicles and operators.

The policy is intended to ensure that both the trade and the public have a document that fully explains the Council's Licensing requirements in context for all parties in a clear and transparent manner.

The current policy has been in effect since the 16<sup>th</sup> October 2016; however, since then the Environmental Health Manager has received several requests from the trade for the policy to be amended.

## Consultation

Cambridge City Council is conducting a consultation to review the proposed changes to the policy. This will ensure that it complies with government best practice guidance and will provide protection for the public using the service.

The consultation is open to the members of the taxi and private hire licensing trade, public and stakeholders. The closing date for submitting consultation responses is the end of: **Sunday 3<sup>rd</sup> September 2017.**

All feedback is encouraged and all comments will be considered as part of the review and in preparation of the final policy document.

The results of the consultation exercise will be put to Members at the next Licensing Committee on Monday 16<sup>th</sup> October 2017 to take account of the feedback from the trade and other stakeholders in order to consider any amendments to the Hackney Carriage and Private Hire Licensing Policy.

Any comments that you forward to the Licensing Authority should clearly state your name and any organisation or persons you may be responding on behalf of.

Please send your response to:

- By email to [taxi@cambridge.gov.uk](mailto:taxi@cambridge.gov.uk) please include the words 'Taxi Policy' in the subject field; or
- In writing to Commercial & Licensing Team, Environmental Services, Cambridge City Council, and PO Box 700, Cambridge, CB1 0JH.

### Summary of Proposals

<b>1</b>	<b>Removal of the need for licensed vehicles to carry a first aid kit.</b>
<b>2</b>	<b>Removal of the need for licensed vehicles to carry a fire extinguisher.</b>
<b>3</b>	<b>Change of age limits for vehicles:</b>  Currently the policy provides that a new vehicle cannot be granted a licence if it is more than 4 years old. Additionally a renewal will not be granted to a vehicle more than 9 years old. It has been suggested that vehicles older than 4 years could be granted a new licence, although the 9 year age limits for renewals should remain.
<b>4</b>	<b>Adding a condition attached to the licences of all Hackney Carriage Vehicles to carry a card payment machine and accept debit/credit card payments</b>
<b>5</b>	<b>Adding a livery requirement for all Hackney Carriage Vehicles:</b>  This could, for example, be a colour scheme exclusively for Hackney Carriage Vehicles, which would help the public to distinguish between a Hackney Carriage Vehicle and a Private Hire Vehicle. 'Cambridge Blue' has been suggested as a possible option.
<b>6</b>	<b>Adding a condition attached to all vehicles licences that CCTV be installed, be kept locked and only accessed by the licensing authority and Police.</b>
<b>7</b>	<b>Allowing rear loading wheelchair accessible vehicles:</b>  Currently the policy provides that all new licensed Hackney Carriages must be side loading; the Council will not licence rear loading wheelchair accessible vehicles.

## Appendix D – Letter accompanying consultation document

### Enquiries to:

Commercial & Licensing Team

T: 01223 458516

E: [taxi@cambridge.gov.uk](mailto:taxi@cambridge.gov.uk)



Environmental  
Services

[www.cambridge.gov.uk](http://www.cambridge.gov.uk)

Monday 31<sup>st</sup> July 2017

Dear Sir / Madam,

### **Consultation on the Hackney Carriage Table of Fares and Review of the Hackney Carriage & Private Hire Licensing Policy**

I am writing to invite you to comment on the following consultations:

- Changes to the Hackney Carriage Table of Fares
- Review of the Hackney Carriage & Private Hire Licensing Policy

Please find enclosed the proposed table of fares, due to come into effect on the 25<sup>th</sup> September 2017, as well as a consultation document outlining the proposed changes to the licensing policy as requested by the licensed trade,

You can send us your comments on either consultation as follows:

- By e-mail to [taxi@cambridge.gov.uk](mailto:taxi@cambridge.gov.uk) please include the words 'Taxi Policy' in the subject field; or
- In writing to Commercial & Licensing, Environmental Services, Cambridge City Council, and PO Box 700, Cambridge, CB1 0JH.

**Your comments should be submitted no later than Sunday 3<sup>rd</sup> September 2017.**

If you have any queries about the consultations, or any suggestions as to other bodies, or individuals who you feel may wish to participate in the consultations, please do let us know.

We look forward to hearing from you.

Yours faithfully,



Alex Beebe  
Licensing, Policy and Admin Team Leader

*Enclosed. Consultation document  
Proposed Hackney Carriage Fares*

---

PO Box 700, Cambridge, CB1 0JH  
[www.cambridge.gov.uk](http://www.cambridge.gov.uk) • Switchboard: 01223 457000

This page is intentionally left blank

# APPENDIX E– CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017

Response Number	Date Received	Comment	Date Responded	Response
1	02/08/2017	<p>My comments on the Consultation are as follows:</p> <p>5 Livery SUPPORT This would make it easier for residents and visitors to identify Hackney Carriages. This would enable them to be hailed by both residents and, importantly, by tourists and other visitors.</p> <p>7 Rear loading wheelchair accessibility SUPPORT There are types of wheelchair, some are much more easily loaded from a rear lift.</p> <p>My best regards,</p>	08/08/2017	Acknowledgement e-mail sent
2	03/08/2017	<p>Dear Licensing Team, I have looked at the proposals for changing the taxi licensing policy.</p> <p>I have no comments to make, either positive or negative on the stated summary of proposals, except no 6 regarding CCTV. I assume this CCTV is for the interior of the vehicle. I think this should be extended so that there is also the requirement for CCTV of the road ahead and to the nearside ("dash-cam" is the term for the road ahead). There are many reported incidents of cyclists being cut up by taxis or passed far too close as a taxi tries to overtake a cyclist where there is simply no roadspace to allow this to be done safely. This would provide evidence as to whether the account is true in the case of a complaint.</p> <p>I am also deeply disappointed there is no proposed requirement to make drivers undertake a Safe Urban Driving Course, with particular emphasis on the particular conditions in Cambridge, namely very narrow roads and large numbers of cyclists. I note that since 2013, in London, there has been a city-wide initiative to train drivers of light goods and passenger carrying vehicles through an accredited Certificate of Professional Competence (CPC) course called Safe Urban Driving. In particular, Stagecoach London developed its own CPC cycle awareness training, which is</p>	23/08/2017 Ack sent 10/08/2017	<p>Good afternoon,</p> <p>I write further to my e-mail to you dated Thursday 10<sup>th</sup> August 2017.</p> <p>I can confirm all responses received will be put before the Licensing Committee at their next meeting on Monday 16<sup>th</sup> October 2017.</p> <p>With respect to your comments on 'Safe Urban Driving' I can advise you that the current consultation did not include a specific consideration of such training, however your comment will be fed back to the Committee.</p> <p>I can advise you however, that all licence holders are required to attend and pass a test paper at the end of Cambridge City Council's 'Customer Awareness: Safeguarding, Equality and Protection' training course. At the request of members of the public the course includes elements of cyclist awareness and considerate</p>

# APPENDIX E– CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017

		<p>to be delivered in-house by its driver training team, after working with Cycle Training UK to design and develop the on-road awareness programme.</p> <p>Having looked at the website of the local company Outspoken, it appears they may be able to deliver an appropriate training course.</p> <p><a href="http://www.outspokentraining.co.uk/safe-urban-driving-courses">http://www.outspokentraining.co.uk/safe-urban-driving-courses</a></p> <p>I am sure they can tailor a course to the specific needs of driving (and stopping to load and unload, which can be a particular sparkpoint of conflict and danger) a taxi in both the Historic City Centre and the narrow residential streets of Cambridge.</p> <p>I think Cambridge City Council should take a lead in this matter and compel licensed taxi drivers to undertake Safe Urban Driving Training, as part of its remit to encourage cycling as a replacement to the use of cars within the City and the area around the City.</p> <p>Regards,</p>		<p>driving.</p> <p>Once again thank you for your feedback.</p>
3	03/08/2017	<p>To Whom It May Concern,</p> <p>I have been reading through the proposals regarding the 'Taxi Policy' and have some questions.</p> <ol style="list-style-type: none"> <li>1. Removal of the need for licensed vehicles to carry a First Aid Kit. Q – At present does this mean that all the licensed vehicles carry a First Aid Kit and if so, is it mainly for the Taxi Drivers personal use, or is the onus on them that they are expected to carry out Basic First Aid on their customers?</li> <li>2. Removal of the need for licensed vehicles to carry a Fire Extinguisher. Q – Again, does this mean that at present all the licensed vehicles carry a Fire Extinguisher? My comment would be that surely it would be a good thing to continue doing, should a low-level incident happen with the driver(s) vehicle, for example: if they are doing a long distance run.</li> <li>3. Adding a livery requirement for all Hackney Carriage Vehicles: I've noted that "Cambridge Blue" has been suggested, however, after checking some information on a Sight Impairment site, Colour Contrast can be beneficial for the Sight Impaired, so perhaps, another contrasting colour should be considered, as there are different levels of sight impairment?</li> </ol>	03/08/2017	<p>Hi</p> <ol style="list-style-type: none"> <li>1. Yes all licensed vehicles are required to carry a first aid kit. The intention is for both personal (driver) use and if passengers needed first aid supplies. Drivers are not expected to carry out first aid out on passengers.</li> <li>2. Yes all licensed vehicles are required to carry a fire extinguisher.</li> <li>3. I will add your comments to the consultation.</li> <li>4. It's a decision that I understand has been in place for a long time. Issues with rear loading are as follows: <ol style="list-style-type: none"> <li>a. Getting up and down from kerbs – with side loading the ramp can be placed on the pavement</li> </ol> </li> </ol>

# APPENDIX E– CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017

Page 209

		<p>4. Allowing rear loading wheelchair accessible vehicles: Why won't the Council licence rear loading wheelchair accessible vehicles?</p> <p>I look forward to hearing from you.</p> <p>Kind Regards,</p>		<p>b. Health &amp; safety considerations with passengers being on a rank – ranks are busy places and there will be a minimum amount of space required from the rear of the vehicle to load a passenger and their wheelchair</p> <p>c. Space on taxi ranks is limited</p>								
4	03/08/2017	<p>,</p> <p>I have answered your questions in the table provided, I also have no comment to make on the table of fares.</p> <p>Regards</p> <table><tr><td></td><td></td></tr><tr><td>1</td><td><p>Removal of the need for licensed vehicles to carry a first aid kit.</p><p>I support this as drivers are not medically trained to give first aid</p></td></tr><tr><td>2</td><td><p>Removal of the need for licensed vehicles to carry a fire extinguisher.</p><p>I support this as drivers and public are advised to not tackle fires</p></td></tr><tr><td>3</td><td><p>Change of age limits for vehicles:</p><p>Currently the policy provides that a new vehicle cannot be granted a licence if it is more than 4 years old. Additionally a renewal will not be granted to a vehicle more than 9 years old. It has been suggested that vehicles older than 4 years could be granted a new licence, although the 9 year age</p></td></tr></table>			1	<p>Removal of the need for licensed vehicles to carry a first aid kit.</p> <p>I support this as drivers are not medically trained to give first aid</p>	2	<p>Removal of the need for licensed vehicles to carry a fire extinguisher.</p> <p>I support this as drivers and public are advised to not tackle fires</p>	3	<p>Change of age limits for vehicles:</p> <p>Currently the policy provides that a new vehicle cannot be granted a licence if it is more than 4 years old. Additionally a renewal will not be granted to a vehicle more than 9 years old. It has been suggested that vehicles older than 4 years could be granted a new licence, although the 9 year age</p>	03/08/2017	Acknowledgement e-mail sent
1	<p>Removal of the need for licensed vehicles to carry a first aid kit.</p> <p>I support this as drivers are not medically trained to give first aid</p>											
2	<p>Removal of the need for licensed vehicles to carry a fire extinguisher.</p> <p>I support this as drivers and public are advised to not tackle fires</p>											
3	<p>Change of age limits for vehicles:</p> <p>Currently the policy provides that a new vehicle cannot be granted a licence if it is more than 4 years old. Additionally a renewal will not be granted to a vehicle more than 9 years old. It has been suggested that vehicles older than 4 years could be granted a new licence, although the 9 year age</p>											



# APPENDIX E– CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017

			<p>limits for renewals should remain.</p> <p>I support this, although I would have to strongly recommend that the 4 year policy should stay for fully petrol and diesel vehicles and should only be available to drivers who wish to licence an electric or hybrid vehicle, as this will make those greener vehicles more affordable and drivers will immediately switch to greener energy vehicles. Electric and Hybrid vehicles do not emit more emissions as they get older as they have no emissions.</p> <p>I also agree keeping the 9 year policy</p>			
		4	<p>Adding a condition attached to the licences of all Hackney Carriage Vehicles to carry a card payment machine and accept debit/credit card payments</p> <p>Again I would support this as many customers now only carry card and not cash, although I believe the drivers may not be able to charge 5% or cover their transaction costs as of January 2018, perhaps this needs discussing as to how drivers will re-coup this loss.</p>			
		5	<p>Adding a livery requirement for all Hackney Carriage Vehicles:</p> <p>This could, for example, be a colour scheme exclusively for Hackney Carriage Vehicles, which would help the public to distinguish between a Hackney Carriage Vehicle and a Private Hire Vehicle. 'Cambridge Blue' has been suggested as a possible option.</p> <p>I disagree with this for two reasons.</p> <ol style="list-style-type: none"> <li>1. The additional expense for the drivers</li> <li>2. If the vehicle is wrapped in Cambridge Blue (as you cannot buy Cambridge blue cars) and the driver sells the vehicle to a member of the public in</li> </ol>			

# APPENDIX E– CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017

			Cambridge would this not present a safety issue or could the driver be forced to de-wrap it.			
		6	<p>Adding a condition attached to all vehicles licences that CCTV be installed, be kept locked and only accessed by the licensing authority and Police.</p> <p>Again I would have to oppose this idea on the follow grounds</p> <ol style="list-style-type: none"> <li>1. Expensive</li> <li>2. What happens if driver needs to access the CCTV on a Friday evening, is he/she unable to work until Monday, or until the council are back to work, currently all these CCTVs override and work on a continuous cycle.</li> <li>3. The police are always busy and they will never access the CCTV unless it is in there benefit, how would a driver get a police officer to access the CCTV, would they have the right equipment ?</li> <li>4. Who at the council will be trained, will this be one CCTV company or would the council have the right equipment to deal with all makes and CCTV models.</li> </ol> <p>In principle it's a good idea, but it just doesn't work, the police are too busy and the council as well as the police will not keep up with technology, software updates and the devices and or leads needed to access the CCTV, I was once attacked and had this CCTV but when the police were approached no one knew how to access it. The reality is that everyone will install it, no one will be asked to access it for at least 6 or so months something serious will happen a couple of years down the road and no one will be able to access the CCTV, the council will then have a massive headline in the paper being criticised.</p>			
		7	<p>Allowing rear loading wheelchair accessible vehicles:</p> <p>Currently the policy provides that all new licensed Hackney</p>			

# APPENDIX E– CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017

Page 212

		<p>Carriages must be side loading; the Council will not licence rear loading wheelchair accessible vehicles.</p> <p>I am worried that this is even being considered, we have no rank space, the past ten years have been about re-limiting and everyone has been going loopy about rank space.</p> <p>So on this I have one question.</p> <p>I am in a wheelchair and approach the rank, how is the driver going to get me in the vehicle ? rear loading wheelchairs need 3 meters space behind, that's almost the length of the rank, is everyone going to reverse off the rank.</p>					
5	06/08/2017	<p>I am objecting to any decision to remove the following</p> <table><tr><td>Removal of the need for licensed vehicles to carry a first aid kit.</td></tr><tr><td>Removal of the need for licensed vehicles to carry a fire extinguisher.</td></tr></table>	Removal of the need for licensed vehicles to carry a first aid kit.	Removal of the need for licensed vehicles to carry a fire extinguisher.		07/08/2017	Acknowledgement e-mail sent
Removal of the need for licensed vehicles to carry a first aid kit.							
Removal of the need for licensed vehicles to carry a fire extinguisher.							
6	07/08/2017	<p>Rear loading vehicles</p> <p>Rear loading vehicles should be allowed to be registered as a Hackney carriages.</p> <p>Ramp is much lower and can accommodate large wheelchairs of all types including mobility scooters and they always are face forwarding journey. Also including a passenger on the wheelchair it can take on board up to 4 passengers. With my current large 8 seater I can take wheelchair and max 2-3 additional passengers and most of the cases the elderly people and disabled walking people can't access it because it is too high. In some cases I have to refuse wheelchairs because they only fit sideways or passengers are too high to get in. Some electric wheelchair users only want to use back loaders because they feel much safer getting in. Many areas in Cambridge</p>		08/08/2017	Acknowledgement e-mail sent		

# APPENDIX E– CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017

		<p>are not suitable for side loading wheelchairs simply because are too narrow for example (drummer street rank, almost every street of mill road area and many more similar in Cambridge) So the rear loading vehicle would be more friendly for most of the passengers using our ranks. Smaller vehicles are not that expensive to replace compare to side loading and are more eco friendly simply because they have smaller engines and are lighter so they produce less CO2.</p> <p>Adding a livery requirement.</p> <p>Livery requirement would be good but not proposed colour of Cambridge blue. None of the taxi making company's are supplying new taxis in that colour and simply this is not available to order.</p> <p>Now the question is if already registered and running taxis will need to be custom painted who is going to cover the cost of it? If the owner then this is another huge cost (we are talking of hundreds of pounds) added to our trade including all the cost what we have to cover to run taxis.</p> <p>So i will not agree to put Livery requirement</p> <p>Card payments</p> <p>Card payments machines in every taxi should be available.</p> <p>CCTV in vehicles</p> <p>Adding a CCTV to be installed in taxis is good idea. But access only for CCC and Police is wrong idea. Many taxi drivers is using their vehicles as a personal form of transport after working hours for them and their families. So at least the taxi driver should be allow to turn it off while not working.</p> <p>Again who is going to cover the cost of installing it in the Taxi? If its the owner i will not agree with this proposal.</p> <p>Its good to propose some changes to trade because we need it. But if some of this changes will put more cost to run our small businesses then this is wrong and should be looked how to minimise it.</p> <p>. Regards</p>		
7	08/08/2017	<p>Dear Licensing Team,</p> <p>I have been a critical observer of the taxi trade as part of the local transportation policy in the past. I have often experienced assertive and aggressive behavior among professional drivers, and have often considered how such behavior reflects on our city as a whole and how it deters more</p>	<p>23/08/2017 Ack sent 10/08/2017</p>	<p>Good afternoon,</p> <p>I write further to my e-mail to you dated Thursday 10<sup>th</sup> August 2017.</p> <p>I can confirm all responses received will be put</p>

# APPENDIX E– CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017

		<p>people from using healthy and sustainable modes for getting around.</p> <p>I believe the licensing framework offers an essential tool for changing the culture of driving in Cambridge, and to make more space for healthy and sustainable modes on our roadway.</p> <p>I am disappointed that the proposal is lacking the following requirements:</p> <p>1) CCTV requirements: should include a requirement a dash-cam to cover traffic ahead and to document dangerous driving maneuvers. This would provide excellent evidence in the case of a complaint. Access to this footage should not be restricted</p> <p>2) Intermodal Connections: Considering the taxi trade in Cambridge as part of the local mobility system, you will note that up to now the taxi trade has not offered or advertised rates for the transport of bicycles. Many private cars are fitted with bike carriers, and many bike owners have occasion to transport a bike from one place to another. The taxi trade, being part of a integrated transport system, should be required to offer and advertise this service and equip a certain number of cars accordingly</p> <p>And most importantly:</p> <p>3) Driver training: Those who want to earn a living on the roads of Cambridge should be required to show that they know how to drive safely, specially among pedestrians and those on bicycles. Our narrow roads and the large number of cyclists demand that drivers undergo special training. The outcome is not only a driving style which will avoid collisions, but more importantly an driving style which welcomes people of different mobilities onto the roadway. If a driver does not want to undergo this training, he or she should drive his taxi in a different place, not in Cambridge. Since 2013 London has run a city-wide initiative to train drivers of light goods and passenger carrying vehicles through an accredited Certificate of Professional Competence (CPC) course called Safe Urban Driving. There are local providers who can deliver such training programs.</p> <p>Please confirm receipt of these comments and let me know how you will proceed</p>		<p>before the Licensing Committee at their next meeting on Monday 16<sup>th</sup> October 2017.</p> <p>With respect to your comments on 'Intermodal Connections' and 'Driver Training' I can advise you that the current consultation didn't include a specific consideration of such training, however your comment will be fed back to the Committee.</p> <p>I can advise you however, that all licence holders are required to attend and pass a test paper at the end of Cambridge City Council's 'Customer Awareness: Safeguarding, Equality and Protection' training course. At the request of members of the public the course includes elements of cyclist awareness and considerate driving.</p> <p>Once again thank you for your feedback.</p>
8	09/08/2017	<p>I am , of . I don't have my badge to hand and I can't remember what the number is.</p>	10/08/2017	Acknowledgment e-mail sent

# APPENDIX E– CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017

		<p>I just want to say I am in favour of almost all the proposals on the review letter. I think they are almost all good, especially not having to carry first aid kits and fire extinguishers. In all my years as a taxi driver I have never needed them. The only time it came in handy was when I was out with family and someone cut their finger and I remembered I had some plasters in the first aid kit of my car. But I have never needed it during work. I've even offered customers paracetamol when they said they have a headache and no one ever wanted it!</p> <p>One proposal I am against though is the one about an exclusive colour scheme for Hackney Carriages. This sounds expensive to me and I don't see the benefits. We already have the signs and the crest on the side.</p> <p>Thank you for listening.</p>		
9	10/08/2017	<p>Dear ,</p> <p>Please find attached a response from Cambridgeshire Alliance for Independent Living regarding the current taxi licencing and fare consultations.</p> <p>If you have any questions, please do not hesitate to contact me.</p> <p>Regards</p> <p>1 Removal of the need for licensed vehicles to carry a first aid kit. CAIL response: We believe that all licenced vehicles should carry first aid kits and that all drivers should be qualified to provide basic first aid assistance. There are many disabilities, such as Epilepsy, where basic first aid may be required.</p> <p>2 Removal of the need for licensed vehicles to carry a fire extinguisher. CAIL response:</p>	10/08/2017	Acknowledgment e-mail sent

# APPENDIX E– CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017

		<p>We believe that all licensed vehicles should be required to carry a fire extinguisher.</p> <p>3</p> <p>Change of age limits for vehicles: Currently the policy provides that a new vehicle cannot be granted a licence if it is more than 4 years old. Additionally a renewal will not be granted to a vehicle more than 9 years old. It has been suggested that vehicles older than 4 years could be granted a new licence, although the 9 year age limits for renewals should remain.</p> <p>CAIL Response: We have no view on this proposal</p> <p>4</p> <p>Adding a condition attached to the licences of all Hackney Carriage Vehicles to carry a card payment machine and accept debit/credit card payments</p> <p>CAIL Response: We recognise that this could be more convenient for many people. Please note change in law – <a href="http://www.moneysavingexpert.com/news/cards/2017/07/credit-and-debit-card-fees-to-be-banned">http://www.moneysavingexpert.com/news/cards/2017/07/credit-and-debit-card-fees-to-be-banned</a> <a href="http://www.bbc.co.uk/news/business-40648641">http://www.bbc.co.uk/news/business-40648641</a> Also, how does this fit with using Taxicards?? Could they be used to negate any charges? <a href="https://www.cambridge.gov.uk/taxicard">https://www.cambridge.gov.uk/taxicard</a></p> <p>5</p> <p>Adding a livery requirement for all Hackney Carriage Vehicles: This could, for example, be a colour scheme exclusively for Hackney Carriage Vehicles, which would help the public to distinguish between a Hackney Carriage Vehicle and a Private Hire Vehicle. 'Cambridge Blue' has been suggested as a possible option.</p> <p>CAIL Response: This could be useful for certain groups that we work with for example those with Learning Disabilities.</p> <p>6</p> <p>Adding a condition attached to all vehicles licences that CCTV be installed, be kept locked and only accessed by the licensing authority and Police.</p> <p>CAIL Response: We believe this is highly important for the safety of passengers and drivers especially for unescorted Adults at Risk of Abuse.</p> <p>7</p> <p>Allowing rear loading wheelchair accessible vehicles: Currently the policy provides that all new licensed Hackney Carriages must be side loading; the Council will not licence rear loading wheelchair accessible vehicles.</p> <p>CAIL Response:</p>		
--	--	---	--	--

# APPENDIX E– CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017

		<p>We regularly book licenced vehicles for people with a wide range of disabilities so that they can attend our events. This includes booking transport for people who use wheelchairs. We have booked both side-loading and rear loading vehicles.</p> <p>For people who have more complex health needs or larger wheelchairs there have been issues when side-loading in to a vehicle. People have been required to tilt their heads on the side or to try and crouch down in their wheelchair. Whilst for some people this is possible, for other others it has created difficulties eg drivers attempting to physically push people's heads to the side.</p>		
10	10/08/2017	<p>I must object strongly to these proposals in licence policy.my reasons are listed below, having had some 25 years as hackney carriage driver from around 1975.</p> <p>1/carrying a first aid kit is not a great problem for anybody and could save a life, they have been carried by hackney carriages for many years, so I see why they are complaining about them. They are not in the way , they just sit in the boot doing no harm .</p> <p>2/ The same reason applies as to previous reply.</p> <p>3/The age limits must be strictly adhered to and four years replacement is quite acceptable due to the high mileage taxis do. Or maybe a mileage limit could be set and once that vehicle has reached that mileage then it should be changed. Say 150000 miles to change vehicle, but used vehicles should not be licensed under the 150000 miles due to dubious previous ownership.</p> <p>4/ I see no reason why the council should impose this condition of carrying a card payment machine, as it should be up to individual drivers if they wish to take credit card payments. If this is imposed you then come into the realms of the status of the drivers being self employed or employed by the city council. You could end up paying there tax and nhi. Self employed means you have the choice. It could also be open to abuse and fraud from the present drivers out there.</p> <p>5/ painting the hackneys in one colour will not do anything for the trade except add an extra expense and higher fares no doubt, of which I have complained about on the increase link.</p>	<p>23/08/2017 Ack 10/08/2017</p>	<p>Good afternoon,</p> <p>I write further to my e-mail to you dated Thursday 10<sup>th</sup> August 2017.</p> <p>I can confirm all responses received will be put before the Licensing Committee at their next meeting on Monday 16<sup>th</sup> October 2017.</p> <p>With respect to your comments on the return of vehicle plate I can advise you that the current consultation did not include a specific consideration of this, however your comment will be fed back to the Committee.</p> <p>Once again thank you for your feedback.</p>



# APPENDIX E– CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017

		<p>It will also make the city look shoddy.</p> <p>6/ a licence condition is not required due to the fact that dash cams are widely available and used now by most vehicles. All this will do is add another expense and time to the police and drivers.</p> <p>7/ I do agree with as it should have always been the normal way to unload wheel chairs.</p> <p>I myself would like to add a proposal to the hackney licence and would like the committee to seriously consider this and there options.</p> <p>The city council should make it a requirement that the hackney licence plate is handed back to the council, as it should be and not sold on the open market as is happening and been happening for many years. This practice is unlawful as the licence plate belongs to the city council and the licence, it just leads profiteering in the trade and as it is deregulated now, there is no reason for plates to be sold and drivers paying rent.</p> <p>I would like confirmation that you will consider my proposals and receipt of this email.</p>		
--	--	---	--	--

**APPENDIX E– CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017**

11	10/08/2017	Letter	11/08/2017	Acknowledgement e-mail sent.

# APPENDIX E– CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017

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



7<sup>th</sup> August 2017

Dear Sirs,

**Re: Review of the Hackney Carriage & Private Hire Licensing Policy**

Further to the above, I would like to offer my comments on the proposed policy review.

1. Agree strongly.
2. Agree strongly.
3. Agree that the under four year rule should be removed, suggest that in light of the Council's push towards electric vehicles and ULEV that consideration should be put in place to suggest that any vehicle that fits this criteria should be allowed to be used as a PHV or Hackney for a maximum of nine years, thus if a vehicle first becomes a PHV/Hackney that is electric or ULEV when it is say two years old, it be allowed to remain a licensed vehicle for nine years from then. The reasoning for this is these vehicles are more expensive to purchase in the first instance and any changes in emissions policy would not affect them.
4. Currently with the fare card allowing the driver to charge 5% for card payments, a driver having a card machine and then paying around 3% to the card processing company he or she is in profit by 2% and benefits by this. However, it has been stated by central government that additional charges from January next year will be illegal, when this happens drivers will have no incentive to accept card payments and in fact will be worse off if they do.
5. I do not feel a livery would be appropriate, drivers already have considerable expense in the purchase of a vehicle, the fitting of a taxi meter and the license fees. Burdening the driver with an additional cost of potentially respraying the whole vehicle (circa. £2k) is unfair and would reduce the residual value of the vehicle significantly. The new Hybrid TX London Taxi costs around £60k, to then respray the vehicle to a specific colour is quite honestly ridiculous!
6. Installing CCTV into licensed vehicles is another expense that drivers should not have to outlay, the cost of an encrypted CCTV system, in a secure compartment is over £800.00. The only way this could be affordable is if the Council accept a large proportion of the cost of fitting the equipment to the vehicle. A further consideration is how often will the equipment need to be checked to be working correctly, who should carry this out and at what cost to whom?  
If the footage is required by the Police or licensing authority, who would be the responsible officer (and fully trained) during the weekend or evening to extract the footage? It is well documented the lack of Police resources especially during the evenings and evenings (the time the recording is most likely of) and Council Officers do not operate an "on call" system.  
If the data is held on a SD memory card and is seized by the Police or Council for evidential purposes, who is responsible for replacing the SD card?
7. Rear loading wheelchair accessible vehicles are a practical solution to the prohibitive cost of side loading vehicles.

There is currently significant ill feeling within the trade with drivers from far and wide working in Cambridge for an operator, by adding to this by adding onerous and expensive requirements such as livery and CCTV will further alienate drivers who observe vehicles from other areas who do not have to fulfil these requirements.

Yours faithfully



# APPENDIX E- CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017

12	11/08/2017	<p>just my opnion</p> <p>1.keep first aid good thing</p> <p>2.yes to carry extinguisher</p> <p>3 would agree to older than 4years also longer than 9 if can pass council test</p> <p>4 no</p> <p>5 yes</p> <p>6 yes but get help from council fitting and buying</p> <p>7 just side loading</p>	11/08/2017	Acknowledgement e-mail sent.
13	11/08/2017	<p>Hello</p> <p>I have some concerns about proposed changes. Please see below.</p> <p>Proposal 4- adding a condition to Hackney Carriage Vehicles to carry a card payment machine to accept credit/debit cards payments.</p> <p>We are getting jobs from Cambridge to near villages and some of these villages do not have mobile receptions to use debit card readers( such as Papworth Everard where I live). This will lead we get not paid for the job we completed. When there is no backup solution failure of credit card readers it is not fair to force all taxi drivers to accept credit cards.</p> <p>There will be a cost to get credit cards readers and when the card reader is failed we wouldn't be able to work until to get a replacement one. Also, there will be charge backs and be consuming time for administration for credit card payment.</p> <p>Proposal 5- adding a livery requirement for all Hackney Carriage Vehicles.</p> <p>This is another unnecessary cost to taxi drivers. This will not stop Private hires picking passengers from streets. People just think there is another taxi company with Cambridge blue. But it will cost taxi drivers big expense.</p> <p>Proposal 6- I do not think we do have such major criminal problems to install cameras over a thousand of Hackney and Private hire vehicles.</p> <p>Also, who will pay for this? I assume you expecting taxi drivers to pay the</p>	14/08/2017	<p>Good morning,</p> <p>Thank you for your comments, which I will add to the consultation paperwork.</p> <p>I would just like to make you aware that the proposals contained in the consultation were raised entirely by the trade and not by Cambridge City Council. On the 24<sup>th</sup> July 2017 the Licensing Committee gave permission for the proposals to go out to consult for 5 weeks, which was felt to be an adequate length of time.</p> <p>The consultation information is also available online (featured on our website and Facebook page) so even those individuals who are away can e-mail us to send in their comments.</p> <p>All responses received will be put forward to the Licensing Committee who will meet to review the feedback to the proposals on Monday 16<sup>th</sup> October 2017.</p>

# APPENDIX E– CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017

		<p>cost.</p> <p>We are having very difficult times due to economical conditions in the country. Most of your proposals will cost taxi drivers more. We are in a state just about to keep up our vehicles and you are suggesting things which will cost us.</p> <p>I also criticise you to propose all these changes when most taxi drivers are away for holidays. It seems like this is another consultation whatever reply you receive you will go ahead with it.</p> <p>regards</p>		
14	12/08/2017	<p>Dear sir / madam</p> <p>I have some concerns about proposed changes. Please see below.</p> <p>Proposal 4- adding a condition to Hackney Carriage Vehicles to carry a card payment machine to accept credit/debit cards payments.</p> <p>We are getting jobs from Cambridge to near villages and some of these villages do not have mobile receptions to use debit Card readers. This will lead we get not paid for the job we completed. I have been using CCLT card machine and have couple of times problems bad reception and call office to get payments from customer. When there is no backup solution failure of credit card readers it is not fair to force all taxi drivers to accept credit cards. There will be a cost to get credit cards readers and when the card reader is failed we wouldn't be able to work until to get a replacement one. Also, there will be charge backs and be consuming time for administration for credit card payment.</p> <p>Proposal 6- I do not think we do have such major criminal problems to install cameras over a thousand of Hackney and Private hire vehicles. Also, who will pay for this? I assume you expecting taxi drivers to pay the cost.</p> <p>Proposal 7-</p>	14/08/2017	<p>Good morning,</p> <p>Thank you for your comments, which I will add to the consultation paperwork.</p> <p>I would just like to make you aware that the proposals contained in the consultation were raised entirely by the trade and not by Cambridge City Council. On the 24<sup>th</sup> July 2017 the Licensing Committee gave permission for the proposals to go out to consult for 5 weeks, which was felt to be an adequate length of time.</p> <p>The consultation information is also available online (featured on our website and Facebook page) so even those individuals who are away can e-mail us to send in their comments.</p> <p>All responses received will be put forward to the Licensing Committee who will meet to review the feedback to the proposals on Monday 16<sup>th</sup> October 2017.</p>

# APPENDIX E– CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017

		<p>I have been using full time wheelchair accessible mini bus last 3 and half years and only have twice wheelchair jobs from ranks and maybe 3 or 4 times more than 4 passengers on my cab. I think that is really good idea like the other county's small cars wheelchair access from the back. Less emission, dirty sound and exhaust, big mini busses take more space in town and traffic. Good benefit for the drivers for so they do not spend over £40k</p> <p>We are having very difficult times due to economical conditions in the country. Most of your proposals will cost taxi drivers more. We are in a state just about to keep up our vehicles and you are suggesting things which will cost us.</p> <p>I also criticise you to propose all these changes when most taxi drivers are away for holidays. It seems like this is another consultation whatever reply you receive you will go ahead with it.</p> <p>regards</p>		
15	13/08/2017	<p>Dear sir, further to receiving consultation letter I would comment as follows,</p> <p>Points 1 &amp; 2. I see no valid reason why licenced vehicles should carry either a fire extinguisher or a first aid kit as both require the training of the operator to be used correctly so as not to do further damage or injury.</p> <p>Point 3. A vehicle ie a hybrid vehicle 6 plus years old is not as polluting as a new diesel vehicle and as such the age limit you have in place and propose to alter is a nonsense. Vehicles should be judged on vehicle condition and ability to be operated cleanly in regard to emissions.</p> <p>Point 4. As most Hackney carriage drivers already have credit/debit card machines adding this condition would help bring the minority of drivers who refuse to take such card payments into line with the majority who realise that refusing card payments drive custom away.</p> <p>Point 5. As at present Cambridge Hackney carriages display city door crests</p>	23/08/2017 Ack 13/08/2017	<p>Good afternoon,</p> <p>I write further to my e-mail to you dated 14<sup>th</sup> August 2017.</p> <p>The Commercial &amp; Licensing Team Manager would like to address your comments concerning Uber and TfL vehicles.</p> <p>I can confirm that all Uber vehicles that are Cambridge City Council licensed are required to display the same signage as those working for any other operator in the City. In relation to vehicles from other areas (including TfL) they are required to abide by the requirements put on them by their licensing authority, and we are legally unable to require them to keep to the same signage as Cambridge City vehicles.</p> <p>Once again, thank you for your feedback,</p>

# APPENDIX E– CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017

		<p>a differential already exists between them and hire cars, who also should display there respective Hire car door signs which include private hire pre booked only on them.(Apart from Uber and TFL vehicles who do not display any signage which seems to be accepted by the City Council).</p> <p>Perhaps these companies and south Cambs vehicles should be painted the same colour to differentiate them from City Licensed Hackney Carriages who are fully regulated already and have to abide by your rules or risk loosing there business. Im sure they all would be delighted to bare the cost of repainting or wrapping vehicles which are very expensive to purchase already due to your vehicle age limits.</p> <p>Point 6. CCTV be installed, this would only aid the city council and the police in doing a job they should be doing already i.e. enforcement. And as the way the council thinks you would want the vehicle operators to pay the cost of the equipment and installation. NO THANK YOU.</p> <p>Point 7. As an operator of saloon vehicles I do not feel experienced enough to comment on this proposal.</p> <p>I trust the above points will be taken to and put before the Licensing committee at there next meeting.</p> <p>Yours Faithfully</p>		<p>which will be reviewed by the Licensing Committee at their next meeting on Monday 16<sup>th</sup> October 2017.</p>
16	14/08/2017	<p>To the Commercial &amp; Licensing Team,</p> <p>I submit my reponses to your consultation of proposed changes to the Licensing Policy.</p> <p><u>1. First aid kit:</u> agree. I am not trained in first aid and the best use I could ever make of it would be to hand it to an injured person.</p> <p><u>2. Fire extinguisher:</u> agree. The advice from the Fire Service in the event of a vehicle fire is to</p>	14/08/2017	Acknowledgement e-mail sent

# APPENDIX E– CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017

		<p>immediately remove all occupants to a safe distance - not to risk tackling the fire.</p> <p><u>3. Age limits:</u> partially agree. The limits do not ensure the vehicle is in a satisfactory condition to work as a taxi, and seems arbitrary. Wouldn't a mileage limit be more appropriate? My annual mileage is about 30,000 whereas others might go three times that with correspondingly greater wear and tear.</p> <p><u>4. Card payment machines:</u> strongly agree. London and New York now mandate that card payments be taken and this has been welcomed by the trade after initial resistance to the idea. Most Cambridge hackneys now offer card payment facilities, but some are using it as a way to cherry pick work from the ranks. I support mandatory card facilities in hackney vehicles because that is what customers increasingly want.</p> <p><u>5. Livery requirement:</u> strongly disagree. Hackney carriages are already easily distinguished by their top sign and door crests, and by waiting on a rank. Moreover some hackneys already carry advertising livery. A standard livery would add unnecessary expense to the cost of providing a vehicle in these austere times, and possibly damage its resale value when replaced. Additionally there could be nothing to prevent private hire cars from being the same colour, by chance or deliberately, creating confusion. So it would help neither the trade nor the customers, and most tourists would be unaware of the policy. The best you could say is that is "looks nice" having a rank of vehicles of the same colour.</p> <p><u>6. CCTV installation:</u> partially agree. I am not against the requirement for CCTV but I <i>am</i> against the need for it to be accessible only by the police and licensing authority, which I consider to be intrusive. In quiet times on the ranks drivers sit in each others' cars (particularly in cold weather) and have private conversations, and the idea of being monitored is objectionable. Many hackneys already have CCTV, this would also make it obsolete and need to be replaced.</p> <p><u>7. Rear loading of wheel chairs:</u> partially agree. It is not possible to rear load a wheelchair on a hackney rank. But I support the idea for private hire vehicles, because the chair is loaded facing forward and solves the problem of rotating the chair after a side door entry.</p> <p>Regards,</p>		
--	--	---	--	--



# APPENDIX E- CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017

17	16/08/2017	I agree to all of your proposals apart from the need to carry a first aid kit.	17/08/2017	Acknowledgement e-mail sent
18	16/08/2017	<p>My comments on the proposed changes are:</p> <p>1. 2. Taxis should carry a first aid kit and a fire extinguisher, as many of us would carry these in our own vehicles.</p> <p>3. Vehicles older than 4 years old should be allowed, with renewal up to 9 years.</p> <p>4. Debit/credit card machine should be available. This is for convenience, financial transparency and safety.</p> <p>5. Yes - Hackney cabs should be more clearly identified eg by Cambridge Blue colour</p> <p>6. Yes - CCTV should be installed and available to police, for the security of drivers and passengers.</p> <p>7. Wheelchair access from the rear should be permissible</p>	17/08/2017	Acknowledgement e-mail sent
19	16/08/2017	<p>Ref: Taxi Policy Review</p> <p>1) first aid kits: - for the availability of first aid emergency responders &amp; police</p> <p>2) Extinguishers:- emergency use &amp; police</p> <p>3) Age limit:- no good reason to refuse - upto 9 years unless with exceptional good reason.</p> <p>4) credit cards:- self employed sole traders to decide for themselves:- to if there losing out.</p> <p>5) livery:- trade costing exercise to the sustainability &amp; impact to the public.</p> <p>6) CCTV:- self employed sole traders to decide for themselves to the benefit of this type of safety equipment.</p> <p>7) Rear loading:- No unless electric.</p>	17/08/2017	Acknowledgement e-mail sent

# APPENDIX E- CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017

20	17/08/2017	<p>Hi I don't think in cambridge we need livery to distinguish between Hackney and private hire taxi, cambridge is a small town and people are already aware of which taxi is what. Also it's a costly to do livery at lest £2000. Why you want taxi driver to spend that much amount where business is down!! Also no need cctv because lots of taxi already have them! Thanks for listening</p> <p>Please don't make it complicated in cambridge! Keep it simple so no livery neither cctv! Thanks</p>	17/08/2017	Acknowledgement e-mail sent
21	18/08/2017	<p>From Ref: Consultation</p> <p>Proposals</p> <ol style="list-style-type: none"> <li>1. I have never in 30 years had to use a first aid kit so maybe yes.</li> <li>2. Never in 30 needed a fire extinguisher either, so yes again.</li> </ol> <p>And in both cases above no training has been given so could not be used anyway, Health and safety liabilities etc.</p> <ol style="list-style-type: none"> <li>3. Age of vehicles is about right at no more than 4 years to keep the fleet to a good standard.</li> <li>4 A good idea for all vehicles but can be costly to process and bank card payments.</li> <li>5 Livery requirements, To most of the world the difference between a Hackney and a Private Hire car means nothing, a taxi is a taxi. To those of us in the trade we understand the difference and it is for us to obey the rules or be penalized.</li> <li>6 CCTV for what purpose? To face in the car or to face out towards traffic with sound or Without ? It all sounds a bit big brother.</li> <li>7 Rear loading would allow for a better choice of vehicles.</li> </ol> <p>Note Its all very well the City Council having a review to ensure the public has protection using taxi services but if half the fleet driving around the City is not under City rules but South Cambs it is difficult to all sing from the same hymn sheet, discuss !</p>	22/08/2017	<p>From: Sent: 22 August 2017 10:02 To: ' Subject: RE: Taxi Policy</p> <p>Good morning,</p> <p>Thank you for your comments, which I will add to the consultation paperwork.</p> <p>With respect to your comments about vehicles licensed by South Cambridgeshire District Council operating within Cambridge City, I can advise you that Cambridge City Council and South Cambridgeshire District Council are investigating the appropriateness and practicalities of harmonising driver/vehicle conditions and policies between the two licensing authorities.</p> <p>The Licensing Committee will review all feedback received when they next meet on Monday 16<sup>th</sup> October 2017.</p>
22	18/08/2017	<p>1- Removal of the need for licensed vehicles to carry a first aid kit. AGREED 2-Removal of the need for licensed vehicles to carry a fire extinguisher. AGREED</p>	22/08/2017	Acknowledgement e-mail sent

# APPENDIX E- CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017

		<p>3-Change of age limits for vehicles. AGREED</p> <p>4-Adding a condition regarding of all hackneys to carry a card payment machine and accept debit/credit cards payments. AGREED 100% WE HAVE TO MOVE WITH TIME PEOPLE USE LESS AND LESS CASH FOR PAYMENTS.</p> <p>5-Adding a livery requirement for all hackney carriage vehicles (cambridge blue) DISAGREED.PEOPLE CAN EASILY DISTINGUISH BETWEEN A HACKNEY AND A HIRE CAR WITH THE TOP SIGN AND ALL THAT PLUS WHO IS GOING TO PAY FOR REPAINTING THE CAR?</p> <p>6-cctv be installed and be kept locked and only accessed by the licensing authority and police. DISAGREED THAT MEANS I HAVE BEEN WATCHED 24 HOURS EVEN WHEN I AM USING THE VEHICLE FOR PRIVATE USE WITH MY FAMILY.WHO IS GOING TO PAY FOR THE COST OF INSTALLATION.</p> <p>7-Allowing rear loading wheelchair accessible vehicles.DISAGREED REMEMBER THEY NEED AT LEAST 3 METER OR MORE FOR LOADING AND UNLOADING</p>		
23	21/08/2017	<p>Hi ,</p> <p>I'm happy to comment new changes are reasonable.</p>	22/08/2017	Acknowledgement e-mail sent
24	22/08/2017	<p>Thank you.</p> <p>This is no use without the existing fares being shown for comparison.....</p> <p>The 'Cambridge blue' idea is sound.</p> <p>I would favour keeping the requirement for vehicles under 4 years old, for new starts.</p> <p>Why do you suggest a 5% surcharge for debit card payments?</p>	23/08/2017	<p>Good morning,</p> <p>I will add your comments to the consultation paperwork.</p> <p>Please find attached the current fare table, which is also available on our website at: <a href="https://www.cambridge.gov.uk/hackney-carriage-and-private-hire">https://www.cambridge.gov.uk/hackney-carriage-and-private-hire</a>.</p> <p>The 5% surcharge for card payments is already on the current fare chart. This was an extra charge requested by the trade and added to the fare table back in March 2014. As you may be aware, credit and debit card surcharges will be <u>banned in January 2018</u>.</p>

# APPENDIX E– CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017

25	22/08/2017	<p>Reply from:</p> <p>You asked for our views/opinion regarding :</p> <p>(1) Removal of the need carry a first aid kit.</p> <p>Having driven daily for almost twenty years I have never required the use of a first aid kit and I am unaware of any other drivers finding them selves in a situation where its use has ben required.</p> <p>Not being a trained first aider I would not attempt to use the first aid kit contents on another person choosing instead to offer the kit to the person in need.</p> <p>My concern being that any well meant assistance I might offer could complicate an injury, perhaps worsening the situation.</p> <p>My opinion is that to carry a first aid kit should be a personal choice.</p> <p>Why do we have to carry one , I look forward to your reply.</p> <p>(2) Removal of the need to carry fire extinguisher</p> <p>Two of my family have been employed in the Fire Service.</p> <p>Under no circumstances would I attempt to tackle a vehicle fire using an inadequate hand held device.</p> <p>I would inform the emergency services and keep at a safe distance until they arrive .</p> <p>Under no circumstances should a car bonnet be lifted in an attempt to halt a fire spreading.</p> <p>Attempting to tackle a vehicle fire would place a driver at serious risk of personal injury.</p> <p>Does the council expect a driver to risk his personal safety ?</p> <p>Why do we have to carry one , I look forward to your reply.</p> <p>(3) Change Of Vehicle Age Limits</p> <p>The council would like us all to purchase very expensive hybrid or electric vehicles.</p> <p>These vehicles have very high residue value making even 6 year old cars expensive.</p> <p>Should the age limit be increased to a maximum of 6 years at entry and 11 years at exit ( too old ) more drivers would find this an affordable option.</p>	23/08/2017	Acknowledgment e-mail sent
----	------------	---	------------	----------------------------

# APPENDIX E– CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017

		<p>(4) Card Reader : Any driver who does not currently accept card payments is a complete fool , who can afford to turn work away? The option should still be a personal choice regarding card payments because this is self employment , if all drivers were employed by the council then this could be made a license condition. Either way it will always be impossible to enforce.</p> <p>(5) Vehicle Livery  This only has effect during daylight hours. Unless a car is illuminous in colour the colour will be impossible to define. The top sign door crests and colour of the vehicles license plate are clearly enough to show the vehicle type. Would the council like us to purchase very expensive hybrid vehicles and then spend several more thousand pounds having a perfectly good vehicle repainted? This does not make sense unless the council is going to pay for this . Anybody who cannot identify a taxi should not be walking the streets unaccompanied.</p> <p>(6) Internal CCTV  An invasion of both my own and my passengers Human Rights and daily privacy A simple dash camera fitted often causes concern with some customers regarding privacy whilst they are travelling. An internal camera would deter people from using taxis. would this device be switched off when the vehicle is in the garage for repairs or being used for private use etc? I will take advice from my local Member of Parliament and the European Court Of Human Rights should this go ahead. I DO NOT want this inside my vehicle I will be unable to drive and work safely with one fitted.</p> <p>(7) No comment.  Please send confirmation of this email, also please give dates when this will be discussed should it be an open meeting I will attend.</p> <p>Thank you</p>		
--	--	--	--	--

# APPENDIX E- CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017

26	22/08/2017	Under item 4, add to the requirement to carry a card machine 'capable of taking contactless payments including Apple Pay'	23/08/2017	Acknowledgment e-mail sent
27	23/08/2017	<p>Dear madam,sir,</p> <p>I thank you for the letter i have received on 4/8/2017,(consutation on the Hackney Carriage policy).</p> <p>"Regarding Summary of Proposals"</p> <p>1- Removal first aid kid.?? my response to that: I disagree to remove my first aid kid, they are very important.. and nobody knows when you going to have and accident minor or major,and they are very important because i have already used it to my passengers like bandages or plasters also headache tablets of course they have to be updated.</p> <p>2- "Removal fire extinguisher"?? Again, i disagree to remove my fire extinguisher as explain as above 1. has to be updated of course. In general i take them as 'Health and Safety' always with me.</p> <p>3- age limit for vehicle. the age limit for the vehicle 9 years is OK by me but it's better to start with a new vehicle in good order,It's not good idea to start with very old vehicle. i agree not to grant vehicle older than 4 years .</p> <p>4- Cash machine in Taxi.?? I disagree to carry cash machine in my taxi,it's OK for the private hire like Panther, A1, Cambcamb etc those people they need cash machine because they do private hire and Hackney there,is plenty of them myself im independent only Hackney Cambridge council,(if my customers has a visa card i'll take him to cash point with no problem i never had problem with that..(one day i took different people to cash machine to draw some money in the Bank and the Bank decline their cards..??) I don't take cash machine in my Taxi. These groups or members they have private hire(like panther,cambcamb,A1.. and hackney then they should have their card machine with them,not me i am independent only Hackney Cambridge council.</p>	23/08/2017	Acknowledgement e-mail sent

# APPENDIX E– CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017

		<p>5- Change the colour of vehicle.??  I disagree to change my colour the colour i have is fine.  Cambridge people are familiar with the Hackney or private hire and if they are not then there are signs(crest)"HACKNEY CARRIAGE VEHICLE" both side and if they want they can add on more sign in front (bonnet)with no problem no wait time.  The name they mention they remind me Cambridge blue cheese it's a joke.</p> <p>6- CCTV.??  It's up to the driver if he wants CCTV. I never had one and everything it's fine with me and I'm OK without.  It can help in case you have an accident.  but keep lock it's BIZARRE??</p> <p>7- Rear loading Wheelchair.??  I disagree with this idea Wheelchair at rear.  the Wheelchair must be side loading not rear loading.  before they use the ramps they must pay attention for people-safety passing by on the pavement, the people can see you loading a disabled person so they understand that and they give space for you to finish the job with no problem. it's nice to have the disabled inside the taxi where the seats are (in the middle) the disabled can talk to his friend or relations when he is seated in the middle also they can watch him in case something happens to him.I know who came with this idea I think he is chairman or leader I said to him this is a stupid idea to put disabled at the back of the car,it's like you put hot food take away at the back..I'm independent I disagree disabled-wheelchair at rear.and it causes loads of other problems they have to think more than that .....</p> <p>I keep my disabled people with or without wheelchair inside the taxi not rear. stupid idea at rear.</p> <p>I must stop now I have some work to do .I have to earn some money to pay bills I spent time with this nearly 2 hours.I am independent.</p> <p>kind Regards</p>		
--	--	--	--	--

# APPENDIX E– CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017

28	25/08/2017	<p>Dear Licensing Team</p> <p>Re: Proposed changes to the taxi licensing policy.</p> <p>Cyclists and pedestrians do not have the benefit of air bags or a steel protective shell around them and their vulnerability should be recognised by reducing the chances of injury. A minority of drivers use their vehicles aggressively to ensure that they proceed without waiting for others. I have personal experience of this kind of driving and when I complained the driver claimed the opposite of what I said. If forward, nearside and backward looking CCTV were to be installed it could benefit not only the driver but also other road users. Disputes could be fairly resolved. In a collision the accounts of each party often differ, CCTV footage could help settle differences rapidly and fairly. A law abiding driver should welcome this kind of evidence and it could also help the licensing authorities identify any drivers who pose a particular risk to the public. The images should only be available to the licensing authorities and the police.</p> <p>I would also support Safe Urban Driving for new drivers so that they can understand the special circumstances of our environment with narrow streets and many pedestrians and cyclists.</p> <p>Best wishes</p>	25/08/2017	<p>Good evening,</p> <p>Thank you for your response, which I will add to the consultation paperwork.</p> <p>With respect to your comments on 'Safe Urban Driving' I can advise you that the current consultation did not include a specific consideration of such training, however your comment will be fed back to the Committee.</p> <p>I can advise you however, that all licence holders are required to attend and pass a test paper at the end of Cambridge City Council's 'Customer Awareness: Safeguarding, Equality and Protection' training course. At the request of members of the public the course includes elements of cyclist awareness and considerate driving.</p> <p>The Licensing Committee will review all feedback received at their next meeting on Monday 16<sup>th</sup> October 2017.</p>
29	25/08/2017	<p>I am totally disagree with that cctv proposal</p> <p>Thank you</p>	29/08/2017	Acknowledgement e-mail sent
30	25/08/2017	<p>Hello.</p> <p>We don't want to cctv in our taxi because it's cost lot of money to fix it and our city is Much much safe and batter then other city .</p> <p>Thanks Regard.</p>	29/08/2017	Acknowledgement e-mail sent



# APPENDIX E- CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017

31	25/08/2017	<p>Good afternoon</p> <p>I generally agree with proposals 1,2,3,4 and 7 but I strongly object to proposals 5 and 6.</p> <p>Not sure what proposal 6 is for, I can only assume it's got something to do with Rotherham and similar cases. We never had any such incidents in Cambridge. Or maybe it's to do with some bad Cambridge hackneys overpricing out of town jobs. We should not suffer collective punishment. Many drivers use there vehicles when not working as private vehicles these cctv's will always be on when our vehicle is on. We don't want our kids/family under continuous watch when our using our vehicle as a family car? We have nothing to hide. We also have a right to privacy when not working. A professional car cctv system that can be locked and automatically turns on when the engine is switched on costs £100s. By time we have it installed by a council authorised installer our total bill will be £700+.</p> <p>Having a cctv should be left as a choice to the driver and not a requirement on our licence.</p> <p>I can see why proposal 5 was thought up but it's a huge cost to us that won't have any success because those illegally plying for hire will still do their mischief! On a busy Saturday night the public just want to get home they dont care if the vehicle is a Cambridge city hackney or not and the law breakers know this.</p> <p>Having to repaint a vehicle or even have it wrapped in a particular colour isn't cheap especially in Cambridge and prices start from £1500.</p> <p>Why should we have to pay for expensive ways to distinguish ourselves from phvs. The council are not fulfilling their duty of policing and prosecuting those illegally plying for hire in the city.</p> <p>There seems to be concern over southcam hackneys. Most of the south cam hacks have established work in the villages and aren't interested in town. Yes there are a handful of bad apples these were all private hires who used to whip jobs anyway and now have top lights. Whether we have livery or not they will continue their business until they get caught.</p> <p>Both councils need to be stricter in prosecuting these guys.</p> <p>The flood gates we feared that was about to open with Cambridge north station never happened, as the new station seems to be a flop!</p> <p>Remember if we end up with brexit and it delivers the great recession many fear work will dry up very quickly. The last bubble that burst wasn't long ago and it affected us instantly as taxis are a luxury and people cut back on them straight away when struggling for cash. For that reason I think we have to sensible before encouraging the implementation of more costly requirements for our vehicles.</p>	29/08/2017	Acknowledgement e-mail sent
----	------------	--	------------	-----------------------------

# APPENDIX E- CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017

		<p>£700+ for cctv, £1500+ to repaint car and £1500 loss on add wraps.</p> <p>I wouldn't call a bill in excess of £3700 a benefit nor would I call giving up my basic human right of privacy a benefit.</p> <p>I wouldn't call proposals that could cost £1000s extra every time we replace a vehicle rewarding.</p> <p>If these proposals go ahead they will be implemented around the same time as brexit happens. This could lead to serious financial implications for cab drivers.</p>		
32	26/08/2017	<p>My response to Table of fares and Licensing Policy.</p> <p>Table of fares-</p> <p>Increase very minimal when compared to the recent increases in licensing and badge fees.</p> <p>Licensing Policy review-</p> <p>1. and 2. I have never had to use a fire extinguisher and only ever had to issue 1 plaster in 30+ years of driving so I think a bit dated and should be removed.</p> <p>3. I don't see why slightly older cars with a lower mileage should not be allowed to be licensed as some of these would potentially be better than a newer car with higher mileage.</p> <p>It could also help a proprietor with costs as other fees and potential proposal costs keep rising rapidly.</p> <p>4.Card machines not a problem with but I don't think it should be a legal requirement as lots have them now and I am sure they will have to get them when they start to lose out on jobs for not having one.</p> <p>5.The livery requirement was mooted previously and was settled with Cambridge crests which distinguish a Hackney from hire car in my opinion as well as tosigns.</p> <p>The potential costs of this with either a respray or wrap on purchase and another respray or removal of wrap on selling would be a tremendous burden on an owner.</p> <p>I really do not think that this would make any difference to a customer looking for a cab as most know hackneys are on ranks and can be hailed if they have a tosign.</p> <p>The way around this would be to have a strict enforcement code and officers on the street looking for hire cars touting for business (knowing their badge will be taken away if caught) as there seems to be virtually none at the</p>	29/08/2017	Acknowledgement e-mail sent

# APPENDIX E- CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017

		<p>moment and It is absolutely rife. Hackneys are not the cause of the need for distinguishing but you are looking to make them pay for it. The public don't seem to worry about what vehicle they get in as long as they get home - particularly at night so I think the private hire trade is the one who should have the onus upon them not to take the job and therefore leave the job for the legal providers. Colour won't make a difference.</p> <p>6. I think that locked CCTV is a bit draconian and another extra cost for cost for the trade.</p> <p>7. I understood that rear loading wheelchair accessible vehicles were refused before because of the risk of a rear end accident potentially preventing the exit for passengers. Also if loading on a Hackney rank it could cause hold ups and less space for vehicles on the rank as here would be the need for a large gap behind one.</p>		
33	30/08/2017	<p>Anon: annotated copy of consultation document sent in by post</p> <p>1. 'Tick' 2. 'Tick' 3. If you grant a licence to cars say 4, 5, 6 years then they have little time to recoup costs, vehicles are a big expense; also what is the point in retaining an age limit (9 yrs) for a vehicle in possibly (if not used much) in better condition than one heavily used and only half its age. Surely, quality and not 'ageism' should be the criterion – unless we have a councillor variety project to hand. 4. <u>As long as the Council pays for it.</u> These items are: expensive for use sometimes only 1 or 2 times per month; they would be compulsory loss-meter or 'tax'. 5. This nonsense was rejected years back in Roger Coey's time. 6. Again, who pays? 7. Problematic for rank space; also danger from rear-end collision by another vehicle</p>	30/08/2017	No response possible
34	30/08/2017	<p>Cambridge (Taxi) Drivers Association</p> <p>Covering letter and petitions opposing adoption of CCTV and livery proposals. Please see Appendices C and D for copies of the petition.</p>	05/09/2017	Acknowledgement e-mail sent

To

**Taxi Commercial & Licensing Authority,  
Cambridge, England.**

Dear Commercial & Licensing Team,  
We as Cambridge City Council Hackney Carriage drivers and Cambs (Taxi) Driver Association (CDA) would like to express our thoughts and opinions together for Cambridge Taxi Policy. Please find below all our opinions:

1. **The First Aid box is important** for drivers as well as passengers so strongly recommended we would like keep it as it is.
2. **Fire extinguishers are important too** but it has been very rarely used. However if everyone decides to remove this our opinions remain the same.
3. **Vehicle age limit** and to put new vehicle more than 4 years older is appropriate **however we are strongly supporting to further consider vehicle age limits beyond 12 years old**. As our councils have their own garage and specialist mechanics/engineers if they decide any vehicle is not fit for purpose can always be taken off from fleet. So its economically beneficial for drivers also there is so many competitors as there is not much work and car prices going up quite dramatically especially Big Hackney Vehicles.
4. **Adding card payment machine is positive for the taxi trade**, However many drivers work for a taxi firm and those firms provide card payment as well, furthermore there are only a small portion of customers who pay by card and cash machines are available. On top adding this condition would add extra maintenance cost and always internet connection which is also costly. **Therefore card payment machine could be an optional.**
5. **Adding colour code for taxi which is also expensive** and it's a very small town and community always ask for good big taxi for variety of reasons for example wedding, funeral service require specific colour! It would be the drivers who may lose some business too! We strongly oppose it.
6. **Adding conditions onto CCTV Cameras would be expensive to install and there would be maintenance costs**. Currently this trade business is going down, drivers have to work hard and work long shifts to get paid. Therefore we strongly disagree with the proposals to have mandatory CCTV
7. **We all agree to introduce rear loading wheel chair Accessible vehicle and small vehicle for Hackney Carriage as it is financially benefited therefore we are supporting this.**

We are responding as a group held under an organisation named **Cambs (Taxi) Driver Association (CDA)** which represents for more than 100 taxi drivers **Cambridge City Council and South Cambridge District Council taxi drivers**. We established in 2013 based in Cambridge. We are all in agreement for the above and would much appreciate if the above can be considered or at least discussed. We would also highly understand where any concerns are raised and will welcome any feedback.

Please contact us if you need further information regarding this and get us involved any further issue



We look forward to hear soon..

With thanks

Badge No:



Name:



Signature



Date:

30/8/17

(PTO)

# APPENDIX E- CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017

35	01/09/2017	<p>Hello,</p> <p>In response to your taxi policy review I wanted to suggest that the licence fee should be tiered according to the environmental and health impact of taxis e.g. the lowest fee for electric vehicles, a moderate fee for hybrid vehicles, a high fee for petrol taxis and a very high fee for diesel vehicles. It would also be good to commit to the phase out of petrol/diesel vehicles entirely.</p> <p>I hope this is considered as you amend your taxi policy.</p> <p>Yours sincerely,</p>	05/09/2017	<p>Good afternoon,</p> <p>Thank you for your comments, which I will add to the consultation paperwork. The Licensing Committee will be reviewing all feedback received at their next meeting on Monday 16<sup>th</sup> October 2017.</p> <p>With respect to variable licence fees I can advise you that although the current consultation did not include a specific consideration on this matter your comment will be fed back to the Committee.</p> <p>I can advise you that when the Hackney Carriage and Private Hire Licensing Policy was subject to a full review last year members agreed to include within the policy a range of different options to encourage vehicle proprietors to buy electric or hybrid vehicles. This includes discounted licence fees. Please see pages 21-26 of the attached for more information. There will most likely be further decisions made on this matter at the January 2018 meeting of the Licensing Committee.</p>
36	03/09/2017	<p>Dear Sirs,</p> <p>I would like to express my preferences regarding the above review :</p> <ol style="list-style-type: none"> <li>1. Vehicle age, providing vehicles 'retire' at the current age, it is the commercial decision of the operator at which age it can become a 'taxi' thus permitting older vehicles should be allowed. It will also allow drivers transferring from other districts to not have to change their otherwise good taxis. I hope this may become necessary if the 2015 deregulation act is amended.</li> <li>2. CCTV I believe the high cost to the vehicle owner is prohibitive for the solution suggested. CCTV should be encouraged for driver &amp; passenger safety but a sealed £700+ system seems excessive.</li> <li>3. Uniform livery, I feel it is not necessary for a single vehicle colour / livery solution. Hackney Carriages are readily identifiable because of their</li> </ol>	05/09/2017	Acknowledgment e-mail sent

# APPENDIX E– CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017

		<p>illuminated top sign and livery will not be effective for night time. Further, commercial advertising is a good form of revenue for some operators and this would be lost.</p> <p>I am ambivalent regarding the other issues.</p> <p>Kind regards</p>		
37	03/09/2017	<p>Dear Sir/Madam,</p> <p>Please find below a submission for your consultation on the proposed changes to Hackney Carriage &amp; Private Hire.</p> <p>1 Removal of the need for licensed vehicles to carry a first aid kit.</p> <p>The Health and Safety (First-Aid) Regulations 1981 require employers to provide adequate and appropriate equipment, facilities and personnel to ensure their employees receive immediate attention if they are injured or taken ill at work. These Regulations apply to all workplaces including those with less than five employees and to the self-employed. Therefore, it is important that a first aid kit is carried for drivers to use the equipment while self-treating themselves.</p> <p>The Regulations do not place a legal duty on employers to make first-aid provision for non-employees such as the public. However, HSE strongly recommends that non-employees are included in an assessment of first-aid needs and that provision is made for them.</p> <p>The current policy states that “the safety and welfare of the public is the overriding principle that will be considered when matters are dealt with under the Policy.”. Should a taxi or private hire vehicle have a passenger who requires some medical attention, the use of first aid is essential in the treatment of others.</p> <p>It is disappointing that the consultation does not contain sufficient details as to why the change in conditions are being sought. There is a lack of background to enable the analysis that would lead to a more informed and constructive appraisal of these items. However, I would hazard a guess that there is a worry from the trade that liabilities may arise by use of a first aid kit on the public.</p>	05/09/2017	<p>Good morning,</p> <p>Thank you for your comments, which I will add to the consultation paperwork.</p> <p>I understand that the trade made the request to remove the requirement for the carrying of a first aid kit from licensed vehicles for two reasons:</p> <ol style="list-style-type: none"> <li>1. There is a concern drivers may be liable in any potential case of misuse of first aid; and</li> <li>2. There is strong feeling amongst the trade that first aid kits are seldom used.</li> </ol> <p>The Licensing Committee will be reviewing all feedback received at their next meeting on Monday 16<sup>th</sup> October 2017.</p>

## APPENDIX E– CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY 2017

		<p>Firstly, it is important to note that in the UK no one in the UK has ever been sued for administering life-saving First Aid. The liabilities that may arise can only occur should a driver act in a negligent manner, and this is far less likely to occur if the driver is able to access proper equipment, and sufficient guidance. This guidance does not need to be in the form of formal training, but simply a leaflet within the first aid pack would be adequate.</p> <p>Secondly, it should also be noted that no lay-person is /required/ to treat any member of the public - they are under no obligation to do so.</p> <p>Many thanks,</p> <p>Responding on own behalf</p>		
--	--	---	--	--

## APPENDIX F – COLLATION OF CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING

Proposal	Responders in favour	Responders Against	Additional Related Comments
Removal of the need for licensed vehicles to carry a first aid kit	12	10	Drivers not trained to use them
Removal of the need for licensed vehicles to carry a fire extinguisher	13	8	Can be dangerous if used incorrectly
Change of vehicle first registration age limit upwards from maximum of 4 years old	14	6	<p>Only raise for hybrid or fully electric vehicles</p> <p>Alternatively use a mileage limit</p> <p>Allow electric vehicles to be used for 9 years after first registration</p> <p>Should be based on vehicle condition and environmental credentials</p> <p>Should increase the upper age limit</p>
Addition of a condition for all Hackney Carriage Vehicles to carry a card payment machine and accept debit/credit card payments	11	9	<p>Charging for card payments is due to be removed next year</p> <p>Some destinations don't have adequate mobile reception</p> <p>Should also accept other payments methods (e.g. via mobile phone)</p>



## APPENDIX F – COLLATION OF CONSULTATION RESPONSES – REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING

Adding a livery requirement for all Hackney Carriage Vehicles	7	237 (18 plus 219 via petition)	Colour contrast is better for visually impaired users
Adding a condition attached to all vehicles licences that CCTV be installed, be kept locked and only accessed by the licensing authority and Police	9	265 (17 plus 248 via petition)	Should cover internal and front/ rear road area Council should meet the costs Shouldn't be only police/Council who can access Need to be able to turn it on/off to allow private conversations
Allowing rear loading wheelchair accessible vehicles	12	7	Private hire vehicles only Electric vehicles only

### Additional Amendments Proposed:

1. Requirement for all drivers to pass a Safe Urban Driver Course
2. Requirement to carry bicycles if requested, and requirement for some to fit bike carriers
3. Require all Hackney Carriage plates to be returned and so prohibit their open sale
4. Stagger fee according to environmental credentials and commit to phasing out all petrol/diesel vehicles