

LICENSING COMMITTEE

28 January 2019
10.05 - 10.30 am

Present: Councillors Bird (Chair), Thittala (Vice-Chair), Benstead, Holt, Johnson, McPherson, McQueen and Pippas

Officers

Environmental Health Manager: Yvonne O'Donnell

Legal Advisor: Paul Weller

Committee Manager: James Goddard

Other Persons

Mr Andy Vines, Cambridge Licensed Taxis

FOR THE INFORMATION OF THE COUNCIL

19/1/Lic Apologies

Apologies were received from Councillors Gehring, Moore, Page-Croft and Sargeant. Councillor Johnson attended as the Alternate.

The Committee held a minute's silence for Councillor Gawthrope who formerly sat on the Licensing Committee.

19/2/Lic Declarations of Interest

No declarations of interest were made.

19/3/Lic Minutes

The minutes of the meeting held on 1 October 2018 were approved as a correct record and signed by the Chair.

19/4/Lic Public Questions

There were no public questions.

19/5/Lic Review and Update of the Hackney Carriage and Private Hire Licensing Policy

The Committee received a report from the Environmental Health Manager.

The report advised 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.

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. In exercising its discretion in carrying out its regulatory functions, the Council shall have regard to the Hackney Carriage and Private Hire Licensing policy document.

The policy was last updated in July 2018, following a review and consultation with the trade and members of the public.

Since the policy has come into effect, the Licensing Authority has committed to amending its formal data sharing arrangements in relation to revoked and refused drivers, via the new NR3 National Anti-Fraud Network.

There has additionally been a request from the trade to require all Hackney Carriage and Private Hire vehicles to carry a card payment method and accept debit/credit card payments.

It was proposed to renumber the Section entitled 'Part 5: Enforcement' in the Index, to reflect previous changes to sections within the main document.

Permission was sought from members to go out to consult on the proposed changes to the policy.

The Committee received a representation from Mr Vines, Cambridge Licensed Taxis.

The representation covered the following issues:

- i. Welcomed the report.
- ii. Wanted credit card machines in vehicles, and stickers on display to show that card payments could be taken.

- iii. Cambridge Licensed Taxi vehicles took card payments already, some other organisations did not, which confused customers.
- iv. Customers would have the option to pay by card or cash.

The Committee then debated the Officer's report.

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

- i. Reducing the amount of cash in taxis would increase drivers' safety.
- ii. Welcomed card payment facilities. These reflected the trend towards a cashless society. Customers used a variety of technology to pay such as their mobile phones. Electronic payments avoided payment disputes as there was a clear audit trail unlike handing over cash.

In response to Members' questions Mr Vines said the following:

- i. Drivers could still be given tips by passengers. The amount could be added to journey payments and would go to drivers. They would not lose out through machine service charges. The trade would absorb card service costs and not pass them onto customers.

Councillor Pippas said it was illegal for service suppliers to pass on credit card surcharges to customers. Customers would pay the amount on the meter.

- ii. Customers could make payments within 30 seconds through a variety of methods such as contactless, signature or chip and pin.

In response to Members' questions the Environmental Health Manager said she was unaware of other local authorities introducing a similar (voluntary) scheme. Certainly not ones neighbouring Cambridge. She would check this.

The Committee:

Resolved (unanimously) to approve that officers go out to consult on the proposed changes to the Hackney Carriage and Private Hire Licensing Policy, using the form within Appendix C of the Officer's report. The results of the consultation would then be presented at the next full meeting of the Licensing Committee in July 2019.

19/6/Lic Annual Review of Licensing Fees and Charges 2018-19

The Committee received a report from the Environmental Health Manager.

The report advised Cambridge City Council, as the Licensing Authority, was responsible for processing and issuing licences for a wide range of activities.

The Council needed to demonstrate that the fees it charged for such licences had been set in accordance with the law and best practice, so as to recover its allowable costs in administering the various licensing regimes for which it was responsible.

Fees should be set to avoid either a surplus or a subsidy where possible and adjusted, if necessary, in succeeding years to achieve and maintain the correct balance.

The Officer's report set out the revised fees and charges for licences and associated items, which it was proposed should be made with effect from 1 April 2019.

In response to Members' questions the Environmental Health Manager said the following:

- i. Skin piercing fees were omitted in error from the Officer's report (para 3.8). They would rise by 2% in-line with other charges.
- ii. Fees were put up some years ago as the council was not covering its costs.
- iii. The council was generally covering its costs currently (eg taxi committee hearings). Officers were looking at where the council could charge fees, now and in future, based on case law. In the meantime, 2% seemed viable for this year.
- iv. A number of fees were set nationally by Central Government, so the council was lobbying to set these locally as they were areas where the council was not covering costs.

The Committee:

Resolved (unanimously) to approve the level of fees and charges with effect from 1 April 2019, as set out in Appendix A of the Officer's report, and to request officers to communicate the charges to the businesses, taxi trade and public.

The meeting ended at 10.30 am

CHAIR