

LICENSING COMMITTEE

31 January 2022

10.30 - 11.34 am

Present: Councillors McPherson (Vice-Chair, in the Chair), Bennett, Collis, Moore and Scutt

Officers

Environmental Health Manager: Yvonne O'Donnell

Licensing Enforcement Officer: Luke Catchpole

Legal Adviser: Paul Weller

Committee Manager: Sarah Steed

Producer: Boris Herzog

FOR THE INFORMATION OF THE COUNCIL**22/1/Lic Apologies**

Apologies were received from Councillors Bird, Dryden, Flaubert, McQueen and Page-Croft. Councillor Scutt attended as alternate.

22/2/Lic Declarations of Interest

No declarations of interest were made.

22/3/Lic Minutes

The minutes of the meeting held on 22 March 2021 and 27 May 2021 were approved as a correct record and signed by the Chair.

22/4/Lic Public Questions

Two members of the public asked questions as set out below.

1. Chairman of the Cambridge City Licensed Taxis (CCLT).
 - i. The taxi trade had been hit hard by the Covid outbreak and driver's incomes had been low for the last 3 years. A lot of drivers had left the trade.
 - ii. The idea that there was a shortage of taxi drivers did not reflect the reality that the taxi trade experienced.
 - iii. A lot of councils had waived licensing fees during the pandemic.

- iv. The grant the City Council had provided to taxi drivers during the pandemic was intended to help with the cost of covid precautions required within the taxi and did not cover loss of earnings.
- v. The majority of taxi drivers who drove around Cambridge were not licensed by the City Council but were licensed by other Licensing Authorities and they did not have to comply with the high standards / conditions that the City Council had. Drivers would be better off if they applied to another Licensing Authority to get licensed to drive a Taxi / Private Hire Vehicles.
- vi. Asked the City Council what they could do to help the taxi trade.
- vii. Stated that no additional Hackney Carriage Vehicle licences should be issued and no licence fees should be levied in the next 2 years

The Environmental Health Manager responded:

- i. A Hackney Carriage Demand Survey needed to be undertaken to provide evidence as to whether a limit should be imposed on the number of Hackney Carriage Vehicle licences issued or that no further Hackney Carriage Vehicle licences should be issued.
- ii. Only Hackney Carriage Vehicle licences could be limited, the number of Private Hire Vehicle licences could not be limited.
- iii. The City Council wanted to do what it could to limit air pollution and the policy regarding electric vehicles was an important part of this.
- iv. It was not within the City Council's remit to be able to control Taxis (Hackney Carriage Vehicles) / Private Hire Vehicles which were licensed by other Licensing Authorities.
- v. There was a cost to the authority to issue Hackney Carriage (taxi) and Private Hire licences, the City Council only sought to recover the costs of providing this service. Applicants had the option to pay licence fees by monthly direct debit if they wanted to.

2. The second member of the public made the following points:

- i. Understood that the object of the Hackney Carriage Demand Survey was to ascertain whether there was any 'un-met' need for Taxi / Hackney Carriage Vehicle licences.
- ii. They thought that there was no-one on the waiting list to get a Taxi / Hackney Carriage Vehicle licence.
- iii. The decisions made by the Licensing Committee made it too onerous to become a taxi driver in Cambridge.

- iv. Asked whether a breakdown of the licence fee cost could be published so that the licence fee cost was transparent.

The Environmental Health Manager responded:

- i. There was a statutory requirement to undertake a Hackney Carriage Demand Survey every 3 years to maintain a limit on the number of Hackney Carriage Vehicles licences. The survey should have been carried out last year but due to the pandemic could not be carried out.
- ii. The City Council was unfortunately unable to control vehicles which were licensed by other Licensing Authorities.
- iii. Was happy to share a breakdown of the fees charges for issuing taxi / private hire licences.

3. The second member of the public made the following supplementary points:

- i. Asked what the City Council was doing to lobby the Government about the problems experienced by the taxi trade for example where people could apply to one council to get their Hackney Carriage / Private Hire licence and then drive in another district council's area which had less stringent licensing conditions.
- ii. Asked whether the City Council could offer any vehicle subsidies like Manchester City Council had done.

The Environmental Health Manager responded:

- i. Understood Daniel Zeichner (MP for Cambridge) had been lobbying Government to get national taxi standards in place.
- ii. Understood the trade's frustrations.
- iii. The Hackney Carriage and Private Hire licensing fees had not been increased for 2 years and it was not proposed to increase them this year.

The Committee made the following comments in response to the public questions:

- i. Noted that the taxi trade was a very important service to enable people to travel safely in and around Cambridge and would contact Daniel Zeichner (Cambridge MP) regarding the issues which had been raised by the public speakers.
- ii. Would speak to neighbouring Council's about their Taxi and Private Hire licensing standards.

- iii. Asked if an additional taxi rank could be considered to help the taxi trade.

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

- i. Officers could explore an additional taxi rank. In the past an additional taxi rank had been explored on Fitzroy Street but this has been discounted as it would conflict with accessible disabled parking bays on Fitzroy Street.

22/5/Lic Hackney Carriage Demand Survey

The Committee received a report from the Environmental Health Manager, which advised that a new Hackney Carriage Demand Survey was required to determine whether a significant unmet demand continued to exist in the city.

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

- i. Asked for clarification that a demand survey had to be undertaken to provide evidence that there was no 'un-met' need in Cambridge for Hackney Carriage vehicle licences and this would be the way to potentially retain the current limit on the number of Hackney Carriage Vehicle licences which could be issued.
- ii. Noted that the advance in technology of motorised scooters meant that some vehicles were unable to accommodate certain types of wheelchairs and scooters.
- iii. Asked if the taxi trade had recovered enough since the pandemic for a robust picture of 'demand' to be provided.

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

- ii. Confirmed that in order to maintain a certain limit on vehicle licences a Hackney Carriage Demand Survey needed to be undertaken.
- iii. Also confirmed that a review regarding accessibility of the vehicle fleet needed to be undertaken to ensure that there were enough accessible Private Hire Vehicles.
- iv. It was difficult to comment whether the taxi trade had recovered enough since the pandemic for a Hackney Carriage Demand Survey to be undertaken. The report sought to gain authority to procure a contractor. The contractor may be better placed to advise. A full and thorough consultation exercise would be undertaken.

The Committee:

Resolved (unanimously) to:

- i. Instruct officers to procure and implement a new Hackney Carriage Demand Survey to determine whether there is a significant unmet demand in the City, and to bring the results and recommendations to Licensing Committee in January 2023.
- ii. Instruct officers as part of the demand survey, to review the accessibility policy in relation to the Hackney Carriage Vehicles and to bring the results and recommendations to Licensing Committee in January 2023.

22/6/Lic Annual Review of Fees and Charges

The Committee received a report from the Environmental Health Manager which set out the revised fees and charges for licences and associated items, which was proposed should take effect from 1st April 2022.

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

- i. Queried whether skin piercing referred to in paragraph 3.12 on page 22 of the agenda included tattooing.
- ii. Asked why Street Trading Licence fees were not proposed to be increased.

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

- v. Confirmed that skin piercing licences included tattoo establishments.
- vi. The Market Team had taken a similar view to the Licensing Team and had not recommended an increase in the Street Trading licence fees.

The Committee:**Resolved (unanimously) to:**

- i. Approve the level of the fees and charges with effect from 1 April 2022, as set out in Appendix A to the Officer's report.
- ii. Request officers to communicate changes with members of the public, businesses and taxi trade.

22/7/Lic Review of Sex Establishment Licensing Policy

The Committee received a report from the Licensing & Enforcement Officer regarding a review of the Sex Establishment Licensing Policy.

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

- i. Asked whether the Sex Establishment Licensing Policy covered both shops and entertainment venues.
- ii. Asked if a limit was put on the number of Sex Establishments whether this would mean any applications received above the limit could be automatically refused or whether an application would still need to be considered.
- iii. Asked if the consultation on the Sex Establishment Policy had included Women's organisations.
- iv. Noted that the Equality Impact Assessment seemed to focus on ensuring that these establishments did not discriminate against people attending them however the negative impact of the establishments should also be considered.

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

- vii. The Sex Establishment Licensing Policy covered shops and entertainment venues.
- viii. Confirmed that even if a limit was put on the number of Sex Establishments, any application received above the limit would still need to be considered.
- ix. A limit on the number of Sex Establishments was not proposed as this would have significant financial implications.
- x. Confirmed that women's organisations had been consulted and that this could be set out in more detail when the Policy was reviewed again.

The Committee:

Resolved (unanimously):

- i. To consider the results of the public consultation exercise as summarised as Appendix B of the Officer's report.
- ii. To approve the Sex Establishment Licensing Policy attached as Appendix C to the Officer's report.
- iii. That the policy should have immediate effect and shall be reviewed at least every five years.

22/8/Lic Review of Statement of Gambling Principles

The Committee received a report from the Licensing & Enforcement Manager regarding the review of the Statement of Gambling Principles.

The Committee thanked Officers for an excellent report and for residents and members of the public for responding to the consultation.

The Committee:

Resolved (unanimously) to:

- i. Endorse the post-consultation draft Statement of Gambling Principles shown in Appendix A of the Officer's report and recommended to Council that the Statement is approved for publication.

The meeting ended at 11.34 am

CHAIR