



## Cambridge City Council Licensing Committee

**Date:** Monday, 21 March 2022

**Time:** 10.30 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

**A Member's Licensing & Enforcement verbal update will begin at 9:30am in the Council Chamber.**

- 1 Apologies
- 2 Declarations of Interest
- 3 Minutes (Pages 3 - 10)
- 4 Public Questions
- 5 CCTV in Hackney Carriage and Private Hire Vehicles (Pages 11 - 18)

**Licensing Committee Members:** Bird (Chair), McPherson (Vice-Chair), Bennett, Collis, Dryden, Flaubert, McQueen, Moore and Page-Croft

**Alternates:** Hauk and Scutt

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**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

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

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Item

## CCTV in Hackney Carriage and Private Hire Vehicles

**To:**

Licensing Committee 21/03/2022

**Report by:**

Yvonne O'Donnell , Environmental Health Manager

Tel: 01223 - 457951 Email: yvonne.odonnell@cambridge.gov.uk

**Wards affected:**

All

### 1. Introduction / 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 As a responsible licensing authority Cambridge City Council seeks to carry out its licensing functions with the view of 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

1.3 The mandatory installation of CCTV within Hackney Carriage and Private Hire vehicles was agreed by members in October 2017. Supporting objectives i), iii) and v).

1.4 In implementing CCTV in licensed vehicles, further objectives can be met;

- The protection of licensed drivers.
- The protection of the travelling public.
- To ensure that licensed drivers continue to be 'fit and proper' in line with licence conditions.
- To enable investigations to be fully supported with evidence in a secure and retrievable form.

1.5 Members of the Licensing Committee in September 2020 agreed an implementation date of 1<sup>st</sup> April 2022 where by all taxi and private hire vehicles will have had CCTV installed.

1.6 Due to delays in the identification of an approved supplier and the Covid 19 pandemic, the 1<sup>st</sup> April 2022 implementation will not be met, and further consideration is required following the statutory guidance for Hackney Carriage and Private Hire Services.

## **2. Recommendations**

- 2.1 Members are recommended to approve that Cambridge City Council conduct a review of the requirement of CCTV in licenced vehicles to demonatrate:
- necessary to meet a pressing need;
  - and proportionate need.
- 2.2 Members are recommended to approve that Cambridge City Council conitnue to work with South Cambridgeshire District Council to identify appropriate supplier.
- 2.3 Members are recommended to approve that Licensing officers return to Licensing Committee in June 2022 to present outcome of review and proposed implementation dates, if pressing need and proporionate need is met.

## **3. Background**

- 3.1 There is no doubt a vulnerability relating to Taxis and Private Hire Vehicles (PHV). Members of the public enter into a Taxi/ PHV putting themselves under the control of a stranger in a confined space with no physical control over where they are taken. Furthermore, drivers also entrust members of the public into their vehicles, transporting them during unsocial hours, and sometimes visiting poorly lit routes.
- 3.2 CCTV systems can act as an additional safeguard, providing protection, confidence and reassurance to the public when they are travelling in a taxi or PHV, as well as to drivers who can also be victims of violence, and abuse.
- 3.3 CCTV systems can act as a deterrent to those with intentions of committing an offence to both drivers and passengers, but also where an offence has been committed images/audio recordings can capture evidence used in both a criminal and enforcement investigations.

- 3.4 Local authorities in recent years have considered the benefits of CCTV systems. Some authorities have made it a mandatory condition, whereas others have offered it as a voluntary requirement.
- 3.5 In October 2017, Cambridge City Council members agreed to make the installation of CCTV a mandatory condition, due to the seen benefits in safeguarding members of the public but also in the protection of drivers.
- 3.6 Although attempts have been made in the past in respect to the implementation of the mandatory requirement, due to securing a suitable supplier and Covid-19 pandemic, implementation has been delayed.
- 3.7 In September 2020, members agreed for an implementation date of 1<sup>st</sup> April 2022, in which all licensed vehicles would be required to have installed a CCTV system, following successful procurement.
- 3.8 Due to procurement issues identified the approved implementation date is unable to be met at this time.
- 3.9 In addition to procurement delays, following the release of the Statutory and Best Practice Guidance there is guidance to local authorities who mandate CCTV as a condition of a license, will require an appropriately strong justification and which must be kept under regular review.
- 3.10 Furthermore, The Home Office 'Surveillance Camera Code of Practice' advises that government is fully supportive of the use of overt surveillance cameras in a public place whenever that use is:
- in pursuit of a legitimate aim;
  - necessary to meet a pressing need;
  - proportionate;
  - effective, and;

- compliant with any relevant legal obligation

3.11 As the mandatory requirement of CCTV for Cambridge City Council in its licensed vehicles was agreed in October 2017, and although the Statutory guidance does not specify what they consider a regular review, it is felt it is appropriate to take this time to conduct a review.

3.12 The review exercise will look at points referenced by the Home office, to ensure that introduction of installing CCTV meets all the above tests. Specifically focusing on;

1. Necessary to meet pressing need,
2. and Proportionality

3.13 As part of the review exercise information will be obtained from Cambridge City Council records, South Cambridgeshire District Council records and Police information to indicate if there is evidence to support the local need to install CCTV in licensed vehicles.

3.14 Cambridge City Council will continue working together with South Cambridgeshire District Council in finalising the CCTV Technical Specification, conducting the review and identifying appropriate supplier/s if pressing need is established.

### **3. Implications**

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

Nil.

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

Officers will spend time to formulate and complete review. Time will be absorbed with daily job requirements.

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

Nil.

**d) Environmental Implications**

Nil.

**e) Procurement Implications**

Nil.

**f) Community Safety Implications**

Review will reconsider the use of CCTV within licensed vehicles

**4. Consultation and communication considerations**

A full consultation took place from Monday 31st July 2017 to Sunday 3rd September 2017. Consultation was regarding the installation of CCTV systems in licensed vehicles, that were locked and only accessible to the licensing authority and police.

Report and consultation responses were presented to Members, who considered information during Licensing Committee meeting.

Members resolved (unanimously) to require the installation of CCTV, that is locked and only accessed by the licensing authority and police.

**5. Background papers**

- a) Developing an approach to mandatory CCTV in taxis and PHVs – Local Government Association Guidance.
- b) Statutory Taxi & Private Hire Vehicle Standards

**6. Appendices**

Nil.

**7. Inspection of papers**

To inspect the background papers or if you have a query on the report please contact Wangari Njiiri, Environmental Health and

Licensing Support Team Leader, tel: 01223 – 458533, email:  
[Wangari.njiiri@cambridge.gov.uk](mailto:Wangari.njiiri@cambridge.gov.uk).

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