

**LICENSING COMMITTEE**

16 September 2024

10.34 - 11.38 am

**Present:** Councillors McPherson (Chair), Bird (Vice-Chair), Blackburn-Horgan, Clough, Griffin, Moore, Pounds, Wade, Young and Flaubert

**Officers**

Environmental Health Manager: Yvonne O'Donnell

Environmental Health and Licensing Support Team Leader: Luke Catchpole

Legal Adviser: Ian Hawkings

Committee Manager: Sarah Steed

Meeting Producer: James Goddard

<b>FOR THE INFORMATION OF THE COUNCIL</b>
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**24/14/Lic Apologies**

Apologies were received from Councillor Bick, Councillor Flaubert attended as alternate.

**24/15/Lic Declarations of Interest**

No declarations of interest were made.

**24/16/Lic Minutes**

The minutes of the meeting held on 24 June 2024 were approved as a correct record and signed by the Chair.

**24/17/Lic Public Questions**

Question 1

Can the Licensing Department outline the steps it is taking to ensure that Cambridge City's public hire fleet, including wheelchair-accessible vehicles, has access to major global digital taxi booking platforms? Additionally, how is the department addressing the trend of younger drivers (aged 30-40) opting to drive for Cambridge City's public hire fleet instead of choosing private hire opportunities under South Cambridgeshire District Council?

Could the committee members consider the perspective of Cambridge City public hire customers, especially those requiring wheelchair-accessible services? Would they prefer to pay a bit extra to ensure timely taxi availability, or are they content with waiting up to an hour for a taxi? Currently, wheelchair-accessible customers face the same challenges but are unable to access timely services due to the overregulated taxi policy. Is this aligned with our commitment to equality?

The Environmental Health Manager said the following in response:

- i. Reference to public hire fleet in her response meant hackney carriage vehicles.
- ii. Hackney Carriage vehicles:
  - a. Could pick up passengers from taxi ranks or can be hailed in the street.
  - b. Could also accept pre-bookings and did not need an operator.
  - c. Could take bookings through an operator provided certain criteria were met.
- iii. It was a matter for taxi proprietors if they wanted to use any global digital platforms for taxi bookings; this was not the responsibility of the Licensing Authority.
- iv. The age of new drivers was not recorded.
- v. The availability of wheelchair accessible vehicles was a national issue, this needed addressing through changes to legislation.
- vi. It was illegal to charge wheelchair users extra (by virtue of the Equalities Act).

Supplementary Question / Statement

- i. Did not believe that wheelchair users were getting equality of service compared to other users because they were having to wait longer periods of time for a wheelchair accessible taxi for their journey.
- ii. Commented that wheelchair accessible vehicles could not access global digital booking platforms.
- iii. Believed the Licensing Committee were like the Board of the Taxi Fleet and their main obligation was to meet public hire customer's needs. Those needs were to be able to access the taxi fleet when they required a taxi.

The Environmental Health Manager said the following in response to the supplementary question:

- i. The City Council's Taxi Policy did not restrict people from using digital platforms to books taxi's, any restrictions would be imposed by their operators.

The member of the public commented further:

- i. Expressed concern that most of the taxis working in Cambridge were licensed by South Cambridgeshire District Council. Asked if Cambridge City and South Cambridgeshire District Council could enter a partnership arrangement regarding licensing arrangements for taxis. Officers had advised there was nothing that they could do about this, and that national legislation was required to sort this issue out.

The Environmental Health Manager said the following in response to the supplementary question:

- i. Believed what was being asked was for taxi vehicles to be issued a joint licence by Cambridge City and South Cambridgeshire District Council. Advised this wasn't possible as the two councils had different Taxi Licensing Policies which consequently had different livery requirements and vehicle standards etc.
- ii. This issue had been discussed at a previous Licensing Committee. It was felt more appropriate to retain vehicle licensing by the City Council's standards.

Councillor Hossain attended the Committee and made the following statement:

- i. Would speak as a councillor and share their personal experience as a taxi driver.
- ii. 7 years ago, undertook a pre-booked job to assist a wheelchair passenger to travel. Noted that it had taken some time for a driver to accept this particular job. He struggled to assist the passenger into the taxi. He asked the passenger's carer to help because he was struggling but the carer refused and said it was the driver's responsibility to assist passengers into the vehicle. A receptionist from the venue helped him to assist the passenger into the vehicle. The passenger was not happy that they'd had to wait so long for a taxi for their journey.
- iii. Commented that the height of the pavement curb had not helped with the positioning of the ramp which should have assisted with transferring the passenger from the pavement into the taxi.
- iv. Noted that drivers could struggle to assist wheelchair users to access their vehicles, and this could put drivers at risk as well as their passengers.
- v. Referred to the shortage of wheelchair accessible vehicles on taxi fleets and the impact this had on wait times for users.
- vi. Noted that some drivers were surrendering their licence with Cambridge City and obtaining licences with South Cambridgeshire District Council where they could earn more money.

- vii. Noted that the Licensing requirements with Cambridge City Council were more onerous than South Cambridgeshire District Council. For example Cambridge City required vehicles to have an MOT twice a year whereas South Cambridgeshire District Council only required one MOT a year.
- viii. Noted that drivers licensed by other councils were driving in Cambridge. Other Councils did not have as strict licensing standards / requirements as Cambridge City Council. This meant that drivers would apply to other local authorities to obtain a licence but then drive in Cambridge.
- ix. Also noted that due to the improvements in technology the Council may get notification of incidents (for example a driver gets 3 points on their driving licence) before drivers had notification.

The Environmental Health Manager said the following in response:

- i. The Council's Taxi Policies (vehicle testing, knowledge test etc) protected the public's safety.
- ii. Noted that the availability of wheelchair accessible vehicles was a national issue.
- iii. Noted that the City Council licensed 117 wheelchair accessible vehicles whereas South Cambridgeshire District Council only had 1 licensed wheelchair accessible vehicle.

In response to questions from the Committee, the Environmental Health Manager said the following:

- i. Confirmed that the Licensing Team communicated with taxi drivers via email, it was likely that a letter from the team had been attached to an email.
- ii. Believed Councillor Hossain had requested that the City Council worked with the County Council to increase the height of curbs which may help with ramp positioning to assist passengers into vehicles. However noted that changes to curb heights may have unintended impacts on people who had other additional needs, so this issue would need careful consideration.
- iii. Taxi drivers had a responsibility to help passengers enter and leave their vehicles. One of the points to be considered in the next agenda item (Cambridge City Council's Hackney Carriage and Private Hire Licensing Policy) was about whether there needed to be specific training for drivers around helping passengers with additional needs / requirements when entering or leaving their vehicles.
- iv. Drivers had to undertake disability training, but this was not a practical based session. Officers proposed as part of the consultation on the next agenda item to ask whether a more practical training session should be available.

- v. Noted health and safety concerns raised in relation to a taxi driver's ability to assist passengers into and out of vehicles.

Councillor Bird noted that there were wheelchair accessible vehicles which loaded passengers from the rear of the vehicle and which had a powered motor which may assist passengers into and out of taxi vehicles.

Councillor Hossain was invited to respond to comments which had been made:

- i. Noted most wheelchair accessible vehicles were side loading and not rear loading.
- ii. Queried if the knowledge test was required given that facilities like Google showed the best driving route to take and had live traffic updates on it.
- iii. People would apply to other local authorities who did not have as stringent licensing requirements.

The Environmental Health Manager said the following:

- i. Believed the 'shortest distance' within the knowledge was what was being referred to, which was being reviewed by officers.

## **24/18/Lic Cambridge City Council's Hackney Carriage and Private Hire Licensing Policy**

The Committee received a report from the Environmental Health Manager regarding proposed amendments to the Cambridge City Council's Hackney Carriage and Private Hire Licensing Policy following a review of the Department for Transport "Taxi and Private Hire Vehicle Licensing: Best Practice Guidance for licensing authorities in England" (November 2023).

The Environmental Health Manager noted that recommendation 2 proposed that officers went out to consultation on the following paragraphs within the Policy namely: 15.13, 17.1, 17.7ii, 33.5. There was a typographical error in Appendix 2 referring to 18.7ii which should have been to 17.7ii.

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

- i. Noted concerns raised regarding assistance dogs. The Equality Act required taxis to transport assistance dogs, but officers would need to investigate how assistance dogs were defined, and National Guidance would be taken in account. The main objective of the Policy was that it was a requirement for drivers to transport assistance dogs.

- ii. Noted comments made around assistance dogs wearing different colours depending on the additional need of their companion. Officers could consider whether a guide could be produced for drivers setting out the different coloured jackets (tabards) assistance dogs wore.
- iii. Noted concerns raised regarding Licensing Sub Committees being held with only 2 councillors. Advised that officers would try to arrange for 3 councillors to sit on a Sub Committee but in some circumstances, it wasn't possible due to councillor availability.
- iv. Although the Policy stated at paragraph 15.4 that all new hackney carriage vehicles (plate numbers 121 to 441) had to be wheelchair accessible, 50% of these vehicles were able to change their vehicle from a wheelchair accessible vehicle to a zero emission (non-wheelchair accessible) vehicle in order to promote the Council's Air Quality Action Plan. The 50% allowance of zero emission (non-wheelchair accessible) vehicles had now been reached therefore any new hackney carriage vehicle had to be a wheelchair accessible vehicle.
- v. It was noted that there were only 321 hackney carriage vehicle licences but due to administration practices when a vehicle licence was surrendered the next sequential number was used to issue a new licence rather than the number which was surrendered being reissued. This was why the vehicle plate numbers was currently at 441 and not 321.
- vi. Paragraph 6.13 within Appendix 2 was one of the conditions officers proposed to consult the trade / public on, should members approve the officer's recommendation. The Statutory Guidance advised that drivers should undertake a condition check of their vehicle before each shift. How this was undertaken and what would be included in the vehicle check was proposed to be consulted upon.

### The Committee:

#### **Resolved (unanimously) to:**

- i. Approve the minor changes made to the Policy as per the tracked changes in Appendix 1 of the Officer's report.
- ii. Agree for officers to go out to consult on the proposed changes to the Policy as detailed in Appendix 2 of the Officer's report.

The meeting ended at 11.38 am

**CHAIR**