

## CAMBRIDGE CITY COUNCIL

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REPORT OF: Head of Refuse & Environment

TO: Licensing Committee

23/3/2015

WARDS: All

### **HACKNEY CARRIAGE VEHICLE NUMBERS – URGENCY ACTION**

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#### **1 INTRODUCTION**

- 1.1 The Council has adopted a policy at the Licensing Committee on 26<sup>th</sup> January 2015, to limit the number of Hackney Carriage Vehicle licences which it will issue. The limit was set at the number which applied at the time of the decision to limit, based on a figure provided by officers, 317.
- 1.2 It was realised, subsequent to committee's consideration of the report, that the figure provided as the current number, was inaccurate and that it should have been 321.
- 1.3 An Urgency Action was taken by the Director of Environment on 5<sup>th</sup> February 2015, to amend the limit

#### **2. RECOMMENDATIONS**

- 2.1 Members are asked to note the details of the Urgency Action

#### **3. BACKGROUND**

- 3.1 The Record of the Urgency Action is attached as Appendix A.

#### **4. CONSULTATIONS**

- 4.1 As required by the Council's constitution, the Chair and Vice-Chair of Licensing were consulted on the taking of the urgency action and were in agreement

## 5. **IMPLICATIONS**

(a) **Financial Implications**

None

(b) **Staffing Implications**

None

(c) **Equal Opportunities Implications**

Nil

(d) **Environmental Implications**

Nil

(e) **Consultation and communication**

Nil

The author and contact officer for queries on the report is Robert Osbourn on extension 7894.

Date originated: 11 March 2015

Date of last revision: 11 March 2015

Appendix A

**CAMBRIDGE CITY COUNCIL**  
Record of Officer Urgency Action

**Urgency Powers to amend the limit on the number of hackney carriage licences**

<b>Decision of:</b>	Director of Environment: Simon Payne
<b>Reference:</b>	15/URGENCY/LIC/01
<b>Date of decision:</b>	5 <sup>th</sup> February 2015
<b>Decision Type:</b>	Officer Urgent Action
<b>Matter for Decision:</b>	To amend the limit on the number of hackney carriage licences to 321, the actual number of licences in existence and in process at the time of the Council's decision to limit numbers on 26 January 2015
<b>Why the decision had to be made (and any alternative options):</b>	For the transparent and efficient delivery of the service, the decision could not be delayed.
<b>Officer decision(s):</b>	To amend the limit on the number of hackney carriage licences from 317 to 321.  To report the officer decision to Licensing Committee on 23 <sup>rd</sup> March 2015 setting out the reasons for the decision.
<b>Committee consideration:</b>	The Chair and Opposition Spokespersons of the Licensing Committee were consulted prior to the action being authorised and have indicated their agreement
<b>Briefing Note/Report:</b>	A briefing note detailing the background is attached.
<b>Conflicts of interest:</b>	None
<b>Note:</b>	<u>City Council Constitution: Part 3 Para states:</u>  <u>Urgency Action</u>  Each Director is authorised to act on behalf of the Executive or the Council (after consultation, if practicable with the relevant Executive Councillor or, in respect of non-executive functions, the relevant Chair or, in either case, the Chief Executive) in relation to matters within his/her area(s) of responsibility in cases of urgency or emergency. Any such action to be reported as soon as possible to the relevant Executive Councillor and Scrutiny Committee or, for non-executive functions, the relevant

committee or sub-committee.

In exercising this power, a Director shall either consult:

- members, in which case the Executive Councillor (in respect of executive functions) or the Chair (in respect of regulatory functions) and, so far as practical in the time available, spokesperson(s); or
- the Chief Executive (if available) before taking action.

If only the Chief Executive is consulted, the Director shall, as soon as possible after taking the action in question, inform the Executive Councillor, Chair and spokesperson(s) of what has happened. (This shall be in addition to reporting the action taken to the next meeting of the relevant committee or sub-committee)."

**Urgent Decision Made:**

In accordance with Section 3.6 of the Constitution, I make the following urgent decisions:

1. To amend the number of hackney carriage licences which fall within the limit set by the Council from 317 to 321.
2. To report to the first available Licensing Committee that this decision has been taken.

Signed

  
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Simon Payne  
Director of Environment

Date 11/2/15 .....



Briefing Note - Urgent Action decision:

### **Limitation of hackney carriage licences**

Decision to be made: To amend the limit on the number of hackney carriage licences from 317 to 321.

Background: On 26<sup>th</sup> January 2015, Licensing Committee determined that the Council would set a limit on the number of hackney carriage licences which would be set at the number of licences currently issued, including those where a full application had been received and was being processed.

Members were advised that the number of licences and applications was 317 and agreed that this would be the level at which the limit would be set and that this would apply with immediate effect.

Applications received subsequent to the adoption of the limit would be referred to a hearing of the Taxi Licensing Sub-Committee for a decision as to whether there were exceptional reasons for allowing an application which would take numbers above the limit.

Examination of databases following the adoption of the limit at 317 has resulted in a realisation that that figure supplied to the Licensing Committee was inaccurate and that the figure should have been 321. The discrepancy occurred as a result of a misunderstanding in the interrogation of the M3 database system.

This does not mean that additional licences, over and above the original position, have been issued, but that the "current" figure at the time of the Licensing Committee decision should have been 321, rather than 317.

Constitutional authority for exercise of Urgent Action Powers: Each Director is authorised to act on behalf of the Council after consultation, if practicable, with the relevant Chair in relation to matters within his / her areas of responsibility in cases of urgency or emergency. Any such action shall be reported to the relevant committee.

Person taking the decision: Simon Payne, Director of Environment, following consultation with the Chair of Licensing, Councillor Jeremy Benstead and the Vice-Chair, Councillor Julie Smith.

Reporting of the decision: The decision will be reported to the next meeting of Licensing Committee, on 23rd March 2015.