

# Public Document Pack

Licensing Committee

Lic/1

Monday, 18 July 2016

## LICENSING COMMITTEE

18 July 2016

10.00 - 10.47 am

**Present:** Councillors Bird (Chair), Benstead (Vice-Chair), Abbott, Adey, Gawthrope, Holt, T. Moore, Pippas, Ratcliffe and Sinnott

### Officers:

Licensing & Enforcement Manager: Lewis Duckett

Licensing, Policy & Administration Team Leader: Victoria Jameson

Committee Manager: Sarah Steed

### Other persons:

CCLT Limited: Mr Wratten

## FOR THE INFORMATION OF THE COUNCIL

### 16/39/Lic Apologies for absence

Apologies were received from Councillors McPherson and O'Reilly. Councillors Benstead and Moore provided apologies for lateness.

### 16/40/Lic Declarations of Interest

There were no declarations of interest.

### 16/41/Lic Minutes of the previous meeting

The minutes of the meeting of the 21 March and 26 May 2016 were agreed and signed as a correct record.

### 16/42/Lic Public Questions

A member of the public asked a question as set out below.

1. Mr Wratten raised the following points:

- i. He had received telephone calls from taxi proprietors who were going to Mandela House to get their plates renewed and they were being told that they needed to have DBS checks on all persons who were recorded on the plate (i.e. Proprietors who are not licenced drivers).

The Licensing & Enforcement Manager responded:

- i. A Proprietor was a person who owned or part owned a taxi vehicle plate. A Proprietor did not have to be a licenced driver nor do they have to drive the taxi vehicle. It was Council policy that a basic disclosure check was undertaken for any Proprietors named on a taxi plate and in agenda item 5 it was going to be requested that the taxi policy was changed to require that an enhanced DBS check was undertaken.
- ii. He would look into the issue raised about what proprietors were only being told when they went to Mandela House that this was a requirement. The reminder paperwork and guidance did however clearly set the requirements out.

Mr Wratten raised the following supplementary point:

- i. He had never been asked in the past to obtain DBS checks for all persons listed on a plate, this may have been in the policy but had not been asked for in the past.

The Licensing and Enforcement Manager responded:

- i. Recognised that a lead in time was required in order to make a request and receive the DBS check.

### **16/43/Lic Consultation on Hackney Carriage and Private Hire Licensing Policy**

The Committee received a report from the Head of Environmental Services regarding a current review of the Hackney Carriage and Private Hire Licensing Policy from 2011.

A member of the public asked a question as set out below.

Mr Wratten raised the following points:

- i. He was in favour of the consultation but wanted a reassurance it would be a full consultation, he also expressed concern that the consultation would take place during July to August as this was a peak period for his staff to take holiday.

The Licensing & Enforcement Manager responded:

- i. The consultation was to run for 5 weeks, which was a longer period than other consultation periods. Therefore the public should have the opportunity to provide their comments outside during this period. He also confirmed that this would fit in with the report timetable process so that a

report could be brought back to the next Licensing Committee in October.

The Committee then debated the Officer's report.

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

- i. Asked if the safeguarding training included training on domestic violence.
- ii. Asked who the stakeholders were that would be included within the consultation exercise.
- iii. Welcomed DBS checks, knowledge tests and medical tests for taxi drivers as the Council had to ensure that individuals were suitable to undertake the job and protect vulnerable people.
- iv. Asked if drivers and driver organisations would be included in the consultation.
- v. Asked if local disability charities would be included in the consultation.
- vi. Asked if there was a requirement for taxi drivers to report medical issues to the Licensing Department after a medical had been completed as medicals appeared to only be required once every 5 years and medical issues could arise in between this period.
- vii. Was pleased that the authority could exercise discretion to grant a licence and referred to the eligibility requirements contained at paragraph 34.5 of the policy. Commented that discretion was needed and that the Home Office was not always easy to work with.
- viii. Commented that the environmental considerations may not apply if the UK ended up outside of the EU.

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

- i. Confirmed that the training undertaken by taxi drivers included domestic violence, disability, and all equality issues covered under the Equalities Act 2010.
- ii. Whilst not an exhaustive list the stakeholders that would be consulted included; statutory consultees (Police, County Council, Environmental Health, Licensing Department), anyone in public service, users of the service, trade representatives who would also be asked to circulate the consultation to anyone else who had not been included on the circulation list. A list of consultees would be circulated to Members after the Committee meeting.
- iii. It was confirmed that drivers and driver organisations would be included within the consultation.

- iv. Confirmed that disability groups and forums would be included in the consultation.
- v. Confirmed that there was an obligation on drivers to report medical issues to the Licensing Department within 7 days. Drivers also had a responsibility to report medical issues to other authorities for example the DVLA. The Licensing Department did not experience issues with this and helped drivers who had to contact other authorities.
- vi. Commented that the Licensing Department had a good relationship with the Home Office and UK Border Agency and had recently reviewed the status of every driver. There was only one driver who was found not have the right to work in the UK, action was taken to revoke their licence.
- vii. A report on the environmental considerations would be brought back to the October meeting.

The Committee:

**Resolved (unanimously)**

- i. Approve the consultation of a revised draft policy (as per Appendix B) and process in order to adopt a final Hackney Carriage and Private Hire Licensing Policy at Full Licensing Committee in October 2016.
- ii. Agreed that the following areas of the policy were considered in depth, reviewed and specifically consulted upon:
  - Accessibility & Disability Awareness
  - Code of Conduct
  - Driver Safety
  - DBS Update Service
  - Eligibility to live & work in the UK in accordance with the Immigration, Asylum & Nationality Act 2006
  - Enforcement Management System
  - Environmental Considerations
  - General Administration (such as notification of change of details etc.)
  - Grounds for Disbarment
  - Online Applications
  - Safeguarding Training (including fees)
  - The Taxi Guide
  - Vehicle Standards

**16/44/Lic Hackney Carriage Table of Fares**

The Committee received a report from the Licensing, Policy & Administration Team Leader regarding a request to increase the Hackney Carriage Table of Fares

A member of the public asked a question as set out below.

Mr Wratten raised the following points:

- i. The Table of Fares percentage increase was in accordance with Transport for London Fare increase which the Licensing Committee had previously agreed was the correct method to increase hackney carriage fares by.
- ii. Had not requested that starting tariffs were increased, the increase was to apply to distances only.

The Licensing & Enforcement Manager drew Members attention to the fact that if no significant issues were raised during the consultation then the decision would not be brought back to Licensing Committee and the fare increase would come into effect on the 19 September 2016.

The Committee then debated the Officer's report.

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

- i. Commented that the 1.6% increase seemed excessive, his customers had commented that taxi fares in Cambridge were more expensive than London. Asked how the 1.6% increase was calculated as petrol had gone down in price.
- iii. Asked what comparisons had been done with other authorities as only London had been mentioned.
- iv. Asked if the quoted distance fare increase was correct as the quoted reduction of 181 to 179 was different to the increases contained within the tables on pages 257 and 263 of the agenda pack.

In response to Members' questions the Licensing & Enforcement Manager and Mr Wratten said the following:

- i. With regards to the 1.6% fare increase, Members were referred to paragraph 3.1 to 3.3 of the Officer's report which stated that 'the Licensing Committee at its meeting on 30<sup>th</sup> January 2012, determined that any future amendment to the Table of Fares would be calculated using the percentage increase as calculated by Transport for London. CCLT's letter, stated that the trade indicated that a similar increase was given to London Hackney Carriages this year and wished to use this as

the agreed method for a fare increase in Cambridge. Transport for London (TfL) applied an increase of fares of 1.6% in 2016'. A 1.6% increase would reduce the travelling distance from 181 to 179.

- i. As the Licensing Committee did not have their own policy it was agreed in 2012 to follow the percentage increases as calculated by Transport for London. Other local authorities had not been considered as the Licensing Committee agreed in 2012 to use this method to calculate the Hackney Carriage Table of Fare increases.
- ii. Confirmed that the tables included within the agenda pack contained the incorrect figures and that the quoted figures for distance fares should be from 181 to 179.

The Committee:

**Resolved (by 6 votes to 0)**

- i. To vary the existing Table of Fares from 181 to 179, with effect from 19th September 2016, subject to the statutory consultation process.

The meeting ended at 10.47 am

**CHAIR**