

Item

REVIEW OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY

To:

Licensing Committee

Report by:

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Wards affected:

All

1. 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 The Hackney Carriage and Private Hire Licensing policy (the 'policy') was produced in order to provide the Council, its officers, the trade and the public with appropriate guidelines that put the Council's licensing requirements into practice in a clear and transparent manner.
- 1.3 The current Hackney Carriage & Private Hire Licensing Policy (the 'policy') applies to all drivers, vehicles and operators and was last updated in October 2016.
- 1.4 Subsequent requests from the trade to revise the policy, led to the Licensing Committee resolving to request officers go out to consult on the proposed changes to the policy.

- 1.5 The subsequent consultation has taken place, and Members are now requested to review the feedback received and determine what, if any, changes should be made to the policy.

2. Recommendations

- 2.1 Members of the Licensing Committee are recommended to consider the responses received in relation to the seven items subject to consultation and determine what, if any, changes are to be made to the Hackney Carriage & Private Hire Licensing Policy in relation to the proposals received from the trade. Further consideration must be given to if each proposal applies to Hackney Carriages, private hire vehicles, or both:
 - 2.1.1 Removal of the requirement to carry a fire extinguisher.
 - 2.1.2 Removal of the requirement to carry a first aid kit.
 - 2.1.3 Raising the age limit for first registration of vehicles from four years.
 - 2.1.4 Requiring the carrying of a card payment device.
 - 2.1.5 The addition of a livery requirement
 - 2.1.6 The requirement to install CCTV, that it be locked and only accessed by the licensing authority and police.
 - 2.1.7 Allowing rear loading wheelchair accessible vehicles.
 - 2.1.8 If members are minded to make any changes to the policy, as set out above, then a timeframe will need to be set for any implementation of the changes

3. Background

- 3.1 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.
- 3.2 In doing so, Cambridge City Council seeks to promote the following objectives that impact on the Hackney Carriage and Private Hire trades:
 - i) The protection of the public;
 - ii) The establishment of professional and respected hackney carriage and private hire trades;
 - iii) Access to an efficient and effective public transport service; and
 - iv) The protection of the environment

- 3.3 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), the Hackney Carriage and Private Hire Licensing policy document (the 'policy') was produced in order to provide the Council, and Council Officers, who are required to administer the licensing function, with appropriate guidelines within which to act (Appendix A).
- 3.4 The policy is designed to put the Council's licensing requirements into practice and assist in the delivery of a transparent, accountable and efficient licensing service. It additionally, assists in ensuring that both the trade and the public have a document that fully explains the licensing procedures to all parties in a clear and transparent manner.
- 3.5 The Hackney Carriage & Private Hire Licensing Policy was last updated in October 2016.
- 3.6 Since this time, the Environmental Health Manager has received several requests from the trade for the policy to be amended, and so at the Licensing Committee on 24 July 2017 these were requests were put to Members and it was agreed that officers would go out to consult on the proposed changes to the policy.
- 3.7 The consultation ran from Monday 31 July 2017 until Sunday 3 September 2017. It was undertaken by directly contacting relevant stakeholder groups (listed in Appendix B), raising the issue at the Taxi Trade Forum on Friday 4 August 2017, and publishing consultation details via social media and on our website. Additionally all those holding a driver, vehicle or operator licence were directly consulted via letter. See Appendices C and D for the consultation document and accompanying letter.
- 3.8 A total of 37 responses were received to the consultation, in addition to two separate signed petitions. A summary of the individual responses is provided in Appendix E, and the two petitions received from Cambridge (Taxi) Driver Association in Appendices F (219 signatures opposing the livery proposal) and G (248 signatures opposing the CCTV proposal).
- 3.9 In order to aid consideration, a collation of the responses is provided in Appendix H, in which any alternative suggestions are also highlighted.
- 3.10 Additionally comments received from specific stakeholders prior to, or shortly after, the consultation period these have been included in the

below consideration of each of the seven specific items subject to consultation.

3.11 Removal of the need for licensed vehicles to carry a first aid kit.

- The East of England Ambulance Service NHS Trust has advised that they would like to see the practice of drivers of licensed vehicles continuing to carry first aid kits, if nothing else other than for their own treatment.
- 12 responses were in favour of removing this requirement
- 10 responses were against removing this requirement
- Additional comments were received concerning inadequate training of drivers to provide first aid.

It is also worth noting that the requirement for a licensed vehicle to carry a first aid kit is provided by the following:

- Vehicle Licence Conditions (Hackney Carriage and Private Hire Vehicles)
- FTA Hackney Carriage and Private Hire Vehicles – National Inspection Standards – adopted October 2016

3.12 Removal of the need for licensed vehicles to carry a fire extinguisher.

- Cambridgeshire Fire & Safety Service were approached and expressed their support for licensed vehicles carrying a fire extinguisher.
- 13 responses were in favour of removing this requirement
- 8 responses were against removing this requirement
- Additional comments were received concerning the use of extinguishers by untrained drivers

It is also worth noting that the requirement for a licensed vehicle to carry a fire extinguisher and first aid kit is provided by the following:

- City of Cambridge Hackney Carriage Bye Law 3
- Vehicle Licence Conditions (Hackney Carriage and Private Hire Vehicles)
- FTA Hackney Carriage and Private Hire Vehicles – National Inspection Standards – adopted October 2016

- 3.13 Change of age limits for vehicles. Currently the policy provides that a new vehicle cannot be granted a licence if it is more than 4 years old. Additionally a renewal will not be granted to a vehicle more than 9 years old. It has been suggested that vehicles older than 4 years could be granted a new licence, although the 9 year age limits for renewals should remain.
- The Environmental Quality and Growth Team have advised that they would prefer to see the 4 year limit for new vehicle licences, kept as existing, in order to not erode air quality standards.
 - 14 responses were in favour of raising the first registration age limit
 - 6 responses were against raising the first registration age limit
 - A number of additional comments were received, including an alternative use of vehicle mileage, environmental considerations or general vehicle condition
- 3.14 Adding a condition attached to the licences of all Hackney Carriage Vehicles to carry a card payment machine and accept debit/credit card payments.
- It is understood that the vehicles of all Cambridge City Licensed Taxis (CCLT) members currently carry a card reader.
 - 11 responses were in favour of adding this requirement
 - 9 responses were against adding this requirement
 - Additional comments were received regarding the forthcoming removal of the a charge for use of cards, using other devices (such as mobile phones) and that some destinations outside Cambridge have poor connectivity
- 3.15 Adding a livery requirement for all Hackney Carriage Vehicles. This could, for example, be a colour scheme exclusively for Hackney Carriage Vehicles, which would help the public to distinguish between a Hackney Carriage Vehicle and a Private Hire Vehicle. 'Cambridge Blue' has been suggested as a possible option.
- 7 responses were in favour of adding this requirement
 - 18 individual responses were against adding this requirement
 - An additional petition with 219 signatures against a livery standard was obtained.

- Additional comments were received that Cambridge Blue would be expensive as non-standard, and an alternative contrasting colour would be more readily distinguished by visually impaired users

3.16 Adding a condition attached to all vehicle licences that CCTV be installed, be locked, and only accessed by the licensing authority and Police. This would provide additional safety to both the public and drivers where potential issues arise.

- 9 responses were in favour of adding this requirement
- 17 individual responses were against adding this requirement
- An additional petition with 248 signatures against a requirement to install CCTV
- Additional comments were received that the CCTV should be also record front and rear views of the road, a need to be able to turn it off for personal use, able to be opened by a range of people and the Council should cover the costs of installation

3.17 Allowing rear loading wheelchair accessible vehicles. Currently the policy provides that all new licensed Hackney Carriages must be side loading; the Council will not licence rear loading wheelchair accessible Hackney Carriages.

- Cambridge County Council Highways were approached and advised it would require additional space in the bays to allow for the rear access taxis around an additional 2 metres per vehicle bay (4.4m standard or 6.6m for rear accessible vehicles). We do have a finite amount of ranking space within the city centre so rear accessible taxis will reduce the amount of available taxi rank space within the city if we changed the bays to mark them out with enough space to rank rear accessible vehicles. For example in St Andrew's Street we currently have space for 6 taxis but this would have to reduce to around 4 if the bays were all marked out at 6.6m length.
- 12 responses were in favour of adding this requirement
- 7 individual responses were against adding this requirement
- Additional comments were received that it should be allowed for private hire vehicles only, or electric vehicles only

3.18 Following completion of the consultation, and taking into account the responses received, Members are now required to review these items

and determine whether what, if any changes, should be made to the Hackney Carriage & Private Hire Licensing Policy.

4. Implications

(a) Financial Implications

Provision is made in the council's budget for the taxi licensing service, which is run on cost recovery basis; however, should members agree to the addition of the livery and/or CCTV as conditions attached to vehicle licences then there is the question on who will bear the cost of the changes required.

(b) Staffing Implications

Existing staff resources will absorb any changes arising from the review.

(c) Equality and Poverty Implications

An Equality Impact Assessment has not yet been undertaken but will be carried out on the reviewed policy after the consultation process has been completed and prior to any changes to the policy being formally adopted.

(d) Environmental Implications

Should members agree to changing the age limits for vehicles then there may be an impact on vehicle emissions.

(e) Procurement Implications

Nil.

(f) Community Safety Implications

Cambridge City Council has a duty to provide a safe and secure taxi service. The Council has a responsibility to review, consult and publish the Hackney Carriage and Private Hire Licensing Policy on a regular basis, or it could be believed that the Authority's policy is not sound.

5. Consultation and communication considerations

- 5.1 In accordance with, the proposed amendments to the Hackney Carriage & Private Hire Licensing Policy were submitted for public consultation from Monday 31 July 2017 until Sunday 3 September 2017.
- 5.2 The consultation document as well as the covering letter is attached as Appendix E and F respectively. Feedback was encouraged and a copy of the consultation document was sent to all currently licensed drivers, vehicle proprietors and stakeholder groups (listed in Appendix G). The consultation was also displayed on the council website and advertised

through social media as well as at the last meeting of the Taxi Trade Forum in August 2017.

6. Background papers

Background papers used in the preparation of this report:

- (a) Cambridge City Council's Hackney Carriage & Private Hire Taxi Handbook

7. Appendices

Appendix A – Hackney Carriage & Private Hire Licensing Policy

Appendix B – List of stakeholder groups consulted

Appendix C – Consultation Document

Appendix D – Letter accompanying consultation document

Appendix E - Summary of responses received to the consultation

Appendix F – Collation of consultation responses received

9. Inspection of papers

To inspect the background papers or if you have a query on the report please contact:

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