

**LICENSING COMMITTEE**

29 January 2018

10.00 - 11.45 am

**Present:** Councillors Bird (Chair), Ratcliffe (Vice-Chair), Abbott, Benstead, Gehring, McPherson, Pippas, Sinnott, Smart, Holt and R. Moore

**Officers**

Environmental Health Manager: Yvonne O'Donnell

Licensing, Policy and Administration Team Leader: Vicky Jameson

Legal Advisor: Nathan Mountney

Committee Manager: Toni Birkin

**Public Speakers:**

Mr Rashel Mohammed

Andy Vines

Consultant: Paul Bradley of Licensed Vehicle Surveys & Assessment

**FOR THE INFORMATION OF THE COUNCIL****Change to published Agenda Order**

Under paragraph 4.2.1 of the Council Procedure Rules, the Chair used her discretion to alter the order of the agenda items. However, for ease of the reader, these minutes will follow the order of the agenda.

**18/1/Lic Apologies**

Apologies were received from Councillors Adey, T. Moore and Gawthrope. Councillors R. Moore and Holt were present as alternates.

**18/2/Lic Declarations of Interest**

No interests were declared.

**18/3/Lic Minutes**

The minutes of the meeting held on 16 October 2017 were approved as a correct record and signed by the Chair.

**18/4/Lic Public Questions**

Public questions were received from Andy Vines and Rasha Mohammed. Full details of their comments can be found with minute items 18/5/Lic and 18/8/Lic.

**18/5/Lic Annual Review of Licensing Fees and Charges - 2018/19****Questions from members of the public.**

Andy Vines and Rasha Mohammed responded to the report and made the following comments:

- i. The Taxi trade had originally suggested marshals at taxi ranks.
- ii. However, the marshals provided had been of variable quality and had proved disappointing.
- iii. Trade feel that CCTV and the introduction of vehicle livery would help but had concerns about the costs.
- iv. Marshalling in St Andrew's Street rank had been successful but the market area rank had different issues.
- v. Food outlet customers mixing with taxi rank customers, and a lack of clarity about how the queue worked, had not been alleviated by the presence of marshals.

Officer's confirmed the following:

- i. The Taxi Rank Marshals at St Andrew's Street had been funded by the Cambridge Bid.
- ii. In order to provide a unified service across the City, two security service companies had merged in the pre-Christmas period.
- iii. The combined service had not been successful and the Market Street provision had been poor and would not be paid for.
- iv. Officers believed that good marshalling could resolve some of the problems of the night economy.
- v. All marshals were security industry trained and Security Industry Authorised/Authorisation registered.

The Committee received a report from the Licensing & Enforcement Manager regarding the Annual Review of Licensing Fees and Charges 2018-19.

The Committee then debated the Officer's report.

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

- i. Further work was needed around the provision of Taxi Rank Marshals and the best way to fund them.
- ii. Suggested that recommendation 2.1.2 of the Officer's report be deferred to a later meeting at which point Members would be provided with more information on which to base their decision.
- iii. A report to the March Licensing Committee would provide a wider view on potential subsidies to encourage the use of electric vehicles and other green initiatives.

Recommendation 2.1.2 of the Officer's report was withdrawn as Member's had insufficient information to make a determination.

The Committee:

**Resolved (unanimously) to**

- i. Approve the level of fees and charges with effect from 1<sup>st</sup> April 2018, as set out in Appendix A of the Officer's report, and request that officers communicate the charges to the businesses, taxi trade and public.

### **18/6/Lic Private Hire Operators Licence Hearing Procedure**

The Committee received a report from the Licensing and Enforcement Manager regarding the procedure for determining Private Hire Operator's Licences.

In response to Members' questions the Licensing and Enforcement Manager stated the following:

- i. Clarified why Driver Hearings were confidential; they covered private and confidential information.
- ii. Confirmed that Operator Hearings would be public.
- iii. There would be no distinction between an operator of a single vehicle and a much larger, multi vehicle, Private Hire Operator as they would both be expected to demonstrate the same operational standards.

The Committee:

**Resolved (unanimously) to**

- i. Note and approve the procedure for the process of determining Private Hire Operator's Licences, as set out in Appendix A of the Officer's report.

## **18/7/Lic Licensing Authority Powers to Revoke or Suspend Personal Licences**

The Committee received a report from the Licensing and Enforcement Manager regarding Licensing Authority powers to revoke or suspend personal licences.

The report advised members of changes to the Licensing Act 2003 which came into force on 6th April 2017 and to introduce new procedures relating to these changes.

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

- i. Sought clarification regarding what a personal licence covered.
- ii. Expressed concern that issues such as immigration status were included in the procedure.

In response to Members' questions the Licensing and Enforcement Manager stated that all evidence of convictions would be covered and those would include immigration offences.

The Legal representative confirmed that external verification of offences would be obtained pre-committee.

The Committee:

**Resolved (by 10 vote to 0 and 1 abstention) to**

- i. Note the content of the report and the legislative changes.
- ii. Approve the general procedure in regards to revoking or suspending a Personal Licence as set out in Appendix A of the Officer's report.
- iii. Approve the Sub-Committee Hearing procedure in regards to revoking or suspending a Personal Licence as set out in Appendix B of the Officer's report.

## **18/8/Lic Hackney Carriage Demand Survey**

### **Questions from members of the public.**

Andy Vines and Rasha Mohammed responded to the report and made the following comments:

- i. Demand often peaked at the Railway Station as taxis needed a permit to enter the site.

- ii. Members of the public using City Centre ranks often have to wait for a saloon car. These offered easier access to passengers who were less mobile and find wheelchair accessible taxis problematic.
- iii. A better range of vehicles would be helpful for the public.
- iv. There were sufficient vehicles Hackney Carriages Vehicles (HCV) to meet current demand.
- v. 8 out of 10 HCV drivers take phone bookings as well as it was difficult for drivers to make a living from HCV only trade.
- vi. The trade had been supportive of the survey and this had produced a good return.
- vii. Unmet demand at the Railway Station was often the result of gridlock elsewhere in the City.
- viii. Current HCV numbers cannot be accommodated on the ranks and local residents often complain about vehicles either waiting in residential road or circled while they wait for a spot on the rank.
- ix. There was limited demand on the ranks for wheelchair accessible vehicles.
- x. The trade view was that there were too many HCV rather than too few.

The Committee received a report from the Licensing & Enforcement Manager regarding the Hackney Carriage Demand Survey and a presentation from consultant, Paul Bradley of LSVA.

The report advised that the Council may, as part of its adopted policy on the licensing of HCV, consider whether to apply a limit on the maximum number of HCV licences which it will issue at any time. However, this power may be exercised only if the Council is satisfied that there is no significant demand for the services of HCVs which is unmet (section 16 Transport Act 1985). The Council has no power to limit the number of Private Hire Vehicle (PHV) licences.

The Committee then debated the Officer's report.

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

- i. Suggested that the impact of congestion should be considered. Peak time congestion would impact on perceptions of unmet demand.
- ii. Suggested that future surveys that included an analysis of wait times (at a taxi rank) cross referenced to the time of day would be helpful.
- iii. Suggested that the use of a recognisable vehicle livery and CCTV in vehicles might encourage users to use HCV rather than other options.

Councillor Benstead reminded the Committee of the following issues:

- The distinction between HCV and Private Hire Vehicles.

- HCV were often shared by several drivers increasing their 'available for hire' time.
- Rank space was not in the gift of the City Council.
- Private Hire Vehicles from other areas were permitted to work in the City.

The Licensing & Enforcement Manager explained the apparent discrepancy between the HCV limit agreed and the current number, which exceeded that limit. A small number of drivers had ordered vehicles and submitted applications before the limit was agreed. On the ground of fairness and in view of the expenses they had occurred, licences had been issued. The vehicle limit had not been raised correspondingly as it was expected that the numbers would fall due to natural wastage as licences were surrendered.

The Committee:

**Resolved (unanimously)**

- i. The Committee determined that they were satisfied that there was no significant demand for hackney carriages in Cambridge which was unmet.

**Resolved (by 10 votes to 0 and 1 abstention) to**

- ii. Keep the limit at the existing level of 321.

**Resolved (unanimously) to**

- iii. Refused to remove the existing limit.

The meeting ended at 11.45 am

**CHAIR**