

LICENSING COMMITTEE9 July 2018
10.00 - 11.55 am

Present: Councillors Bird (Chair), Thittala (Vice-Chair), Benstead, Holt, Johnson, McPherson, McQueen, R. Moore, Page-Croft, Pippas and Sargeant

Officers

Environmental Health Manager: Yvonne O'Donnell

Environmental Health & Licensing Support Team Leader: Victoria Jameson

Team Manager (Commercial & Licensing): Karen O'Connor

Committee Manager: James Goddard

Other Persons

Mr Andy Vines, Cambridge Licensed Taxis

Mr Tan St John-Ives

Mr Mark Joyce, Hackney Carriage Association

FOR THE INFORMATION OF THE COUNCIL**18/17/Lic Apologies**

Apologies were received from Councillors Gawthrop and Gehring. Councillor Johnson was present as the Alternate.

18/18/Lic Declarations of Interest

No declarations of interest were made.

18/19/Lic Public Questions

There were no public questions.

18/20/Lic Minutes

The minutes of the meetings held on 19 March and 24 May 2018 were approved as a correct record and signed by the Chair subject to the following amendments (shown in bold and struck through text) to 19 March minutes:

2. Mr Mohammed raised the following points:

i. Referred to recommendation 2.2.7 "To reduce the total number of Wheelchair Accessible Vehicles within the Hackney Carriage Fleet from 65% to 50% (213 to 163) and those 50 plates to be replaced by Zero emission vehicles. Consideration should be sought to review this in 3 years."

ii. Most **saloon car** taxis worked out of the railway station.

iii. They had to turn away business when people (usually elderly and less mobile) wanted a **saloon car but only a** ~~to-use~~ wheelchair accessible vehicles **was available**.

iv. Wheelchair users made a majority of journeys by private hire rather than taxis.

18/21/Lic Re-Ordering Agenda

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.

Councillor McPherson left after the vote on item 18/23/Lic to go to another commitment.

18/22/Lic Hackney Carriage and Private Hire Licensing Policy

The Committee received a report from the Environmental Health Manager.

The report advised 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.

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.

The current Hackney Carriage & Private Hire Licensing Policy (the 'policy') applies to all drivers, vehicles and operators and was last updated in October 2017.

Subsequent feedback from the trade, and also from officers when imparting information, has highlighted a requirement to review and update minor elements of the policy in order to make specific items clear and understandable.

Officers have reviewed the feedback and have considered the proposed updates, in line with the taxi licensing policy of South Cambridgeshire District Council in order to seek opportunity where the policies can be harmonised.

Members were requested to review the updated draft policy and determine what, if any, changes should be made to the policy.

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

- i. If the policy were accepted, drivers would not be able to apply for both City Council and South Cambridgeshire taxi licences.
- ii. Officers would investigate if drivers declared on their application form that they held another licence too.

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

- i. As long as the triple lock was in evidence, drivers could operate anywhere in the country.
- ii. The Council could not stop drivers being licensed elsewhere once licensed by Cambridge city Council.

The Committee:

Resolved (unanimously) to agree the following proposed changes are to be made to the Hackney Carriage and Private Hire Licensing Policy:

- i. To stipulate the prohibition of licensing Hackney Carriage or Private Hire Vehicles that are also licensed with other authorities.
- ii. To clarify the existing condition relating to licensed Private Hire Vehicle door signs to state that the vehicle must display on the driver and front passenger door, in a prominent position, the name and contact information of the Operator fulfilling the booking.
- iii. To reduce the number of Knowledge Test attempts that a new driver applicant can undertake from 4 to 3 so that it aligns with the existing 3 attempts of the Safeguarding Awareness Tests for existing licence holders.

18/23/Lic Livery Implementation Proposals for Hackney Carriage Vehicles

The Committee received a report from the Environmental Health Manager.

The report advised 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.

The current Hackney Carriage & Private Hire Licensing Policy (the 'policy') applies to all drivers, vehicles and operators and was last updated in October 2016.

At Full Licensing Committee on 24th July 2017 Members agreed for a public consultation to be undertaken on the existing Hackney Carriage and Private Hire Licensing Policy. One of the items for consideration was the introduction of a Livery for Hackney Carriage Vehicles.

The consultation took place from 31 July 2017 until 3 September 2017.

The results of the consultation were presented to Full Licensing Committee on 16th October 2017 where Members resolved (by 10 votes to 0) to the addition of a Livery requirement for Hackney Carriages only.

A further consultation with the trade took place between 1st and 26th March 2018 which focused on vehicle colour, livery style and design along with an implementation plan, the results of which can be found at Appendix B of the Officer's report.

Officers reviewed and collated the feedback received and invited members of the Trade (the Trade representatives) to discuss the results further at a meeting on 1st May 2018.

At the meeting proposals for a livery colour, design and style (along with an implementation plan) were discussed and agreed by those present.

Members were now requested to review the Livery proposals and determine what the Livery for Cambridge City Council Hackney Carriages should be, along with the timescale for implementation.

The Committee received a representation from Mr Vines.

The representation covered the following issues:

- i. There had been 200 replies from the taxi trade in response to the City Council's consultation.
- ii. A silver base colour with stripe was the preferred option for taxis in future.
- iii. It would be cheaper to administer the colour change when drivers changed vehicles.
- iv. This would lead to a rank of uniform cars.
- v. The stripe would be easy to remove when vehicles were sold. If a different colour to silver was selected, this could lead to a taxi coloured vehicle in the hands of a private individual. As per the case in Newmarket.

Mr Vines said the following in response to Members' questions about his representation:

- i. Silver was suggested as a Cambridge taxi colour. Other firms did not use it in their uniform, and silver was a base colour supplied by all manufacturers. This would make it distinctive for Cambridge City.
- ii. Other based colours were used by other taxi firms, so were not suitable for Cambridge vehicles.
- iii. Partially sighted people should not have any difficulty identifying silver coloured taxis.
- iv. Taxi drivers did not want multi-colour vehicles (ie original colour covered with another colour coat) as vehicles would not be returned to their original colour when sold.

The Committee received a representation from Mr St John-Ives.

The representation covered the following issues:

- i. Wanted to provide a safe and professional service for the public.
- ii. Queried if officers had undertaken an impact assessment of the policy implementation. IE its impact on taxi drivers.
- iii. Suggested out of town operators would not have to meet the same policy standards as city taxis.
- iv. The taxi livery requirement had to be balanced against other future demands such as the implementation of electric vehicles.

- v. It was more efficient on cost grounds to change livery at the change of vehicle stage (not before).

The Committee received a representation from Mr Joyce.

The representation covered the following issues:

- i. The taxi trade had spoken to councillors.
- ii. Taxi drivers were self-employed. The cheapest time for them to add livery to vehicles would be when they changed vehicles.
- iii. A black stripe and crest on the side of city taxis would make them stand out from other operators in the area who had different livery.
- iv. Drivers wanted to provide a safe and professional vehicle service to customers.

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

- i. Partially sighted people may have difficulty seeing silver coloured taxis, even if they had a black stripe.
- ii. The DVLA and Police should be notified if a liveried vehicle was used by a private person.

The Committee then debated the Officer's report.

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

- i. Concern that Private Hire vehicles would be obliged to adopt the same colour scheme (if approved) in future, but current ones would not.
- ii. It was more cost effective for the colour change to be implemented when vehicles were changed instead of requiring vehicles to be repainted. It could take 9 years for all Hackney Carriages and Private Hire vehicles to be recoloured as they had a 9 year lifespan under council policy.
- iii. Can only control City Council licensed Hackney Carriages and Private Hire vehicles, not out of town operators.

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

- i. 120 of 322 Hackney Carriages in city were already a silver colour. A black stripe could be added at the annual plate renewal date each vehicle was subject to.

Mr Joyce said it would cost £90 to add a stripe to vehicles. This was cheaper than requiring a full wrap.

- ii. The Council could require the stripe to be implemented immediately (if approved), but this would impose a heavy administrative burden on officers which could be avoided if vehicles were certified as having a stripe as part of the Certificate of Conformity.
- iii. There had been a lot of discussion and consultation between officers and the taxi trade.
 - a. The trade initially did not support the livery proposal, but did now.
 - b. There were cost implications for the trade from future proposals ie livery and electric vehicles.
 - c. A base colour has been proposed as the most appropriate one for taxis. Silver has been suggested for city licensed vehicles as other colours are used by other operators.
- iv. Members had already considered the policy and colour suggestions, which had been agreed in principle (ref executive summary in Officer's report, also Appendix B P81). Feedback from the taxi trade led to the recommendation for silver base colour with black stripe, crest on side and light on taxi roof to distinguish city licensed taxis from others.

Mr Joyce said the taxi trade has no particular preference on stripe colour. He suggested the width could be circa 6 inches in width to be visible on a vehicle.

- v. It would be too expensive to add Cambridge logos to the colour stripe.
- vi. There was no intention to specify a particular shade of silver the vehicle should be. The V5 registration certificate just needed to state the vehicle was silver colour, as different manufacturers may produce different shades.

The Committee discussed the merits of different colours and styles for stripes to be added to the silver base colour of taxis. Councillor McPherson suggested the stripe could be black and yellow chequers.

The Committee

At the suggestion of the Chair, recommendations were voted on individually.

Resolved (by 10 votes to 0) that saloon vehicles should have a 4 inch stripe and larger vehicles should have a 6 inch stripe.

Resolved (by 7 votes to 0) that the stripe should be black and yellow chequers.

Resolved (by 8 votes to 0) that vehicles should be silver (base colour) with a black and yellow chequered stripe.

Councillors then paused the vote on recommendations to discuss if they had voted to approve appropriate colours.

Mr St John-Ives said that a base colour and stripe colour scheme could be obtained from a wide selection of suppliers. A more complex colour scheme would require specialist applicators and so drive up cost. This would impact on the feasibility for local drivers to obtain.

Resolved (unanimously):

- i. To annul previous votes and reconsider the Officer's recommendations.

Approved Officer's recommendations – with amendments:

Considered and agreed the following proposals as a Livery for Hackney Carriage Vehicles:

- ii. 2.1.1 A silver base colour (as described on the V5 registration document for each vehicle) for all Hackney Carriage Vehicles.
- iii. 2.1.4 That all Hackney Carriage Vehicles will continue to have the Cambridge City Crests either side of the driver doors.
- iv. 2.1.5 That external advertising on Hackney Carriage Vehicles will only be permitted on the rear of the vehicle.
- v. 2.1.6 That internal advertising in Hackney Carriage Vehicles will continue to be permitted as described in the existing policy.
- vi. 2.1.7 That all Private Hire Vehicles are excluded from being silver.

Considered and agreed the following proposed implementation plan:

- vii. 2.2.1 For all existing silver (as described on the V5 registration document for each vehicle) Hackney Carriage Vehicles, the full livery requirements will need to be in place at the next vehicle licence renewal. Where there is advertising externally on the vehicle which will not comply with the new Livery specification, the Proprietor/s must make contact with the Licensing Team in the first instance.
- viii. 2.2.2 For all other Hackney Carriage Vehicles, upon change of vehicle (which may not necessarily be at the next licence renewal), the Proprietor/s will be required to fully comply with the Livery specification.
- ix. 2.2.3 For all existing silver (as described on the V5 registration document for each vehicle) Private Hire Vehicles, upon change of vehicle (which may not necessarily be at the next licence renewal), the

Proprietor/s will be required to obtain and licence a vehicle which is not silver.

Deferred making a decision on the following until 01/10/18 Licensing Committee:

- x. 2.1.2 That a 'wrap' of two black gloss stripes, one placed either side of the vehicle (running horizontally from the headlight to the rear light).
- xi. 2.1.3 That the wrap must be a thickness between 50mm (approximately 2 inches) and 75mm (approximately 3 inches).
- xii. 2.2.4 That the changes in the policy will take effect from 9th October 2018.

Councillors requested photos and samples of prospective colour schemes for consideration in future.

The meeting ended at 11.55 am

CHAIR