

LICENSING COMMITTEE

27 June 2022
10.30 am - 12.05 pm

Present: Councillors McPherson (Chair), Bird (Vice-Chair), Bennett, Carling, Divkovic, Gilderdale, Page-Croft, Robertson and Scutt

Officers

Environmental Health Manager: Yvonne O'Donnell
Environmental Quality & Growth Manager: Jo Dicks
Legal Adviser: Paul Weller
Committee Manager: James Goddard
Producer: Sarah Steed

Others present from Cambridge City Licenced Taxis:

Ahmed Karaahmed (Chairman)
Afzal Aslam (Member)
Kamil Winek (Member)
Steve Taylor (Member)

FOR THE INFORMATION OF THE COUNCIL

22/15/Lic Apologies

Apologies were received from Councillor Flaubert.

22/16/Lic Declarations of Interest

No declarations of interest were made.

22/17/Lic Minutes

The minutes of the meetings held on 21 March 2022 and 26 May 2022 were approved as a correct record and signed by the Chair.

22/18/Lic Public Questions

Members of the public asked a number of questions, as set out below.

1. Ahmed Karaahmed raised the following issues:

- i. The livery colour of taxi vehicles licensed by the City Council was changed as requested by the Council. Drivers licensed by other local authorities were not required to follow the City Council taxi colour or emission schemes.
- ii. Demand for taxis collapsed in lockdown and operating costs increased.
- iii. The Officer's report recommended Hackney Carriages be silver coloured and electric or low emission vehicles.
- iv. Manufacturers produced few silver vehicles without tinted windows that met the City Council Hackney Carriage criteria for suitable vehicles.
- v. Requested the vehicle colour scheme be reviewed as per Newmarket (town) to allow more options.

The Environmental Health Manager responded:

- i. The issues above had been brought to committee before.
- ii. Council Officers had taken on board comments about vehicle colour scheme and electric vehicles. Officers had listened to Taxi Trade recommendations and silver livery with a green stripe was the preferred colour.
- iii. The Council could revoke the licence for non-silver vehicles but had taken the decision not to. If the Taxi Trade would like non-silver vehicles (within the City Council's control) barred then the decision could be reviewed.
- iv. The Council allowed taxis to impose a 40p surcharge as fuel prices had increased.
- v. Tinted windows were reviewed on a case by case basis for electric vehicles. The policy will be reviewed (for general application) in future.

Ahmed Karaahmed asked for taxi livery to be reviewed but not for licences to be revoked for non-silver taxis. Vehicles were operating using different colour schemes.

Councillor Bennett suggested that respraying cars to change their colour was an environmental issue. Queried if this could be reviewed?

The Environmental Health Manager responded:

- i. Silver, black and white were popular base colours.
- ii. People were not expected to respray vehicles, just purchase a vehicle with a base colour and add a stripe.

2. Afzal Aslam raised the following issues:

- i. If the Committee approve recommendation 2.1 then item 4 (agenda p11 of the agenda pack) should apply to all hybrid cars (maximum life of 9 years).
- ii. Agenda pack P12 item 6 (environmental interventions) should be reviewed by 2027.
- iii. Agenda pack P14 point 3.10 should be reviewed in March 2028.
- iv. Supported the use of hybrid vehicles.

The Environmental Quality & Growth Manager said the recommended age limit would allow people to use conventional hybrid vehicles for their full working life before replacing them with zero emission vehicles.

Afzal Aslam suggested that plug in or self-charging hybrid vehicles:

- i. Only saved drivers £5000 as the electric motor could only be used in urban areas whereas the petrol motor had to be used out of town.
- ii. Had similar emission levels.

The Environmental Quality & Growth Manager said published emission data did not support Afzal Aslam's views.

3. Kamil Winek raised the following issues:

- i. The taxi trade was trying to be more environmentally friendly and efficient for customers.
- ii. Customers wanted accessible vehicles eg for wheelchair users.
- iii. Asked Licensing Committee members to attend the 10 July Taxi Trade Forum to listen to issues raised.

The Environmental Health Manager said she would forward the 10 July invitation to Licensing Committee members. The Committee recognised that the Taxi Trade were an important part of the public transport system. They operated a 24-hour service unlike trains and buses.

4. Steve Taylor raised the following issues:

- i. Asked for extension of licensed vehicle life due to the impact of lockdown.
- ii. He had plates but was awaiting delivery of replacement vehicle to use them on.

- iii. Expressed concern about high operating costs for taxi vehicles and pending recession.

The Environmental Health Manager responded:

- i. The City Council empathised with taxi drivers on how they were dealing with a difficult situation and tried to be flexible. The City Council had introduced measures during covid lockdown to support the trade eg temporarily suspend a taxi licence.
- ii. The country was transitioning from 'lockdown' back to 'normal'. Some boundaries needed to be set hence the proposal bringing in the 9 year vehicle working life rule from July 2022.
- iii. Officers allowed plates to remain with the driver (who had a Bill of Sale) whilst they were awaiting a replacement vehicle as a mitigation measure in difficult times. This prevented a driver losing plates between not using old vehicle and (possible) delayed delivery of new vehicle.

Steve Taylor reiterated: It was better to extend the working life of a vehicle than temporarily suspend a taxi licence. Requested that well maintained vehicles' working life should be extended to 10 years.

The Environmental Health Manager responded:

- i. Would liaise with Environmental Quality & Growth Manager to check if extending licensed vehicle working life to 10 years would impact on air quality in the city.
- ii. Vehicles were currently reviewed on a case by case basis as the Council recognised it was difficult to source replacement parts/vehicles.
- iii. Drivers were allowed to keep plates whilst vehicles were off-road or they would lose the plates.

In response to Councillors' questions Steve Taylor said taxi drivers were unaware of the July date to limit taxi working life to 9 years or the option to review working life on a case by case basis. He suggested more publicity would be welcome.

22/19/Lic Environmental Consideration for Taxi and Private Hire Licensing Policy

The Committee received a report from the Environmental Health Manager. She clarified point 1.10 should read “emissions of less than 70 **120g**/km of CO₂”.

The purpose of the Officer’s report was to consider the relaxation of Ultra-Low and Zero Emission vehicles policy within the Hackney Carriage and Private Hire vehicle fleet.

There was a need to reduce polluting emissions to improve poor air quality in City Locations dominated by emissions from buses, taxis and service vehicles. This must be achieved whilst maintaining sufficient levels of access and capacity for travel in the City, for the vehicles using those areas.

This could only be achieved by intervening to ensure uptake of Ultra-low and Zero emission technologies within those vehicle fleets.

The UK government had a long term vision for all new cars and vans to be zero emission by 2040 and for nearly every car and van to be zero emission by 2050. These recommendations fit with national policy.

Financial support for rapid charging infrastructure for taxis was committed by the City Council at Full Council in February 2016.

In October 2016 Members amended the Hackney Carriage and Private Hire Policy to include a commitment to implement changes to increase the uptake of Ultra-Low and Zero emission vehicles, such as hybrid and electric.

Due to Brexit, the pandemic and the crisis in Ukraine, the availability of such vehicles were becoming more difficult to obtain, and there was also a waiting period of up to a year to purchase these types of vehicles. So there was a need to build in flexibility into the policy to allow standard hybrids with emissions of less than 120g/km of CO₂.

In response to Members’ questions the Environmental Quality & Growth Manager said the following:

- i. OLEV emissions were circa 120g/km of CO₂, whereas ‘standard’ vehicles were at least 300g/km but could be more.
- ii. Standard hybrid vehicles mainly used combustion engines whereas plug-in hybrids could be driven longer on battery power so had lower emissions.

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

- i. Currently, the Hackney Carriage and Private Hire Licensing Policy (as agreed at Licensing Committee in October 2016) sets out: By December 2028, subject to review in 2026, all Wheelchair Accessible Vehicles to be Ultra-Low or Zero Emission as and when the market allows. This would be reviewed as officers were aware there was a low number of accessible vehicles being manufactured.
- ii. The Demand Survey showed there was unmet demand for taxis, not just wheelchair accessible ones. All Hackney Carriages could be accessible, but the Demand Survey suggested only 50% of taxis needed to be accessible.

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

- i. Air pollution was caused by various sources, not just taxis.
- ii. Queried how to petition Central Government to pressure manufacturers to produce more low emission accessible vehicles.

The Chair undertook to liaise with officers on options and report back to the Committee. For example contacting Daniel Zeichner MP.

- iii. There was no such thing as a standard wheelchair accessible vehicle. Powered wheelchairs were getting bigger and heavier, but not all vehicles could take them which impacted on users.

Councillor McPherson proposed an amendment to the Officer's recommendation that licenced vehicles that turn 9 years old and are due for a renewal between July 2022 and 18th July 2023 may have a renewal extension for 1 year only.

This amendment was **carried unanimously**.

The Committee:

Resolved (unanimously):

- i. To approve the inclusion of standard hybrids within the policy with emissions of less than 120g/km of CO₂ with a review of this in June 2024. (See Appendix 1 of the Officer's report.)
- ii. A new standard hybrid vehicle licence would not be granted in respect of a vehicle unless it is less than 4 years old. A vehicle licence for standard hybrid vehicles will not be renewed unless the vehicle is less than 9 years old.

22/20/Lic Review of Enforcement Management System

The Committee received a report from the Environmental Health Manager.

The report advised that 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 License Drivers as well as vehicle proprietors and Private Hire Operators within the City.

The Hackney Carriage and Private Hire Licensing 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.

Clarity was required within the Policy to give more delegated authority to the Environmental Health Manager on Enforcement Management issues.

A review of the Private Hire Operators Hearing Procedure was also required to ensure there is appropriate delegation.

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

- i. Some decisions regarding breaches of the Enforcement Management System would be determined by the Licensing Sub-Committee. In certain circumstances where there are breaches of the Enforcement Management System may be determined by the Environmental Health Manager. Both situations would use a similar process but a case could be heard by Environmental Health Manager instead of 3 councillors for a more informal review. The intention was to be more time/cost effective instead of requiring a physical meeting with councillors and officers.
- ii. Offered to give Councillors details outside of today's meeting regarding cases considered by Officers and (separately) by Councillors so they could comment on whether they thought the balance was correct.

Councillor Scutt proposed an amendment to the Officer's recommendation that the Environmental Health Manager should liaise with Committee Chair about which decisions should be taken by officers or councillors. A summary should be presented to each meeting of Licensing Committee of decisions/cases considered, details to be redacted so they were suitable for a public meeting.

This amendment was **carried unanimously**.

The Committee:

Councillor Carling took part in the debate but left the Committee for another commitment before the vote was taken and did not return.

Resolved (by 8 votes to 0):

- i. Approved the Cambridge City Council's Hackney Carriage and Private Hire Licensing Policy attached as Appendix 1 to the Officer's report.
- ii. Approved the Private Hire Operators Hearing Procedure attached as Appendix 4 to the Officer's report.
- iii. The Environmental Health Manager to liaise with Committee Chair:
 - a. To develop a procedure about which decisions should be taken by officers or councillors.
 - b. To review the procedure in 2023.

22/21/Lic Further Public Questions

The Chair asked if public speakers wished to comment on what they had heard discussed by Councillors in Committee.

1. Steve Taylor raised the following issues:
 - i. Few manufacturers produced accessible vehicles. It was more usual to adapt a standard vehicle to make it bespoke then certify it as a suitable vehicle to ply for trade. This was very expensive.
 - ii. The trade preferred to use hybrid vehicles instead of electric ones as they were more practical.

Kamil Winek said only Hackney Carriages needed to be accessible, Private Hire ones did not. Asked for both vehicle types to be subject to the same criteria.

Ahmed Karaahmed said Private Hire vehicles could turn away wheelchair users but Hackney Carriages could not.

The meeting ended at 12.05 pm

CHAIR

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