

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

Minutes of a meeting of the Licensing Committee held on  
Wednesday, 24 January 2018 at 10.00 a.m.

PRESENT: Councillor Alex Riley – Chairman  
Councillor Raymond Matthews – Vice-Chairman

Councillors: Val Barrett  
Pippa Corney  
Andrew Fraser  
Cicely Murfitt  
Deborah Roberts

Graham Cone  
Kevin Cuffley  
Janet Lockwood  
Charles Nightingale  
Mark Howell

Officers: Myles Bebbington  
John Goodwin  
Victoria Wallace

Head of Service - Environmental Services &  
Licensing  
Regulatory Enforcement Officer  
Democratic Services Officer

### **1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Jose Hales, Nigel Cathcart, Ruth Betson and Anna Bradnam. Councillor Mark Howell was present as a substitute for Councillor Betson. Apologies for absence were also received from Councillor Henry Batchelor who had been nominated to attend the meeting as a substitute for Councillor Bradnam.

### **2. DECLARATIONS OF INTEREST**

Councillor Kevin Cuffley declared a non-pecuniary interest as the holder of a Private Hire Driver licence.

### **3. MINUTES OF PREVIOUS MEETING**

The minutes of the meeting held on 27 October 2017 were agreed as a correct record. The committee was informed that the committee's decision taken at the last meeting regarding the Grantchester street trading consent, had not been appealed.

### **4. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY AND CONDITIONS**

The committee considered the proposed new Taxi Licensing Policy and amended conditions of licensing for Hackney Carriage and Private Hire vehicles, drivers and operators. This had been amended following public consultation and took into account the consultation feedback that had been received.

The Chairman thanked the Regulatory Enforcement Officer for his work on the policy and public consultation on it.

The committee considered each of the proposed amendments to the policy. The committee agreed that final trivial changes such as points of spelling and grammar, would be made by the Licensing Committee Chairman and Head of Service for Environmental Health and Licensing.

The committee agreed the proposed amendments apart from the exceptions listed below. In relation to some of the agreed amendments, the points below were also made:

The Head of Service for Environmental Health and Licensing explained that the proposed amendments to 1.26 of the policy, reflected the legislation regarding taxi meters. The committee agreed this amendment.

Regarding 2.6 of the policy, the committee was informed that the amendment reflected case law, which was included in case of future challenge. In response to a query, the Head of Service clarified that this also applied to executive vehicles and that each of these vehicles carried a discreet identification disc. Following some debate regarding marks of identification on executive vehicles, the committee agreed to the proposed amendment.

Regarding 2.19, the committee agreed that the wording should be amended to “display external door signage”.

Regarding 2.25 of the policy:

- The Head of Service explained the reason for proposing to remove having a fire extinguisher as a condition, with officers considering this requirement to be outdated. The Head of Service knew of only one occasion in 22 years when a fire extinguisher had been used. The committee agreed the amendment to remove this condition.
- A member queried the standard of first aid kit required, which officers agreed to look into further.
- The wording “clearly marked with the council issued licence plate number” would be added back in.
- In response to a query regarding making it a requirement to have a torch in the vehicle, members were informed that these could potentially be used as a weapon and it was pointed out that most drivers would have a torch on their phone, so there was no need to make a torch a requirement.
- A member queried the need for basic first aid training for drivers. The Head of Service advised that this was not being looked at but that he would mark this as an issue for potential future consideration.

Regarding 2.29, the committee was informed that the use of CCTV was strictly controlled by the Information Commissioner. The committee agreed the amendment.

Regarding 2.30, the committee was informed that the amendment strongly reflected consultation responses, with Executive vehicle companies and Private Hire vehicles considering CCTV to be unnecessary. This was due to the records these companies kept, which made it easy to trace drivers if complaints were made against them. They were also less likely to pick up problematic passengers. Officers felt it was appropriate to introduce CCTV in Hackney Carriages. Councillors Cone, Cuffley and Howell felt strongly that CCTV should be made a requirement in all Private Hire vehicles and asked that their names be noted in the minutes in relation to this. They felt that this was necessary for the protection of both the driver and the passenger and that the Council should force Private Hire companies to install CCTV in their vehicles. In response to this, the Head of Service informed the committee that he had discussed the use of CCTV with the Information Commissioner’s office, and advised that there were many grey areas around it. He advised that more work was needed on this to make sure it was enforceable. The following options for wording to be added to the policy were proposed:

- Option A: “All Hackney Carriage vehicles must be fitted with an approved CCTV system no later than 31 March 2020. It is possible that this requirement will be extended to Private Hire vehicles in future”.
- Option B: “All Hackney Carriage and Private Hire vehicles (but not exempt Executive vehicles) must be fitted with an approved CCTV system no later than 31 March 2020”.

A vote was taken on these options. Five members voted in favour of Option A. Seven members voted in favour of the wording set out in Option B to be added to the policy. It was therefore agreed that the policy would include the wording set out in Option B.

Regarding 2.64, the committee agreed that the wording would be amended to say "There must be a clear mechanism in place for any passenger to be made aware of...".

Regarding 3.9c, the committee agreed that the word "any" would be added to the beginning of this sentence.

Regarding 3.43, Group 2 medical reports were discussed and the committee was informed that these cost approximately £50-60 and included an eyesight test and history of mental health issues. The committee agreed with the introduction of the requirement for Group 2 medical reports every three years. In relation to this, the committee was further informed that the Council had the right to request alcohol and drugs tests for any drivers about which it had concerns.

Referring to 3.51, a member raised concern regarding the attire worn by some chauffeur drivers which was not considered to be smart or suitable. He thought the Council as the licensing authority, should police this. In response to this the Head of Service informed the committee that a bid had been submitted to employ a further Regulatory Enforcement Officer which would enable the enforcement of such things. The outcome of the bid was awaited.

Regarding point 16 of appendix A of the policy, the committee advised that Hackney Carriage drivers should be included in this.

Regarding appendix B of the policy:

- Point 1: the following wording "in accordance with manufacturers' recommendations, all necessary equipment for wheel changing shall be present in the vehicle", was proposed. Final wording would be agreed by the Chairman.
- Point 5b: wording would be amended to "A suitable first aid kit containing appropriate in date dressing and appliances".

Regarding appendix C of the policy:

- The committee was informed that any complaints received by the Council were kept for a minimum of six years and serious complaints were kept indefinitely. The committee agreed that the wording at point 1 should be amended to say that records of complaints must be maintained for at least the period of five years, rather than two years. The word 'suitable' would also be removed from this point.
- The committee agreed the wording at point 8 would be amended to: "The licensee shall immediately on receipt of *information* or of any complaints involving offences as listed in SCDC convictions policy". In relation to this policy, the relevant page number was to be included.

The Head of Service highlighted the penalty points scheme and clarified that these were points that the Council put on drivers' badges, not the drivers' DVLA licence. He advised that this was a monitoring system for the Council. In response to a further query, the Head of Service clarified that the Council did not have the power to insist that employees of an operator were DBS checked.

The Licensing Committee agreed the policy and subject to the inclusion of the amendments agreed by the committee, recommended the policy to Council for adoption. The amended policy would be presented for consideration by full Council at its meeting in

February 2018.

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**The Meeting ended at 11.45 a.m.**

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