

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

Minutes of a meeting of the Licensing Committee held on  
Friday, 27 October 2017 at 10.00 a.m.

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

Councillors: Val Barrett Ruth Betson  
Anna Bradnam Nigel Cathcart  
Graham Cone Kevin Cuffley  
Jose Hales Janet Lockwood  
Cicely Murfitt Deborah Roberts

Officers: Myles Bebbington Head of Service Environmental Health &  
Licensing  
John Goodwin Regulatory Enforcement Office  
Victoria Wallace Democratic Services Officer

Councillor Mark Howell, Environmental Services Portfolio Holder, was also in attendance.

Apologies for absence were received from Councillors Pippa Corney, Andrew Fraser and Charles Nightingale.

### **1. DECLARATIONS OF INTEREST**

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

### **2. MINUTES OF PREVIOUS MEETING**

The minutes of the meeting held on 4 November 2016, were agreed as a correct record of the meeting.

### **3. GRANTCHESTER STREET TRADING CONSENT**

The committee considered the request by Grantchester Parish Council for Broadway in Grantchester, to be designated a Consent Street. This was so that trading could be controlled on the street. A Licensing Sub-Committee held on 3 July 2017 had agreed the outline request from the Parish Council, to consult on the matter. Following the consultation the Licensing Committee was being asked to make a final decision on this matter.

The Licensing Committee requested to see the original letter from the Parish Council, which set out their request for designation of the street. This was provided to the committee members during the meeting.

The committee considered the report and the following points were discussed:

- Members noted that pop-up food vans were occasionally used by the Blue Ball pub on Broadway and that the pub was doing well. Reluctance to impose anything which may hinder the activities of the pub, was expressed. It was felt that designating Broadway could impact the pub and undermine its viability.
- Members discussed whether, rather than making a formal decision either way, a watching brief should be kept on the situation for a year.

- Members considered the written responses to the public consultation, noting that equal numbers had objected to the street being designated, as had supported the proposal. Taking this into account, members felt a change should not be imposed.
- Myles Bebbington, Head of Service for Environmental Health and Licensing informed members that street traders had to apply to trade on a Consent Street. Until their application was considered, a street trader could continue trading on that street. Where a street trader parked and the times they could trade on the street, were examples of what could be controlled on a Consent Street. A street trader's licence would be valid for one year on a Consent Street.
- Members discussed the location of A- boards on Broadway, as pictured in the appendix to the report. They were informed by the Head of Service for Environmental Health and Licensing that a Licensing Officer had visited the site and found that the A-boards related to the activities of the pub and not to the pop-up street trading food van. The committee was therefore advised to disregard these photographs.
- Some members felt that designation of the street would not achieve change, but would incur a cost to the Council. Members were informed of the potential costs to the Council if the street was designated, which included two adverts being required at a cost of £277 per advert.
- Councillor Murfitt referred to the concerns of the parish council, which had been raised at the Licensing Sub-Committee which had taken place in July 2017. She informed the committee that one of their concerns had been of safety due to the pop-up food van parking on Broadway, which was a narrow road. She informed the committee that other concerns had been of food odours from the van and noise from a generator. The Head of Service for Environmental Health and Licensing advised the committee that since that sub-committee had taken place, it had become apparent that the pop-up food van had not visited Broadway for a considerable amount of time.
- The Chairman drew the committee's attention to the correspondence from the publican of the Blue Ball pub in the appendix to the report. This suggested that as the pub now had a kitchen, it was not his intention to have a pop up food van more frequently than every other month. Members noted that at the time the van was outside the pub frequently, the pub was having its kitchen refurbished.

Councillor Roberts moved for no action to be taken, with the majority of members voting in favour of this and 1 member abstaining.

The Licensing Committee therefore refused the request by Grantchester Parish Council for the street of Broadway in Grantchester, to be designated a Consent Street under The Local Government (Miscellaneous Provisions) Act 1982. Members agreed the reasons for refusal were:

- The committee took account of the representations made both in favour and against designation of Broadway as a Consent Street.
- The committee considered that the public consultation had not demonstrated overriding reasons to support the Parish Council's request.
- No responsible authority had objected to pop-up food vans trading on Broadway.
- The Committee took account of the representation made by the publican of the Blue Ball Inn, which stated that as the pub had a kitchen their intention was not to have a monthly pop-up food van and suggested that this may instead occur once every couple of months. The Committee also noted that it was indicated in the representation, that the last pop-up van on Broadway had been some time ago.

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

Myles Bebbington, Head of Service for Environmental Health and Licensing, presented the new draft Taxi Licensing Policy and amended conditions of licensing for Hackney Carriage and Private Hire vehicles, drivers and operators. The committee was asked to review and agree this draft document before it was issued for consultation.

The committee reviewed the draft policy, firstly raising a number of points regarding grammar and punctuation. These would be fed back to the Head of Service for Environmental Health and Licensing, outside the meeting.

The use of CCTV in private hire and hackney carriages was discussed:

- Concern was raised that the Council would be imposing significant barriers to entry with the potential introduction of CCTV and wheelchair access requirements.
- Some members expressed support for the use of CCTV in private hire vehicles for the protection of both the customer and the driver.
- As a woman, Councillor Betson spoke in support of having CCTV in both hackney carriage and private hire vehicles.
- Members who had sat on licensing appeals sub-committees which had involved allegations from passengers against drivers of offences of a sexual nature, advised of the potential advantages of having CCTV in hackney carriage and private hire vehicles.
- Members felt that if CCTV were to be installed in hackney carriage and private hire vehicles, signage should be clearly displayed inside, outside and in the back and front of all vehicles, so that passengers were aware of this. The Head of Service for Environmental Health and Licensing advised the committee that clear signage would be needed in order to comply with data protection.
- Members advised that if the requirement for CCTV was implemented, the policy needed to reflect that when a passenger was in the taxi, CCTV should be running.
- Councillor Cuffley as the holder of a private hire driver's licence, expressed concern regarding the potential cost of CCTV, which would make the cost of getting a taxi licence high. Councillor Cuffley supported the use of CCTV in hackney carriages for the protection of the driver. He did not feel that CCTV was necessary in private hire vehicles given these vehicles were pre-booked and therefore the taxi company would have the passenger details.

The Head of Service for Environmental Health and Licensing advised that officers would carry out detailed research into what was available regarding the installation of CCTV in taxis, and the potential costs of this. He informed the committee that enquiries had been received from taxi firms wanting to install CCTV in their vehicles.

The committee voted on the principle of making CCTV a requirement in private hire and hackney carriage vehicles, with the majority voting in favour of this.

The display of driver identification was discussed. Committee members advised that passengers in private hire and hackney carriages, needed to be able to identify their driver without having to ask for their identification.

The committee was informed that:

- The South Cambridgeshire and Cambridge City taxi knowledge test had been trialled for hackney carriage driver applications and officers intended to roll this out to private hire driver applications as well. The aim of this was to raise the standard of drivers getting licences in South Cambridgeshire. The knowledge test would only be taken by new drivers, not drivers renewing their licence as these had

already been deemed 'fit and proper' through the original grant of their licence. The committee was in favour of all existing drivers having to do the knowledge test and felt that those renewing their licence should have to take it as well. Unless the Head of Environmental Health and Licensing found that this would be subject to legal challenge, the committee was in favour of this being phased in over a five year period.

- Under the proposed new policy, it would be mandatory for drivers to sign up to the Disclosure and Barring Service's update service, so that the Council would be notified of any new convictions. The committee supported this requirement.
- A group 2 medical report did not cover mental health. This report was the same medical standard that HGV and LGV drivers undertook and cost £100.
- Panther Taxis had fed back to the Licensing service that it did not feel there were enough wheelchair accessible taxi vehicles in South Cambridgeshire.

The committee discussed the trigger point and penalty point system, with officers recommending the use of the penalty point system. All members voted in favour of consultation on the penalty point system rather than the trigger point system.

The introduction of safeguarding training for drivers was welcomed. The committee was informed that South Cambridgeshire was working with other local authorities in the county to deliver safeguarding and disability awareness training, so that a standard would be set across the county.

Councillor Hales requested it be made a requirement of operators to inform customers of the cost of their fare when booking a taxi, even if the customer did not ask this. The Head of Service for Environmental Health and Licensing agreed to include this in the policy.

Members were informed that Cambridge North Railway Station was in South Cambridgeshire, therefore taxis from outside South Cambridgeshire could only take pre-booked fares from here.

Point 3b of appendix A was discussed, which said that 'The driver shall not allow any lone person to be conveyed in the front of any licensed vehicle'. As a private hire driver, Councillor Cuffley questioned how a driver could impose this if a passenger wanted to sit in the front of the vehicle, for example due to motion sickness. Councillor Hales proposed it be written into the policy that this be addressed at the time of booking, with passengers being informed at the time of booking that the driver could not allow anyone in the front of the vehicle unless the need for this was specified at the time of booking.

The committee was informed that this draft policy would go out to consultation at the beginning of November 2017 and would end around the beginning of January 2018. Responses would be collated and the outcome of the consultation would be brought back to the Licensing Committee and a final decision on the new policy to be taken by full Council after this meeting.

The Licensing Committee approved for consultation, the draft Hackney Carriage and Private Hire licensing policy and conditions, subject to the incorporation of the amendments proposed by the committee.

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**The Meeting ended at 12.37 p.m.**

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