

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Licensing Committee held on
Monday, 11 November 2019 at 10.00 a.m.

PRESENT: Councillor Anna Bradnam – Chairman
Councillor Eileen Wilson – Vice-Chairman

Councillors: Dr. Shrobona Bhattacharya Graham Cone
Jose Hales Geoff Harvey
Steve Hunt Peter McDonald
Deborah Roberts Heather Williams
Alex Malyon

Officers: Mike Hill Director of Housing and Environmental Services
Jennifer Holah Interim Corporate lead for Licensing, Permitting,
Business Operations and Business Process
Improvement
Jane Jackson Senior Resource Officer
Victoria Wallace Scrutiny and Governance Adviser

Apologies for absence were received from Councillor Clare Delderfield.

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 17 October 2018, were agreed as a correct record of the meeting.

3. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY AND CONDITIONS

The Interim Corporate lead for Licensing presented the revised Hackney Carriage and Private Hire Licensing Policy, which had been consulted on with the public.

The Chairman invited Mr Tariq Ahmed, who was in attendance representing the Cambridge Taxi Drivers' Association, to present the petition, 'Taxi Drivers Reject Company Door Sign mandatory by South Cambridge District Council', which had been submitted to the Council in relation to the policy. He raised concerns regarding mandatory door signs and made the following points:

- Taxi drivers were self-employed and worked for many operators; the requirement for door signs would inconvenience drivers who worked for more than one company.
- Taxi drivers were not consulted with widely on this issue. Larger companies were consulted with and supported mandatory door signage, knowing it would be harder for smaller companies to comply with this requirement.
- Mandatory door signage would make drivers more vulnerable. There were concerns about driver safety as drivers would have to leave their vehicles, potentially on busy roads, to change the door signs.
- Customer safety was the primary concern for drivers and door signage did not contribute to this.

- Mr Ahmed suggested the Council should oversee the operators more carefully, to ensure they were working within the guidelines.
- Mr Ahmed asked the committee to consider driver safety as well as customer safety. It was felt that the policy did not take the driver into consideration and targeted them negatively.

Mr Ahmed was invited to speak again later in the meeting and raised issues with the online DBS update service. Mr Ahmed pointed out that not all drivers had email. In response to his concerns, officers informed Mr Ahmed that licences were being suspended rather than revoked, until the driver had done another DBS check.

The committee discussed the proposed amendments to the policy.

Advertising on and in vehicles was discussed. Officers informed the committee that the permission for any advertising was at the licensing officers' discretion. The committee was also informed that the Council did not receive requests for advertising on or in vehicles. Following discussion, as the Council did not receive requests for advertising, Councillor Hales proposed the rewording of 3.22 of the policy to reflect that the Council would not allow any advertising on its vehicles. This was seconded by Councillor Cone.

The committee unanimously **agreed** the following amended wording at 3.22 of the policy:

- **3.22 Advertising**
The Council will not permit any advertising on or in vehicles.

Driver

The committee discussed the proposed changes to the section on drivers. The probation period of one year on all new licences and the requirement to provide two referees was discussed. Committee members agreed with these changes.

The competency test was discussed. Some members felt that drivers who had held their licence since before the competency test was introduced, should have to take this test. It was pointed out by some members that the requirement to complete the test could be added as a condition by the Licensing Appeals Sub-Committee, at taxi licensing hearings.

Vehicles

Proposed changes to the policy relating to vehicles were discussed.

Committee members suggested that the definition of an acceptable vehicle should refer to particulate emissions, rather than just focussing on CO₂, as nitrous oxides were more of a concern regarding air pollution. It was agreed that officers would investigate this further and that the views of the Climate and Environment Advisory Committee would be sought on this, prior to the policy being presented to Council.

The committee discussed whether the age of a vehicle for which a licence would be renewed, should be nine or seven years. Some Members considered that emission levels were more significant than vehicle age. Officers informed the committee that it was proposed that emissions testing took place twice a year as part of Certificate of Compliance (COC) testing. Committee members considered external factors, such as the length of finance agreements taxi drivers were likely to have on their vehicles, which would be limited by a seven-year vehicle age limit for vehicle licence renewals. They also considered factors preventing the move to electric vehicles, such as the high cost and the lack of charging points. The committee **agreed** that the age of vehicle should be nine years, provided the vehicle met emissions standards.

Subject to the views of the Climate and Environment Advisory Committee being sought, the Licensing Committee **agreed** the following amended wording to the policy (amendments in bold text):

- **3.8 Age of Vehicle**

- c) A vehicle licence will not be renewed for a petrol or diesel vehicle unless the vehicle is less than 7 years old **and it complies with emissions standards.**

Door signage/Licence Plate

The committee discussed the mandatory requirement for door signage, which was existing policy to which no changes were proposed. Officers explained that door signage was mandatory for reasons of public safety. The committee was informed by the Chairman that most complaints relating to Private Hire vehicles, came from members of the general public. The general public needed to be able to identify which operator to contact with any concerns regarding a vehicle and would not be able to do this without door signage.

Officers informed the committee that at times when the driver was not working, door signage for their main operator would have to be displayed.

Committee members acknowledged the potential inconvenience to drivers of mandatory door signage, however Members considered this requirement should remain in order to protect public safety. Members suggested it should be made as easy as possible for drivers to change the signage on their doors, with the use of magnetic door signs. The Director of Housing, Health and Environmental Services invited representatives from the taxi industry to come forward with any suggestions on how to make this as easy as possible for drivers.

Officers informed the committee that from January 2020, the Council would be starting a trade forum to enable better engagement with licence holders and operators.

Private Hire Vehicle Plate Exemption

Exempt vehicles were discussed by the committee.

Concern as raised regarding plate exemption as the general public did not know who to complain to regarding exempt vehicles as no signage providing details of the operator, was displayed on these vehicles.

Some Members thought that plate exemption should not exist while others supported plate exemption. Officers informed the committee that legislation allowed for exemption and for signage on the vehicle to be removed with this. Officers explained the measures that were in place to control plate exemptions.

Officers informed the committee that South Cambridgeshire had many exempt operators and a change to the policy relating to this would impact them significantly and would be a dramatic change to the current policy.

Officers informed the committee that in order to get a plate exemption, the company had to have a regular contract with a company. Exempt vehicles could not carry out other Private Hire work and were therefore not competing with non-exempt Private Hire drivers.

The committee **agreed**:

a) that wording regarding wedding vehicles should be amended to the following (amendments/additions shown in bold):

- **3.20 Private Hire Vehicle Notice of Exemption**

- e) the carriage of the bride and/or groom **to/from** a wedding (but not guests)

b) That a clearer definition of exemption was needed. Officers would work on this before the Council's consideration of the policy.

CCTV

Proposals for all vehicles to have CCTV installed by 30 November 2020, were discussed. Officers informed the committee that:

- This was for the protection of both drivers and passengers.
- Exempt vehicles would also be required to install CCTV.
- There would be two options for the positioning of the CCTV cameras, which would be both inward and externally facing. Drivers' own dashcams would not be permitted following the installation of CCTV.
- CCTV would record while the vehicle was on and would continue recording for 30 minutes after the vehicle had been turned off. The system had a back up battery which allowed a further two hours of recording.
- CCTV would have to be fitted by a Council approved fitter.

Committee members indicated their support for CCTV being installed in all Private Hire vehicles, including exempt vehicles.

Operator

The committee discussed the proposed changes to the policy relating to operators.

Committee members indicated their support for the introduction of a one-year probationary period for new operators.

It was suggested that a definition of a 'professional person' should be provided rather than examples being given. Committee members suggested using the list provided when applying for a passport.

Members emphasised the need for operators to take responsibility for their drivers and the importance of them doing so. Members suggested that their responsibilities needed to be emphasised to them.

Members queried whether an obligation could be put on operators to report everything to the Council regarding their drivers, such as incidents reported to them by drivers or complaints made to them against drivers. In response to this, officers informed the committee that operators were being included in the trade forums and officers were looking to carry out more visits to operators.

MOT/Certificate of Compliance (COC)

The committee agreed the proposed changes to the policy, that the vehicle must have a yearly MOT and a COC every six months.

Safety Equipment – Fire Extinguisher

The committee agreed the proposed changes to the policy requiring all vehicles to have

an efficient fire extinguisher carried in a position where it was readily available for use.

Internal Vehicle notice

The committee agreed the proposed change requiring certain information to be displayed inside all licensed vehicles in the form of a Council issued Internal Vehicle notice.

Subject to the incorporation of the agreed amendments, the Licensing Committee **RECOMMENDED** to Council, the approval and adoption of the revised Hackney Carriage and Private Hire Licensing Policy.

The Meeting ended at 1.55 p.m.
