

## South Cambridgeshire District Council

Minutes of a meeting of the Licensing Committee held on  
Monday, 29 November 2021 at 2.00 p.m.

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

Councillors: Dr. Shrobona Bhattacharya      Geoff Harvey  
Mark Howell                                      Steve Hunt  
Peter McDonald                                  Deborah Roberts  
Bill Handley

Officers: Aaron Clarke                              Democratic Service  
Rachel Jackson                                  Principle Licensing Officer  
Paul Weller                                        Senior Litigation Lawyer

Councillor Brian Milnes (Lead Cabinet Member for Environmental Services and Licensing) was in attendance remotely, by invitation.

Apologies for absence were received from Councillor Gavin Clayton, Graham Cone, Clare Delderfield, Jose Hales and Alex Malyon.

### 1.        **Declarations of Interest**

There were no declarations of interest.

### 2.        **Minutes of Previous Meeting**

Cllr Bill Handley had been listed as being absent, when he was present at the meeting. With this alteration, the Licensing Committee authorised the Chair to sign, as a correct record, the minutes of the meeting held Tuesday 7 September 2021.

### 3.        **Hackney Carriage and Private Hire Policy**

The Principal Licensing Officer introduced the item. Panther Taxis thanked the council for considering the trade during its proposals and the effects of the global pandemic on drivers' ability to purchase new vehicles.

The Committee noted the representation from Panther Taxis that many diesels have selective catalytic reduction technology, which brings the emissions ratings of diesel vehicles more in line with petrol vehicles. It was further remarked that by banning the purchase of diesels across the board, there was a potential for inadvertently denying drivers a chance to buy plug-in diesel hybrids. However, Cllr Hunt explained to the Committee that plug-in hybrids revert to their diesel engine

after 45-50 miles without charging, so are not as low on emissions as they may appear. The Committee further noted that the emissions can be worse than diesel standard cars because a plug-in hybrid has a heavy battery that increases fuel consumption and emissions.

It was remarked that due to the covid pandemic, taxi drivers had been operating on extremely low incomes, and that although it would have been reasonable under normal circumstances to have expected drivers to purchase new hybrids, given the circumstances an alteration of the policy to allow older vehicles would provide the drivers an opportunity to recoup their earnings and increase the green fleet.

The Committee noted that South Cambridgeshire District Council had tried to align its policies with Cambridge City Council to ensure that drivers working across both authorities had a uniform set of conditions to abide by, and it was **agreed** that this would be continued where possible, but that flexibility was required.

### **Existing Policy Vehicle Restrictions**

Cllr Deborah Roberts proposed the following policy alterations, which were seconded by Cllr Mark Howell:

- A new petrol vehicle will only be granted a licence if it is under 4 years old until 1 December 2023.

This was unanimously **agreed** by the Committee.

- A new diesel engine vehicle will only be granted a new licence if it is under 4 years old and wheelchair accessible until 1 December 2023.

This was unanimously **agreed** by the Committee.

- A new hybrid vehicle will only be granted if it is under 4 years old until 1 December 2023.

This was **agreed** by the Committee, Cllr Peter McDonald abstained.

The following items were agreed by the Licensing Committee unanimously.

<b>Existing Policy Safeguarding</b>
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<b>Current Policy/Matter for Consideration</b>	<b>Decision of the Committee</b>
Existing drivers, operators and vehicle proprietors must undertake safeguarding course within 12 months of Policy, and on renewal with the pass date no later than 3 months prior to renewal. .	<b>Agreed</b> that: All existing drivers, vehicle proprietors and operators to undertake a safeguarding course within 12 months, and all new applicants prior to licensing. A refresher course may be required.
<b>Proposal - Policy Driving Experience 2.4</b>	
To increase <b>Minimum driving licence</b> of 12 months to 3 years to enhance customer safety. (remove condition 2.4 d) and amend 2.9 a) accordingly).	<b>Agreed</b> that the condition should read: 2.4d) An applicant (for a Private Hire or Hackney Carriage) must have held a valid full United Kingdom issued Driving Licence for at least 3 years. Therefore the minimum age a person could be eligible to apply is 20 years of age.
<b>Proposal - References 2.6</b>	
To remove this requirement as part of the application process.	<b>Agreed</b> that this requirement should be removed.

<b>Proposal - Surrender of Licences 2.23</b>	
<b>Surrender of Licence</b> would be accepted in exceptional cases only, and not where the licence holder is subject to current investigation and/or legal proceedings.	<b>Agreed</b>

<b>Proposal - Hackney Carriage Vehicles 3.6 c) and 3.16</b>	
All existing hackney carriages to be white and WAV by December 2023. Any newly licensed vehicles to meet this standard on implementation of the Policy changes.	<b>Agreed</b> to align the vehicle related amendments by 1 December 2023.

<b>Proposal - General Vehicle conditions - 3.12, 3.16, 3.19, 3.27</b>	
<b>3.12 Certificate of Compliance</b> – removal of 3.12 b) six monthly testing	<b>Agreed:</b> that a Certificate of Compliance that is no older than 1 month at the date of application for both new and renewal. A second test will only be required where advisories on the MOT are noted or reported concerns raised.
<b>3.16 Accessibility</b> – remove the terms “disabled people” and replace with “wheelchair users”.	<b>Agreed</b>
<b>3.19 Exempt vehicles</b> , executive chauffeur services. Delete the word(s) “and plate” so that an alternative identification could be sourced in line with the review of the plate production materials.	<b>Agreed revision:</b> to amend to read “and plate or identification” to ensure that any alternative system does not compromise customer safety or visibility of identification of the vehicle.
<b>3.27 Age Limits; The</b> current policy stipulates a 9-year age limit for all vehicles from December 2021, considering the pandemic and to continue to offer support to the trade propose this is moved to 1 December 2023.	<b>Agreed.</b> In order to support the trade following the pandemic, it is proposed that allowing an additional two years for drivers to change their vehicles would be a reasonable step and would support the Council’s Business Plan priority area of supporting the local economy to recover post-pandemic.
<b>3.27 (i)</b> (and elsewhere in the documents) Delete the reference made to aligning with City of Cambridge Policy .	<b>Agreed.</b> Whilst Members wished to see continued partnership working, there was no need to mention such in the Policy.
<b>Appendix D (i)</b> – remove “and to an angle of at least 60 degrees” (doors).	<b>Agreed.</b>
<b>Appendix D (i)</b> insert new requirement <b>Maximum number of seats</b> All vehicles licensed to carry in excess of four passengers will only be licensed where: (i) the access and egress of passengers	<b>Agreed.</b> (Effective 1 December 2021).

<p>can be achieved without the need to remove existing seating, and</p> <p>(ii) all seats are fitted with seat belts in accordance with legal or manufacturer standards, and</p> <p>(iii) the height between the seat and the foot well of the rear seats is consistent.</p>	
<b>Proposal - Amendments to Appendices and Driver Handbook</b>	
<p><b>Appendix A Code of Conduct</b></p> <p>Delete duplications at <b>12, 16 and 25</b> (Competency Test, Safeguarding and DBS update). as these are covered elsewhere in the Policy and/or conditions.</p>	<p><b>Agreed.</b></p>
<p><b>Appendix E Private Hire Exemptions</b></p> <ol style="list-style-type: none"> <li>1. Remove the word “plate” and replace “notice” with “certificate”</li> <li>2. Delete not required</li> <li>3. Delete “internal licence”</li> <li>4. Delete “internal plate”</li> <li>5. Replace “notice” with “certificate”</li> </ol>	<p><b>Agreed</b> amendments as per 3.19 above.</p>
<p><b>Driver Handbook</b></p> <p><b>31. Competency Test</b></p> <p>Scope to move to an external provider which offers combined competency with driving skills, so replace <b>c)</b> course as approved by the Council. Delete the rest in this section.</p> <p><b>32.</b> Replace <b>b)</b> with as approved by the Council. Delete the rest of this section.</p>	<p><b>Agreed.</b></p> <p>Administrative changes only to reflect move to online assessments.</p>
<p><b>34.</b> References – proposed this requirement is removed as above at 2.6</p>	<p><b>Agreed.</b></p>
<p><b>39. DBS</b></p> <p>Reword “Applicants are required to</p>	<p><b>Agreed.</b></p> <p>Members noted that there is no compromise to the existing standard</p>

<p>produce an original enhanced DBS certificate to <b>a)</b> Applicants are required to apply online for an enhanced DBS ... Delete <b>b)</b>, Reword <b>c)</b> The Authority will require evidence of your identity to complete the online DBS ....</p>	<p>of checks and is an administrative amendment only.</p>
<p><b>Existing Policy Vehicle Restrictions</b></p>	
<p>As of 1 December 2023, a licence will be renewed for a petrol or diesel vehicle, only if the vehicle is less than 9 years old and complies with at least the Euro 5 emission standards limiting CO, NOX and particle matter emissions introduced in September 2011. Please see Hackney Carriage and Private Hire Handbook for current criteria.</p>	<p><b>Agreed.</b> In order to support the trade following the pandemic, it was proposed that allowing an additional two years for drivers to change their vehicles would be a reasonable step and would support the Council's Business Plan priority area of supporting the local economy to recover in the post-pandemic period.</p>
<p>Any newly licensed vehicle must be ULEV or Zero emission from 1 December 2021</p>	<p><b>Agreed.</b> Members discussed at length the results of the combined CCC/SCDC project and heard how of the 17 proposed sites for electric vehicle charging points in South Cambridgeshire, none had progressed and that most charging points were located in Cambridge City. Due to this situation and the high cost of drivers having to switch to an ULEV/zero emission vehicle, the Committee agreed it was appropriate to move the implementation date to 1 December 2023. It was also <b>agreed</b> that the Committee would review this policy before 1 December 2023.</p>

#### 4. Street Trading Policy

The Principal Licensing Officer introduced the item, it was explained that Counsel opinion had not been received regarding the introduction of the 'Host Premises Consent' by the time of the meeting. It was seen that there was no reason to delay the consultation to wait for counsel's opinion as there was no decision being made and that the Counsel would be considered along with any consultation responses. It was noted that the purpose of the policy was to standardise the process for street trading across the district.

It was explained that the 'Host Premises Consent' would mean that premises such as a pub or carpark could apply to be designated as a 'Host Premise'. Any trader would then obtain a licence from South Cambs District Council to trade at any of these locations.

The Licensing Committee resolved by affirmation to:

- Adopt Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 ("The Act") for the whole of the South Cambridgeshire District and designate all roads and streets within the District as Consent Streets (with the exception of the A11 and A14) to take effect from 1 March 2022.
- Recommend that the draft Street Trading Policy be circulated for public consultation, with this Committee approving the final Policy after the consultation exercise.

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**The Meeting ended at 15:45**

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