

LICENSING COMMITTEE
05/03/2019 at 9.30 am



Present: Councillor Briggs (Chair)
Councillors Byrne, Cosgrove (Vice-Chair), Garry, C. Gloster,
Haque, Harrison, Malik, Moores, Price and Shuttleworth

Also in Attendance:

John Garforth	Trading Standards and Licensing Manager
Lori Hughes	Constitutional Services
Shamim Iqbal	Licensing
David Joy	Solicitor

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor A. Alexander.

2 **URGENT BUSINESS**

There were no items of urgent business received.

3 **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

4 **PUBLIC QUESTION TIME**

There were no public questions received.

5 **MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the Licensing Committee held on 6th November 2018 be approved as a correct record.

6 **LICENSING UPDATE**

The Committee gave consideration to a report on the activity and key priorities and projects within the Council's Licensing Function.

Members were informed of the Clean Air Conversation. A range of measures had been shortlisted which would have an impact on the taxi and private hire trades. No final decision had been taken on measures to be included in the GM Clean Air Plan. Work was ongoing to support the Clean Air Project on the GM Licensing Network who were working on the GM Minimum Standards proposals. The project would not involve private cars but would affect commercial vehicles such as taxis and private hire vehicles. A range of measures was being investigated. A bid was being prepared to support the private hire trade in Greater Manchester in changing and upgrading vehicles. Proposals would be made on common licensing conditions, standards for vehicles and criteria for licence holders to be agreed by all Greater Manchester authorities.

Members sought and received clarification on the implementation time and age of vehicles.

Members were also informed about Greater Manchester Minimum Standards which included a consultation on GM minimum licensing standards for the taxi and private hire trade.

Members were also provided an update on the vehicle testing results, panel hearings, animal licensing and the Licensing Register. The National Licensing Register was currently a voluntary scheme, but it was proposed to make the register mandatory in order to review all revocations. There were also two other issues related to a national register of vehicles linked to clean air charging zones and ensuring drivers were registered to pay tax.

Members sought and received clarification on the reasons for vehicle failures and when licences would be suspended due to the type of fault. Members sought and received clarification on tyre failure and informed that Licensing standards were more robust than the legal minimum.

Members queried if licence holders who had repeated failures were being referred to Panel. Members were informed that cases had been referred to Panel where there had been serious non-compliance and serial offenders.

RESOLVED that the Licensing Update and the comments provided be noted.

7

GOVERNMENT RESPONSE TO THE WORKING PARTY ON TAXIS

The Committee gave consideration to a report which advised members of the Government response to the Department for Transport Ministerial Working Party review of Taxi and Private Hire Licensing.

In September 2017, the Transport Minister had requested a working party be convened to review the current regulatory regime for taxis and private hire as it was considered fit for purpose. The working party was convened and their report published in September 2018. The Government had recently published their response to the recommendations in the report. Consultation was launched on the statutory guidance to licensing authorities. The main proposals included:

- Implementing national minimum standards via legislation
- Statutory guidance
- Restricting cross border working
- National enforcement powers
- Examination of fixed penalty powers
- Support for CCTV in licensed vehicles
- Enhanced DBS checks and update service
- Convictions guidance
- Mandatory national database
- Training for Officers and Councillors
- Training for licence holders
- English communication skills

- Access to wheelchair accessible vehicle

The Department for Transport were working with the Local Government Association (LGA) Consultation Group.



Members expressed concern on cross border working and asked where those drivers who were licensed elsewhere but driving in Oldham had vehicles tested and licence holder issues. Members sought and received clarification on what action could be taken against operators who hired drivers who were licenced outside the authority and the operator meeting the fit and proper test.

Members asked about CCTV and were informed that CCTV was generally kept for 28 days. Audio could not be mandated.

Members were informed about the quality of DBS checks. It was also confirmed to members that all licence holders attended safeguarding training.

RESOLVED the Government Response to the Working Party on Taxis and the comments provided be noted.

The meeting started at 9.30 am and ended at 11.20 am