

***LICENSING COMMITTEE  
Regulatory Committee  
Agenda***

Date Tuesday 4 June 2019

Time 9.30 am

Venue Crompton Suite, Civic Centre, Oldham, West Street, Oldham, OL1 1NL

Notes 1. DECLARATIONS OF INTEREST- If a Member requires any advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote he/she is advised to contact Paul Entwistle or Kaidy McCann in advance of the meeting.

2. CONTACT OFFICER for this Agenda is Kaidy McCann Tel. 0161 770 5151 or email [Kaidy.McCann@oldham.gov.uk](mailto:Kaidy.McCann@oldham.gov.uk)

3. PUBLIC QUESTIONS – Any member of the public wishing to ask a question at the above meeting can do so only if a written copy of the question is submitted to the Contact officer by 12 Noon on Thursday, 30 May 2019.

4. FILMING - The Council, members of the public and the press may record / film / photograph or broadcast this meeting when the public and the press are not lawfully excluded. Any member of the public who attends a meeting and objects to being filmed should advise the Constitutional Services Officer who will instruct that they are not included in the filming.

Please note that anyone using recording equipment both audio and visual will not be permitted to leave the equipment in the room where a private meeting is held.

Recording and reporting the Council's meetings is subject to the law including the law of defamation, the Human Rights Act, the Data Protection Act and the law on public order offences.

MEMBERSHIP OF THE LICENSING COMMITTEE IS AS FOLLOWS:  
Councillors M Bashforth, Briggs (Chair), Cosgrove, Garry, C. Gloster, Harrison, Hewitt, A Hussain, Malik, McLaren, Moores, Price, Sheldon and Shuttleworth

Item No

1 Election of Vice-Chair

The Panel is asked to elect a Vice-Chair for the Municipal Year 2019/2020.

2 Apologies For Absence

3 Urgent Business

Urgent business, if any, introduced by the Chair

4 Declarations of Interest

To Receive Declarations of Interest in any Contract or matter to be discussed at the meeting.

5 Public Question Time

To receive Questions from the Public, in accordance with the Council's Constitution.

6 Minutes of Previous Meeting (Pages 1 - 4)

The Minutes of the Licensing Committee held on 5<sup>th</sup> March 2019 are attached for approval.

7 Licensing Annual Report

Report to follow.

8 Composition of Licensing Panels (Pages 5 - 6)



**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 6<sup>th</sup> 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

- 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

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## COMPOSITION OF PANELS – 2019/20

### (a) Licensing Driver Panel (Labour 6 / Lib Dem 1)

7 Members to serve on this Panel, with all other Members of the Licensing Committee to serve as substitutes, as required: -

No.	Party	Councillor (8)	Dates of Future Meetings
1.	Lab	Briggs (C)	<b>Tuesday 11th June 2019</b>
2.	Lab	Cosgrove	<b>Tuesday 9<sup>th</sup> July 2019</b>
3.	Lab	Price	<b>Tuesday 10<sup>th</sup> September 2019</b>
4.	Lab	Shuttleworth	<b>Tuesday 8<sup>th</sup> October 2019</b>
5.	Lab	Garry	<b>Tuesday 12<sup>th</sup> November 2019</b>
6.	Lab	Moores	<b>Tuesday 10<sup>th</sup> December 2019</b>
7.	Lib Dem	Gloster	<b>2020</b>
			<b>Tuesday 14<sup>th</sup> January 2020</b>
			<b>Tuesday 4<sup>th</sup> February 2020</b>
			<b>Tuesday 10<sup>th</sup> March 2020</b>
			<b>Tuesday 7<sup>th</sup> April 2020</b>

### (b) Licensing Panels

5 Panels consisting of 3 Members, with all other Members of the Licensing Committee to serve as substitutes, as required: -

#### PANEL 1

No.	Councillor (3)	Dates of Future meetings
1.	Briggs	<b>Tuesday 11th June 2019</b>
2.	Malik	<b>Tuesday 14<sup>th</sup> January 2020</b>
3.	Gloster	

#### PANEL 2

No.	Councillor (3)	Dates of Future Meetings
1.	Moores	<b>Tuesday 9<sup>th</sup> July 2019</b>
2.	Price	<b>Tuesday 4<sup>th</sup> February 2020</b>
3.	Sheldon	

#### PANEL 3

No.	Councillor (3)	Dates of Future Meetings
1.	Garry	<b>Tuesday 10<sup>th</sup> September 2019</b>
2.	Shuttleworth	<b>Tuesday 10<sup>th</sup> December 2019</b>
3.	A. Hussain	

**PANEL 4**

No.	Councillor (3)	Dates of Future Meetings
1.	McLaren	<b>Tuesday 8<sup>th</sup> October 2019</b>
2.	M Bashforth	<b>Tuesday 10<sup>th</sup> March 2020</b>
3.	Gloster	

**PANEL 5**

No.	Councillor (3)	Dates of Future Meetings
1.	Harrison	<b>Tuesday 12<sup>th</sup> November 2019</b>
2.	Hewitt	<b>Tuesday 7<sup>th</sup> April 2020</b>
3.	Sheldon	

**(Please note that all Licensing Panels will be held at the Civic Centre, Oldham)**