

LICENSING COMMITTEE
31/10/2023 at 9.30 am



Present: Councillor S. Hussain (Chair)
Councillors Byrne, Cosgrove, Fryer, Hamblett, H. Harrison,
J. Hussain (Vice-Chair), Islam, Kenyon, McLaren, Sheldon and
Wahid

Also in Attendance:

Laila Chowdhury	Constitutional Services
Alan Evans	Group Solicitor - Environment
John Garforth	Trading Standards and Licensing Manager
Susan Loftus	Licensing Projects & Hearings Officer
Nicola Lord	Principal Licensing Officer

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Nasheen.

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**

RESOLVED that the minutes of the meeting of the Licensing Committee held on 6th June 2023 be approved as a correct record.

6 **LICENSING UPDATE**

The Principal Licensing Officer provided the Committee with a verbal report which informed the Committee of initiatives, priorities and activities undertaken within the Council's licensing function about which Members asked questions and Officers/Manager provided responses.

Members were informed that in July 2023, a taxi Private Hire multiagency initiative was undertaken with the testers from Oldham Council depot, DVSA, GMP, Department of Work and Pensions and the licensing team at Wolverhampton City Council.

A random selection of private hire/hackney carriage vehicles were taken to the Council's test station to undertake a full compliance test as well as spot checks.

A total of 26 vehicles were tested, of which 17 vehicles were licensed by the Council. The results of the testing were -

- 12 out of 17 Oldham vehicles passed

- 5 vehicles were suspended and
- 1 driver was found to be driving without a licence which had expired the week before

The results of the tests conducted on the 9 vehicles licensed by Wolverhampton City Council were –

- only 1 vehicle passed the test
- 4 vehicles were suspended
- 2 vehicles were issued with immediate prohibition as they were not road worthy and
- 2 vehicles were issued with a delayed prohibition

The Officer agreed to circulate a report to Members providing further details on the suspensions of the Wolverhampton and Oldham vehicles and the Committee were informed that the issues identified have been raised and fed back to the Licensing Manager at Wolverhampton.

The Licensing Committee approved a change to the Council's licensing policy on 6th June 2023. As a result of this, there has been a total of 1149 new driver applications received of which 291 have already been dealt with whilst the rest are being considered. Before the changes were implemented, Oldham licensed around 1300 drivers and the current number is nearly 1600 (1561). Approximately 200 new vehicle license applications have been received since the policy change.

The committee were informed that Wolverhampton Council have around 36,000 licensed vehicles and approximately 8,000 Greater Manchester residents have licenses in Wolverhampton.

The Manager informed the Committee that due to the number of new driver licence applications a bigger venue is now being used for driver application tests so 60 people can sit the test at once, making the process quicker.

RESOLVED: That the report be noted.

7

TAXI AND PRIVATE HIRE LICENSING POLICY

Consideration was given to a report of the Trading Standards and Licencing Manager which requested that Members approve a revised Licencing Policy for Taxis and Private Hire, which included proposals on vehicle age, testing criteria and certificates of good conduct.

On 6 June 2023, a report was presented to Members with proposals to revise the Taxi & Private Hire Licensing Policy following consultation with the trade in relation to application requirements, vehicle minimum age policy and private hire door signs to help streamline and modernise some procedures with an emphasis on maintaining public safety and considering the economic situation.

Vehicle Age Policy



Proposed policy requirements:

Vehicles new to licence, or applicants who seek to change their vehicle during an existing licence, will be licensed until the age of 12, or the age of 15 in the case of purpose-built hackney carriages, or wheelchair accessible vehicles (WAVs).

The above requirements are subject to all new and replacement vehicles meeting the latest emission standard which is outlined in the existing policy.

Members were encouraged to amend the policy so that once again Oldham can get to a situation where a licenced vehicle can stay on fleet until 12 years of age or 15 in case of a purpose built Hackney carriage or wheelchair accessible vehicle, that will not change any existing policies that apply to those vehicles but simply mean to revert back to where Oldham were a couple of years ago.

A Member proposed to accept the report, another seconded. All Members of the Committee agreed on the proposal.

Vehicle Testing

Vehicle Test Criteria

The Manager informed that in Oldham, an age compliance test system is operated. The licencing law allows licenced vehicles either to have an MOT or a compliance test which is a council dictated test, with their own standards and the council has set standards above the standards of the MOT test.

The Officer summarised that all licencing authorities within GM conduct checks on vehicles to be used as Hackney carriage or Private Hire. Some authorities issue an MOT certificate as part of that testing process, and others including Oldham make use of an MOT certificate exemption. It is proposed that we issue an MOT certificate as part of the test.

Certificates of Good Conduct

The Manager informed the Committee of the existing policy standard for applicants, which follows Government guidance.

The Committee were informed that when applying for UK residency the Border Agency and Home Office do their own checks and licencing will not grant a licence to someone who has a serious crime, therefore need to have their own checks in place. In theory and practise contacting every Embassy and Consulate does not work as they have their own issues. Licencing does the best they can to get the information into the UK, to do a fair assessment on someone's fitness to be a licenced driver.

RESOLVED that:

1. The report be noted;

2. The Vehicle Age Policy be amended so that vehicles new to licence, or applicants who seek to change their vehicle during an existing licence, will be licensed until the age of 12, or the age of 15 in the case of purpose-built hackney carriages or wheelchair accessible vehicles (WAVs), subject to all new and replacement vehicles meeting the latest emission standard as outlined in the existing policy noted;
3. The Vehicle Testing Frequency be amended as follows:
 - Vehicles under 3 years of age – 1 test per year
 - Vehicles 3 years of age – 2 tests per year;
4. MOT certificates be issued as part of the vehicle testing process following the preparation of new testing criteria the authorisation of the existing test bays by the DVSA; and
5. Where an applicant has lived outside the UK for more than three continuous months within the last 5 years, they must obtain a certificate of good conduct authenticated and translated into English by the relevant Embassy or Consulate to assess their suitability and review any previous convictions.

The meeting started at 9.30 am and ended at 11.18 am