

Report to LICENSING COMMITTEE

Licensing Update

Portfolio Holder:

Cllr A. Shah – Cabinet Member for Neighbourhoods

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Reason for the Report

The reason for this report is to advise Members of activity and key priorities and projects within the Council's licensing function.

Recommendations

Members are asked to note the report and feedback any comments on its content.

Licensing Update

1 Clean Air Conversation

- 1.1 Officers have recently met with trade representatives to explain the largest environmental risk to public health which contributes to 1200 deaths in Greater Manchester. The Government have mandated Local Authorities to reduce nitrogen dioxide to within safe levels.
- 1.2 A range of measures have been shortlisted which will impact on the taxi and private hire trades. These include:
 - Charging clean air zones
 - Support for Taxis and private hire vehicles to change to compliant vehicles; and
 - Electric vehicle incentives
- 1.3 If a clean air zone is introduced across Greater Manchester penalties will be issued to non-compliant vehicles. A non-complaint vehicle is a petrol vehicle manufactured before 2004 or a diesel vehicle manufactured before 2015.
- 1.4 No final decisions have been taken yet on the measures to be included in the final GM Clean Air Plan but work so far indicates that some form of clean air zone is likely to be necessary to comply with the Government guidance requiring nitrogen dioxide reduction in the shortest possible time.
- 1.5 In Greater Manchester the ten licensing authorities licence 2100 taxis and 13,800 private hire vehicles. 89% of taxis are non-compliant and 67% of private hires. In Oldham this equates to 64 taxis (hackney carriages) and 699 private hire vehicles.
- 1.6 Work is ongoing to support the Clean Air Project with Officers on the GM Licensing Network who are working up proposals for GM Minimum Standards. Working on ongoing to bid for Government money to support vehicle owners who may need to change vehicles.

2 Greater Manchester Minimum Standards

- 2.1 A consultation will commence in early summer of GM minimum licensing standards for the taxi and private hire trade. Areas this will include are:
 - Common licence conditions
 - GM suitability criteria for licence holders
 - Licensed operator standards
 - Licensed vehicle standards
 - Licensed driver standards
- 2.2 Officers are closely examining the proposed statutory guidance and looking at options for national minimum standards to dovetail local policy into the process.
- 2.3 Members will receive further briefings ahead of final proposals being tabled later in 2019.

3 Vehicle testing results

3.1 A new electronic vehicle test booking and recording system was launched in September 2018 which allows drivers to book tests dates and times that suit them and for testers to record results electronically with test reminders and results being emailed to drivers.

3.2 The results below show the pass and fail rate together with the most common reasons for failure.

Month	Pass	Fail
September 2018	136	62
October 2018	155	46
November 2018	184	81
December 2018	128	52
January 2019	145	74
Total	748	315 (29%)

The top three reasons for failure by month are listed below:

Month	Reason 1	Reason 2	Reason 3
September 2018	Rear lamps	Fire Extinguisher	Suspension
October 2018	Rear lamps	Suspension	Tyres
November 2018	Rear lamps	Fire Extinguisher	Licence plates
December 2018	Fire Extinguisher	Rear lamps	Indicators
January 2019	Fire Extinguisher	Suspension	Indicators

4 Panel Hearings

4.1 Several hearings have taken place under the Licensing Act 2003 and are detailed below:

Premises	Outcome
Royal Oak, Oldham Road, Failsworth	Operating schedule amended
Chadderton Bar & Grill	Licence revoked
Club VibeZ, Yorkshire Street, Oldham	Licence revoked

4.2 Hearings before the Drivers Panel and Officer decisions are detailed below:

Warnings issued	1
Applications refused	5
Licences suspended	7
Licences revoked	7
Licences granted	2
Licences granted with suspension	5
Officer refusals	3
Officer revocations	5

Appeals lodged from those decisions are as follows:

Appeals withdrawn	1
Appeals dismissed by the court	5
Appeals allowed	1
Appeals still pending	2

5 **Animal Licensing**

5.1 New legislation introduced in October 2018 brought forward a new licensing regime for those who operate businesses involving animals. These include:

- Selling animals as pets
- Home boarders of dogs
- Dog breeders
- Hiring out of horses
- Boarding of Dogs and/or cats in kennels
- Day care for dogs
- Keeping of animals for exhibition

The above licences compliment existing licensing regimes for the keeping of dangerous wild animals and for zoos.

5.2 Officers are now issuing the first round of licences under a much more robust and regulatory framework which involve longer inspections mid term spot check visits. The new system includes a star rating scheme which rewards improved standards with longer licences.

6 **Licensing Register**

6.1 The Local Government Association funded the creation of a national register of refusals and revocations of driver licences. Whilst this is a voluntary scheme at present there are plans to make this mandatory. This register is a useful tool in identifying those who have applied for licences elsewhere and have been either refused or had licences revoked and have not told the Council they are applying to.

7 **Recommendations**

7.1 Members are asked to note the report and feedback any comments on its content.

8 **Preferred Option**

8.1 N/A

9 **Consultation**

9.1 N/A

10 **Financial Implications**

10.1 None

11	Legal Services Comments
11.1	Information only report
12	Co-operative Agenda
12.1	Not applicable
13	Human Resources Comments
13.1	Not applicable
14	Risk Assessments
140.1	Not applicable
15	IT Implications
15.1	None
16	Property Implications
16.1	None
17	Procurement Implications
17.1	None
18	Environmental and Health & Safety Implications
18.1	None
19	Equality, community cohesion and crime implications
19.1	None
20	Equality Impact Assessment Completed?
20.1	No
21	Key Decision
21.1	No
22	Key Decision Reference
22.1	N/A
23	Background Papers
23.1	None
24	Appendices
24.1	None