

**LICENSING COMMITTEE**  
**06/03/2018 at 9.30 am**



**Present:** Councillor Briggs (Chair)  
Councillors Brock, Garry, Gloster, Malik, McLaren and Shuttleworth

Also in Attendance:

John Garforth	Trading Standards & Licensing Manager
David Joy	Solicitor
Sian Walter-Browne	Constitutional Services
Russell Williams	Senior Licensing Officer

1           **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Cosgrove.

2           **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

3           **URGENT BUSINESS**

There were no items of urgent business received.

4           **PUBLIC QUESTION TIME**

No public questions had been received.

5           **MINUTES OF PREVIOUS MEETING**

**RESOLVED** that the minutes of the meetings of the Licensing Committee held on 7th November 2017 and 6th February 2018 be approved as a correct record.

6           **LICENSING UPDATE REPORT**

The Committee considered a report which provided an update on activities undertaken to discharge the Council's Licensing Function during the period November 2017 to March 2018.

The activities highlighted to the Committee included information related to Licensed Premises, under-age sales of alcohol, work ongoing with the private hire and Hackney trade, activity of the Licensing Driver Panel, and vehicle testing data.

Members noted that there had been a number of applications considered by the Licensing Panel and that the Licensing Driver Panel had considered 13 cases.

Members noted the legal update informing them that the Department for Transport had set up a working party to look at how taxi and private hire legislation may need changing. The Local Government Association would be feeding in comments and professional associations had been asked to submit written

representations. The working party was due to report its interim findings soon.



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Members were informed that the Licensing of Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Bill had been laid before Parliament as a private members bill and was due for a further reading in October 2018.

A report had also recently been published by the Suzy Lamplugh Trust titled 'Steering towards safer taxi and private hire licensing', which covered failures within the licensing system, what should be best practice and within legislation. The report made ten recommendations and copies were available for Members. Oldham Council would be signing up to the national database due to be implemented in Spring 2018.

The Committee noted that the Greater Manchester Combined Authority had also been discussing minimum standards for the taxi and private hire trade and the Greater Manchester Mayor, Council Leaders and Chief Executives had all agreed that a piece of work be undertaken by the Licensing Managers and Transport for Greater Manchester to develop common minimum standards.

Members sought clarification on the use of a taxi vehicle by the driver or their family for personal use. They were informed that insurance policies varied and may allow social and domestic use as well as business use. Members asked that a representative from the Motor Insurers Bureau be invited to attend a future meeting.

Members asked for and received clarification on the increased pass rate for vehicles tested. They were informed that service records had to be produced for all vehicles over five years old and vehicles would not be tested without them. The Committee indicated that its thanks for the improvement would be passed to the trade via trade meetings and the Council's newsletter.

**RESOLVED** that:

- 1) The report be noted.
- 2) The implications of the report on future licensing decisions be noted.
- 3) A representative from the Motor Insurers Bureau be invited to a future meeting of the Committee.

7

## **PRIVATE HIRE & HACKNEY CARRIAGE POLICY & CONDITIONS - PROPOSED CHANGES**

The Committee considered a report which informed Members of the results of a consultation on proposed changes to the current private hire and hackney carriage licensing policy and conditions, and asked them to consider implementing the proposed changes.

Members asked for and received clarification on the nature and cost of the Autolign inspection. Information was also provided on the cost to the applicant of resitting the driver knowledge tests, the availability of feedback to those that did not pass and the requirement to produce photo identification to sit the tests.

Members asked for and received further information in relation to the proposals to remove star rating stickers from vehicles. They noted that the current stickers were clearly visible from a safe distance and assisted the public in identifying that the vehicle was a genuine taxi. A small window disc would not be clearly visible and a member of the public would need to be already inside the vehicle to see anything displayed on the fare table.

Further information was provided in relation to base staff, who were not currently regulated. It was clarified that, if agreed, the requirements would come into effect from the next licence renewal and that consideration would be given to phasing in the requirements and building in a condition to apply them to new staff.

**RESOLVED that the proposals in relation to:-**

1. Vehicle Tests be AGREED.
2. Written Off Vehicles be AGREED, subject to the amendment of the proposals in relation to Category N, to state that a satisfactory Autolign report may be required, dependent on the insurance assessment report.
3. Safeguarding Matters be AGREED.
4. Driver Knowledge Tests be DEFERRED and brought back for consideration when the outcome of the discussions between the Greater Manchester Authorities was known.
5. Drivers Badges – Lanyard be AGREED.
6. Removal of Front Plate be DEFERRED and brought back for consideration when the current trial had run for twelve months and been assessed.
7. Star Rating Stickers were NOT AGREED on the grounds of public safety.
8. Statement of Fitness and Suitability be AGREED.
9. Changes to Private Hire Operator Conditions/Policy be AGREED on the grounds of safeguarding.

The meeting started at 9.30 am and ended at 11.14 am