

## ***LICENSING COMMITTEE Regulatory Committee Agenda***

Date Tuesday 5 November 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, 31 October 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 Apologies For Absence

2       Declarations of Interest

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

3       Urgent Business

Urgent business, if any, introduced by the Chair

4       Public Question Time

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

5       Minutes of Previous Meeting (Pages 1 - 4)

The Minutes of the Licensing Committee held on 4<sup>th</sup> June 2019 are attached for approval.

6       Licensing Update (Pages 5 - 10)

To update members on the activity of the Licensing Team and provide an update on changes.

7       Amendments to Animal Welfare Policy (Pages 11 - 14)

To request members make an amendment to the Animal Welfare Licensing Policy

8       Amendments to Taxi/PH Licensing Policy (Pages 15 - 20)

To request members approve a series of amendments to the Taxi/PH Licensing Policy

**Present:** Councillor Briggs (Chair)  
Councillors Cosgrove, A Hussain, Moores, Price and  
Shuttleworth

Also in Attendance:

Alan Evans	Group Solicitor
John Garforth	Trading Standards and Licensing Manager
Kaidy McCann	Constitutional Services

**1            ELECTION OF VICE-CHAIR**

**RESOLVED** that Councillor Cosgrove be elected Vice-Chair for the forthcoming municipal year.

**2            APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor M. Bashforth, Councillor Garry, Councillor C. Gloster, Councillor Harrison, Councillor Malik and Councillor McLaren.

**3            URGENT BUSINESS**

There were no items of urgent business received.

**4            DECLARATIONS OF INTEREST**

There were no declarations of interest received.

**5            PUBLIC QUESTION TIME**

A public question was received from Mr A R Khayal:

“We were forced to pay £24.00 for checking DVLA records when this is free available to the drivers.

When Manchester council along with other council don't charge for this service.

Why Oldham licensing forcing these charges upon on us.”

The following response was provided by the Chair:

“Thank you for your question.

It is the Council's duty to ensure that drivers a fit and proper to hold a licence. We fulfil this duty by a series of checks on applicants and existing licence holders.

To enable the Council to control the situation, including conducting checks on existing drivers as and when necessary, it was decided that the current provider we are using could deliver what we wanted. This does come at a cost to the trade.

If we relied solely on the driver to produce his record, we would not have the ability to check it when we required updated information without gaining consent on each occasion.

Whilst it is acknowledged that other Councils use different ways of checking records, we are happy with the service we are using but will continue to monitor cost and review best practice when considering future policy.”

6 **MINUTES OF PREVIOUS MEETING**

**RESOLVED** that the minutes of the meeting held on 5<sup>th</sup> March 2019 be approved as a correct record.

7 **LICENSING ANNUAL REPORT**

Consideration was given to a report of the Trading Standards and Licensing Manager which sought to inform the committee of the activities undertaken to discharge the Council's licensing functions during the period 1<sup>st</sup> April 2018 to 30<sup>th</sup> April 2019.

It was explained that the licensing function encompassed two strategic objectives:

- To work with businesses to ensure they were licensed and compliant;
- To ensure safe passenger journeys, in safe licensed vehicles with safe licensed drivers.

It was also explained that the legislation that underpinned the Council's licensing function was the Licensing Act 2003 whose main objectives were:

- Prevention of crime and disorder;
- Prevention of public nuisance;
- Public safety;
- Protection of children from harm

The number of licensed premises under the Act for year ending 31<sup>st</sup> March 2019 were reported: these were 3668 in total. In the last 12 months, 3 applications to the Licensing Premises panel had been considered. It was also reported that 43 complaints had been received in relation to premises licenced under the Licensing Act 2003.

Applications under the Gambling Act 2005 continued to be in minor numbers and officers continued to work closely with the Gambling Commission to ensure compliance with licence conditions.

Trading Standards Officers continued to monitor premises where intelligence suggested attempts to purchase alcohol or other restricted goods by children. Figures relating to this issue were outlined in the report. Training would continue to be provided for all businesses regarding selling age restricted products.

With regards to the business of the Licensing Driver Panel, it was reported that since April 2018, a total of 42 determinations by the Panel or Officers had been held.

The details on the number of licences in force were provided as well as the figures concerning complaints and enforcement.

Members were also informed of current projects concerning the Star Rating Scheme, which was being reviewed in line with the proposals in relation to the Greater Manchester Minimum Standards Project. A consultation was set to be launched in the summer which would include:

- Age of vehicles linked to emissions and Air Quality;
- Updating the fit and proper guidelines for determining applications and reviewing licences;
- Spoken English test;
- Drivers code of conduct;
- Improving vehicle testing standards;
- Private hire operator code of conduct and safeguarding policy;
- Executive Hire Policy.

**RESOLVED that:**

1. The report be noted;
2. The implications of the report be considered in future licensing decisions.

8

**COMPOSITION OF LICENSING PANELS**

Consideration was given to the proposals as outlined in the report, for the composition of the Licencing Driver Panel and the Licensing Panels for the Municipal Year 2019/20.

**RESOLVED** that, the composition of Panels for the Municipal Year 2019/20 be agreed as follows:

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	Moore	<b>Tuesday 10<sup>th</sup> December 2019</b>
7.	Lib Dem	Gloster	<b><u>2020</u></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>

## PANEL 1

No.	Councillor (3)	Dates of Future meetings
1.	Briggs	<b>Tuesday 18<sup>th</sup> June 2019</b>
2.	Malik	<b>Tuesday 17<sup>th</sup> December 2019</b>
3.	Gloster	



## PANEL 2

No.	Councillor (3)	Dates of Future Meetings
1.	Moores	<b>Tuesday 16<sup>th</sup> July 2019</b>
2.	Price	<b>Tuesday 21<sup>st</sup> January 2020</b>
3.	Sheldon	

## PANEL 3

No.	Councillor (3)	Dates of Future Meetings
1.	Garry	<b>Tuesday 17<sup>th</sup> September 2019</b>
2.	Shuttleworth	<b>Tuesday 11<sup>th</sup> February 2020</b>
3.	A. Hussain	

## PANEL 4

No.	Councillor (3)	Dates of Future Meetings
1.	McLaren	<b>Tuesday 15<sup>th</sup> October 2019</b>
2.	M Bashforth	<b>Tuesday 17<sup>th</sup> March 2020</b>
3.	Gloster	

## PANEL 5

No.	Councillor (3)	Dates of Future Meetings
1.	Harrison	<b>Tuesday 19<sup>th</sup> November 2019</b>
2.	Hewitt	<b>Tuesday 14<sup>th</sup> April 2020</b>
3.	Sheldon	

The meeting started at 9.30 am and ended at 10.40 am



## **Report to LICENSING COMMITTEE**

### **Licensing Update**

#### **Portfolio Holder:**

Cllr A. Shah – Cabinet Member for Neighbourhoods

**Officer Contact:** Deputy Chief Executive – People & Place

**Report Author:** John Garforth – Trading Standards & Licensing Manager

**Ext.** 5026

**5 November 2019**

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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.

**1 Clean Air Proposals**

- 1.1 Over the summer Officers have briefed Members and 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 14,000 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 A consultation will be held on clean air proposals in the near future whilst Officers continue to work on the business case to the Government and await funding decisions to support the process.

**2 Greater Manchester Minimum Standards**

- 2.1 The consultation on GM minimum licensing standards for the taxi and private hire trade has been delayed pending funding outcomes linked to the clean air proposals. The 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 in due course.
- 2.4 Officers are awaiting further announcements from the Department of Transport on changes to legislation and new guidance to licensing authorities.



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### 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
February 2019	111	89
March 2019	115	87
April 2019	118	87
May 2019	146	111
June 2019	133	87
July 2019	141	78
August 2019	136	53
September 2019	127	87
<b>Total</b>	<b>1775 (64%)</b>	<b>994 (36%)</b>

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
February 2019	Rear lamps	Suspension	Tyre condition
March 2019	Suspension	Service brake	Rear lamps
April 2019	Rear lamps	Suspension	Indicators
May 2019	Suspension	Rear lamps	Tyre condition
June 2019	Rear lamps	Suspension	Service brake
July 2019	Suspension	Rear lamps	Service brake
August 2019	Rear lamps	Suspension	Indicators
September 2019	Fire Extinguisher	Suspension	Tyre condition

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## 4 Panel Hearings

4.1 A Court appeal hearing has taken place under the Licensing Act 2003 and is detailed below:

Premises	Outcome
Club VibeZ, Yorkshire Street, Oldham	Licence revoked & Appeal Dismissed September 2019

4.2 Hearings since June 2019 before the Drivers Panel and Officer decisions are detailed below:

Warnings issued	1
Applications refused	3
Licences suspended	3
Licences revoked	3
Licences granted	1
Licences granted with suspension	9
Officer refusals	0
Officer revocations	0

Appeals lodged from those decisions are as follows:

Appeals withdrawn	0
Appeals dismissed by the court	2
Appeals allowed	4
Appeals still pending	5

## 5 Licences in Force

5.1 Since the last update in June 2019 the number of licences in force has only increased slightly.

Private Hire Vehicle Licence	1076	+22
Dual Drivers Licence	1372	+10
Private Hire Operator	35	no change
Hackney Carriage	85	no change

## 6 Animal Welfare Licences

6.1 Since October 2018 Officers have been processing licences under the new Animal Welfare (Licensing of Activities Involving Animals) Regulations.

6.2 To date the following licences have been granted in the categories identified:

Home Dog Boarding	22
Pet Shops	6
Dog Breeder	4
Kennels/Catteries	9
Hiring out Horses	3
Dog Day Care	2

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7	<b>Recommendations</b>
7.1	Members are asked to note the report and feedback any comments on its content.
8	<b>Preferred Option</b>
8.1	N/A
9	<b>Consultation</b>
9.1	N/A
10	<b>Financial Implications</b>
10.1	None
11	<b>Legal Services Comments</b>
11.1	Information only report
12	<b>Co-operative Agenda</b>
12.1	Not applicable
13	<b>Human Resources Comments</b>
13.1	Not applicable
14	<b>Risk Assessments</b>
140.1	Not applicable
15	<b>IT Implications</b>
15.1	None
16	<b>Property Implications</b>
16.1	None
17	<b>Procurement Implications</b>
17.1	None
18	<b>Environmental and Health &amp; Safety Implications</b>
18.1	None
19	<b>Equality, community cohesion and crime implications</b>
19.1	None
20	<b>Equality Impact Assessment Completed?</b>

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20.1	No
21	<b>Key Decision</b>
21.1	No
22	<b>Key Decision Reference</b>
22.1	N/A
23	<b>Background Papers</b>
23.1	None
24	<b>Appendices</b>
24.1	None



## **Report to LICENSING COMMITTEE**

# **Changes to Animal Welfare Licensing Policy**

### **Portfolio Holder:**

Cllr A. Shah – Cabinet Member for Social Justice & Communities

**Officer Contact:** Deputy Chief Executive – People & Place

**Report Author:** John Garforth – Trading Standards & Licensing Manager

**Ext.** 5026

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**5 November 2019**

### **Reason for the Report**

The reason for this report is to request that Members approve amendments to the Council's Animal Welfare Licensing Policy.

### **Recommendations**

Members are asked to approve the report.

## Changes to Animal Welfare Licensing Policy

### 1 Background

- 1.1 The Government introduced revised Regulations in October 2018 to update the licensing regime for the animal welfare provisions concerning commercial licensed activities involving dogs, cats, horses, pets shops and exhibiting.
- 1.2 In November 2018 Members approved a policy concerning our approach to the licensing of the above activities and twelve months on a review of that policy has taken place.

### 2 Proposed Change to Policy

- 2.1 The change that Members are asked to consider is outlined below:
  - That applicants are required to submit a basic criminal record check via the Disclosure and Baring Service as part of their application. This is to assess, in part, their suitability to be a licence holder.

### 3 Recommendations

- 3.1 Members are asked to approve the changes to policy as outlined in this report.

### 4 Preferred Option

- 4.1 To approve the proposed policy changes.

### 5 Consultation

- 5.1 Consultation has not taken place on this amendment.

### 6 Financial Implications

- 6.1 None

### 7 Legal Services Comments

- 7.1 Under Regulation 4 of the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018, an application for a licence must give such information as the Council has required and the Council must grant or renew a licence if it is satisfied that the licence conditions will be met. In considering whether the licence conditions will be met, the Council must take account of the applicant's conduct as the operator of the licensable activity to which the application for the grant or renewal relates, whether the applicant is a fit and proper person to be the operator of that activity and any other relevant circumstances. (A Evans)

### 8. Co-operative Agenda

- 8.1 Not applicable

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9	<b>Human Resources Comments</b>
9.1	Not applicable
10	<b>Risk Assessments</b>
10.1	Not applicable
11	<b>IT Implications</b>
11.1	None
12	<b>Property Implications</b>
12.1	None
13	<b>Procurement Implications</b>
13.1	None
14	<b>Environmental and Health &amp; Safety Implications</b>
14.1	None
15	<b>Equality, community cohesion and crime implications</b>
15.1	None
16	<b>Equality Impact Assessment Completed?</b>
16.1	No
17	<b>Key Decision</b>
17.1	No
18	<b>Key Decision Reference</b>
18.1	N/A
19	<b>Background Papers</b>
19.1	None
20	<b>Appendices</b>
20.1	None

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## **Report to LICENSING COMMITTEE**

# **Changes to Taxi and Private Hire Licensing Policy**

### **Portfolio Holder:**

Cllr A. Shah – Cabinet Member for Social Justice & Communities

**Officer Contact:** Deputy Chief Executive – People & Place

**Report Author:** John Garforth – Trading Standards & Licensing Manager

**Ext.** 5026

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**5 November 2019**

### **Reason for the Report**

The reason for this report is to request that Members approve amendments to the Council's Taxi and Private Hire Licensing Policy.

### **Recommendations**

Members are asked to approve the report.

## Changes to Taxi and Private Hire Licensing Policy

### 1 Background

- 1.1 The Government Best Practice Guidance suggests that Councils issue a licensing policy in relation to the regulation of the taxi and private hire industry within their area. Oldham have had such a policy in place for many years and regularly review it.
- 1.2 As part of the latest review a number of clarifications are required within the policy to make it clearer together with some revisions for improved regulation.

### 2 Proposed Changes to Policy

- 2.1 The changes that Members are asked to consider are outlined below:
- **To re-introduce front licence plates on taxis and private hire vehicles.**  
Whilst their temporary removal went down well with trade representatives their removal caused enforcement issues from Officers and some negative public response was received in relation to not knowing whether a vehicle was licensed or not. Members will recall that the proposed Greater Manchester Minimum Standards included both front and rear licence plates as part of that standard. Members are therefore asked to re-introduce front licence plates immediately.
  - **Seeking new evidence for older driver licence applications**  
When considering the grant of a licence to an applicant the Council must be assured that he is a fit and proper person. Part of that process is a Criminal Records Check (commonly known as a DBS) and a Medical. On occasions applications are delayed during their process and information becomes outdated. In such circumstances it is requested that Members approve the following form of words to be inserted into our Policy: "The Council reserves the right to request updated or additional information in relation to an applicants fitness and suitability to hold a licence at any point during the application process".
  - **The use of driver medicals from other Councils**  
On occasions Officers are asked to accept Group 2 medicals which have recently been undertaken for another licensing authority. This would negate the need for a further medical to be paid for in relation to any Oldham application. Members are requested to reflect this in our policy by inserting the following additional text into the Policy.  
"An applicant may produce a satisfactory medical from a General Practitioner who has had sight of his full medical history within three months from the date of signature".
  - **Medicals to be undertaken to a General Practitioner who has access to applicants' medical records**  
To clarify that where an applicants own GP is not able to undertake a private medical another GP may undertake the assessment but only where they have got full access to the driver's medical notes and history.

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- **Gaps in licensing vehicles when extending age limit of first licensing**  
To clarify that when a vehicle previously licensed by another licensing authority is being considered for licensing under our policy it must have been consistently licensed by that previous authority without any gaps.
  - **Driver Photographs**  
To clarify that where applicants are submitting passport size photographs to the Council for their ID badge that their photo should resemble their usual appearance as it would be seen by the public. That means that no sunglasses are to be worn nor any hats that are not required by way of religion that may otherwise obscure the face or usual appearance.
  - **Driver Awareness Training**  
To make it clear that all drivers must attend the driver awareness training and a failure to attend may result in a suspension of their drivers licence until such time that they have attended the course.
  - **Database of Refusals and Revocations**  
The sharing of information on licence applicants and revocations of licences is an essential part of our role in protecting the public. By sharing information on our decisions, it helps other Licensing Authorities make informed decisions. The Government have stated they intend to bring forward legislation to create a national database for taxi and private hire licence holders but until such time that this transpires the Local Government Association have funded a voluntary database which all Authorities are being asked to input decisions into. As part of the vetting process checks can then be made to make sure that a person being considered for a licence has not had a licence refused or revoked elsewhere. If he has then enquiries can be made with that Authority as to the reasons behind that decision in order to contribute to our decision making process. Members are asked to approve the use of this system.

#### **National Database of Vehicle Licences**

The Government (DEFRA) have issued regulations which require licensing authorities to input and regularly update all licensed vehicles onto a central register for the purposes of creating a database of vehicles to comply with future Clean Air plans across the Country. Whilst this is mandatory and not something we can choose not to do it should be reflected in our policy.

Members are therefore asked to approve the following section in our policy to reflect these necessary checks and safeguards as well as complying with statutory obligations.

“Licence holders should be aware that details of licences granted, refused or revoked will be entered onto national databases. Full details of our data sharing can be found on our Privacy Notices”.

- **Power to Refuse Inactive Applications**  
To insert a section into the policy:  
Where an application has been dormant for a period of six months or more where the applicant has either not progressed his application or has failed to submit required documents a Delegated Officer may refuse his application on the grounds that we cannot be satisfied he is a fit and proper person to hold a licence. A decision will only be made once the applicant has been given notice of the intention to refuse and given 14 days to respond.

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- **Diagnosis of new Medical Condition**  
Insert a new condition of licence that any licence holder must, as soon as is reasonably practicable, notify the Council of any newly diagnosed medical condition which may restrict their entitlement to drivers licence requiring a DVLA Group 2 medical standard.
  - **VRQ/NVQ**  
Members are asked to insert the text below into the policy:  
All new applicants are required to register and undertake a VRQ in Road Passenger Transport as part of their application. Once licensed the driver must undertake the Level 2 NVQ in Road Passenger Transport within 2 years. This is subject to the relevant funding being available so there is no cost to the applicant.
  - **Right to Work Checks**  
All applicants must by law prove to the satisfaction of the Council that they are legally entitled to work in the United Kingdom prior to a licence being granted.
  - **Driving Licence Requirements**  
Members are asked to approve the following wording for insertion into the policy:  
You must have held a GB or EU driving licence for at least two years when you apply for a licence. If you do not fall into the category above and you have a foreign driving licence you must have held a valid licence for at least two years of which twelve months must have been GB or EU. The two years commences from the date of issue of the licence rather than the date of test passed.
  - **Additional Information during the application period**  
Members are asked to insert the following additional information into the policy:  
Should an applicant who has an application pending have any change in circumstances during the application including medical, driving record or conviction/arrest he should notify the Council in writing immediately to enable this information to be assessed for relevance.
  - **Age of Applicants**  
Insert into the policy that applicants must be at least 21 years age at time of application.
  - **Star Rating Scheme**  
Members are asked to suspend the current star rating scheme as it no longer reflects the workings of the trade. The current scheme needs substantial revision and has become a paper based assessment rather than a true reflection on how operators and drivers work in the modern digital age. A revised system will be introduced to dovetail into the proposed Greater Manchester Operator conditions and linking driver conduct back into the system. A report will be presented to Members in due course which is intended to be based on a bronze/silver/gold scheme.
  - **Vehicle Type Approval**  
Vehicles converted from vans which have a type approval other than M1 will not be acceptable unless they are presented with approved M1 certification for that vehicle. If a vehicle has been registered with DVLA and issued with an appropriate registration index number, no change, structural alteration or rearrangement of detail shall be carried out to the vehicle unless such change shall have been subsequently granted M1 Whole Type Approval.

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➤ **Hackney Carriage Meter Calibration**

The holder of the hackney carriage proprietors licence must ensure that the vehicle is presented with its meter intact for inspection and calibration at a Council approved facility. The inspection of the meter must take place upon the grant or renewal of a vehicle licence or any vehicle being changed during the term of its licence. The calibration certificate must be produced to the Council within five working days of the date of the said certificate.

➤ **Certificate of Good Conduct**

Insert that “New applicants who have lived outside of the UK for more than 3 continuous months since the age of 18 must produce a Certificate of Good Conduct or equivalent from the country(ies) they have resided in”.

➤ **Seating Configuration**

All seats must be forward or rear facing and there must be clear unrestricted access and egress to all seats without the need to move anything (including seats) to get to it.

➤ **DBS Update Service**

Add in the following:

Applicants who have subscribed to the Disclosure and Baring Service (DBS) online update service are reminded that as part of their application for a licence they, by making that application, agree to a check of the DBS update service being carried out. It is the licence holders responsibility to keep the update service live by paying the annual amount to the DBS which will be charged to the card they have registered. If card details change licence holders must contact the DBS.

**3 Recommendations**

3.1 Members are asked to approve the changes to policy as outlined in this report.

**4 Preferred Option**

4.1 To approve the proposed policy changes.

**5 Consultation**

5.1 Where appropriate consultation has taken place on the measures outlined above. The issue of whether to re-introduce front licence plates is not agreed by those that responded from a trade perspective whilst Officers and public response is in favour of re-introduction which is in line with the Greater Manchester Minimum Standards.

**6 Financial Implications**

6.1 None

**7 Legal Services Comments**

7.1 Under section 57 of the Local Government (Miscellaneous Provisions) Act 1976, the Council may require any applicant for a licence under the Town Police Clauses Act 1847 (in respect of hackney carriages) or the Local Government (Miscellaneous Provisions) Act 1976 ( in respect of private hire vehicles) to submit to it such information as it may

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reasonably consider necessary to enable it to determine whether a licence should be granted and whether conditions should be attached to any such licence. Any person aggrieved by any conditions attached to a hackney carriage vehicle licence or a private hire vehicle/operator/driver's licence may appeal to the magistrates' court. (A Evans)

**8. Co-operative Agenda**

8.1 Not applicable

**9 Human Resources Comments**

9.1 Not applicable

**10 Risk Assessments**

10.1 Not applicable

**11 IT Implications**

11.1 None

**12 Property Implications**

12.1 None

**13 Procurement Implications**

13.1 None

**14 Environmental and Health & Safety Implications**

14.1 None

**15 Equality, community cohesion and crime implications**

15.1 None

**16 Equality Impact Assessment Completed?**

16.1 No

**17 Key Decision**

17.1 No

**18 Key Decision Reference**

18.1 N/A

**19 Background Papers**

19.1 None

**20 Appendices**

20.1 None