

LICENSING COMMITTEE
06/06/2023 at 9.30 am



Present: Councillor S. Hussain (Chair)
Councillors Bishop, Byrne, Cosgrove, Fryer, Hamblett, Hindle,
J. Hussain, Islam, Nasheen, 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 and Hearings Officer
Nicola Lord	Principal Licensing Officer
Paul Rogers	Constitutional Services

1 **ELECTION OF VICE-CHAIR**

RESOLVED: That Councillor J Hussain be elected Vice Chair
for the 2023/24 Municipal Year.

2 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors H
Harrison, Ibrahim and Kenyon.

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**

There were no public questions received.

6 **MINUTES OF PREVIOUS MEETING**

RESOLVED: that the minutes of the meeting held on 28
February 2023 be approved as a correct record.

7 **LICENSING ANNUAL REPORT 2023**

Consideration was given to the Licensing Annual report which
informed Members of the activities undertaken to discharge the
Council's Licensing function during the period 1 April 2022 to 31
March 2023.

Members were informed that there are two strategic objectives
that relate to Licensing:-

- (i) To work with businesses to ensure they are licensed and
compliant. This covers:

- Proactively licensing premises and individuals engaged in alcohol supply, entertainment and late-night refreshment.
- Participation in Pubwatch schemes, partnership projects and joint, intelligence led inspections to ensure licence conditions are not being breached.
- Promotion of the four licensing objectives and three gambling objectives.

(ii) The second relates to ensuring safe passenger journeys, in safe licensed vehicles with safe licensed drivers. This covers:

- Undertaking inspections of licensed vehicles.
- Vetting new applicants for licences to ensure they are fit and proper.
- Ensuring that passengers are safe in vehicles by responding to complaints and investigating offences and breaches of conditions.

The Licensing Act 2003 was governed by four licensing objectives:

- Prevention of crime and disorder
- Prevention of public nuisance
- Public Safety
- Protection of Children from Harm

Members were informed about the number of licensed premises under the Act, the number of applications considered by the Licensing Premises Panel and the number of complaints related to licensed premises. Members were also informed about the number of permissions under the Gambling Act 2005 and an update on age restricted sales.

Members were informed that officers continued to work with the private hire and hackney trade to ensure effective communication and consultation took place. The Committee were provided with an update on the details of applicants and drivers brought before the Licensing Drivers Panel over the last twelve months. Members were provided with the breakdown of licences in force and the vehicle testing data.

Members were informed of future challenges and changes with regular changes to legislation and guidance affecting licensing together with consultations; the summaries of which are detailed below:

- Making the temporary pavement licence legislation permanent;

- Awaiting consultation on the Governments levelling up agenda to review to the number of taxi licensing authorities;
- Awaiting Governments Taxi and Private Hire best practice guidance;
- Implementing changes under the Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 which relate to the national register of refusals, revocations and suspensions and the sharing of information with other licensing authorities.

Members were also informed of current projects which were underway or due to start in the coming months which included:

- Reviewing hackney carriage ranks, licence release policy and unmet demand.
- Reviewing taxi policy to modernise processes and procedures and encourage applicants to licence with our Borough.
- Review of Licensing IT capabilities to improve the service and experience of applicants, and encouraging self-serve functions where possible.

In response to a question, Members were informed that Licensing Policy changes can be applied retrospectively to Licence holders.

RESOLVED that:

- (i) The report be noted.
- (ii) The implications of the report be considered in future licensing decisions.

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LICENSING POLICY - TAXI & PRIVATE HIRE

Consideration was given to a report which requested Members to approve a revised Licensing Policy for Taxi and Private Hire.

Members were informed that the strategic objective for Oldham Council regarding taxi licensing is to ensure safe passenger journeys in safe licensed vehicles with safe licensed drivers.

Licensing have undertaken a consultation with the trade on key matters in order to propose amendments to our existing policy to best reflect the changed dynamics within taxi and private hire licensing, and the current issues faced by licence holders.

The landscape of the taxi and private hire trade has changed significantly in recent years. The introduction of App based

operators and the role technology plays has had some negative implications due to primary legislation not keeping up with the advancements, but it has also led to many positive changes and increased accessibility to, and the use of, taxis for many people.

The Licensing Service has listened to the current issues raised by the trade and has reviewed ways in which it can adapt and change in order to assist licence holders, whilst maintaining its strategic objectives to ensuring public safety.

Following consultation with the trade, amendments to the existing policy were set out in paragraphs 3.3, 3.8, 3.12 and 3.15 in the report for Members for consideration.

RESOLVED: That

- (i) the report be noted, and
- (ii) the policy amendments as detailed in the report be approved.

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PRIVATE HIRE DOOR SIGN REPORT

Consideration was given to a report regarding a proposal for the redesign and implementation of private hire door signs.

Members were informed that the strategic objective for Oldham Council regarding taxi licensing is to ensure safe passenger journeys in safe licensed vehicles with safe licensed drivers. The Licensing Service has received feedback as part of a recent consultation on the use and practicalities of the existing requirements around private hire door signs. Several suggestions were put forward as part of the responses to the consultation, and the Licensing Service have reviewed each response and given them due consideration before putting this proposal before Members.

The report informed Members of the existing requirements that all private hire vehicles must display mandatory door signs. The signs must contain the words "Advance Bookings Only", the letters must be block capitals, in the colour black, on a yellow background. Each letter must be at least 60mm high and 6mm wide. The door sign must include the name and contact information of the private hire operator company, and the words "Private Hire". Any other lettering on the sign must be under 50mm high and 5mm wide, can be any colour but must not have a yellow background. The overall size of the door sign must be a minimum of 200mm wide and 600mm high. The mandatory door signs must be permanently displayed on the top half of the front driver and passenger door panels by way of adhesive, rather than magnetic means. These signs must always be in place whilst the vehicle is licensed.

The proposed requirements were that all private hire vehicles must display mandatory door signs. The signs must be permanently displayed on the top half of the rear passenger

doors of the vehicle. These signs must always be in place whilst the vehicle is licensed. The door signs will be issued by the Council and will display the following wording: Private Hire Vehicle – Not Insured Unless Pre-Booked with the Operator. A proposed design for the sign was attached at Appendix 14.1 of the report.

A reference was made to the current yellow background with black writing on doors which helped those with sight needs.

It was also suggested that details of the taxi operator should be displayed in passenger side of the front windscreen.

Members were advised that a sign with a yellow background with black writing in the format set out in Appendix 14.1 to the report, together with a revised sign including the operator name for the passenger side of the front windscreen as suggested could be emailed to Members for their consideration.

After discussion it was

RESOLVED: that

1 The Principal Licensing Officer send all members of the Committee an example of a sign with a yellow background with black writing in the format set out in Appendix 14.1 to the report and a proposed sign including the private hire operator name for display in the passenger side of the front windscreen for their consideration: and

2 Subject to no objection to the proposed signs by members of the Committee being received by the Principal Licensing Officer, approval be given to the design of the 2 signs and they be introduced for use on private hire vehicles

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COMPOSITION OF PANELS 2023 2024

Members considered a report which set out the membership of the Licensing Driver Panel and Licensing Panels, with future 2023/24 meeting dates.

A query was raised regarding some Members being shown as participating on more than one Licensing Panel.

RESOLVED: that

- (i) the membership and meeting dates of the Licensing Driver Panel be noted; and
- (ii) subject to the membership of the Licensing Panels being verified and recirculated to the Committee, the membership and meeting dates be noted.

The meeting started at 9.30 am and ended at 11.11 am