

LICENSING COMMITTEE ***Agenda***

Date Tuesday 25 February 2025

Time 9.30 am

Venue Council Chamber, Civic Centre, Oldham, West Street, Oldham, OL1 1NL

Notes 1. DECLARATIONS OF INTEREST- If a Member requires 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 Alex Bougatef or Constitutional Services at least 24 hours in advance of the meeting.

2. CONTACT OFFICER for this agenda is Constitutional Services email constitutional.services@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, 20 February 2025.

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.

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Please also note the Public attendance Protocol on the Council's Website

https://www.oldham.gov.uk/homepage/1449/attending_council_meetings

MEMBERSHIP OF THE LICENSING COMMITTEE

Councillors Azad, Bishop, Byrne, Chowhan, Cosgrove, Hamblett, Harrison, Hindle, J. Hussain(Vice-Chair), S. Hussain (Chair), Islam, Nasheen, Navesey, Sheldon and Shuttleworth

- 1 Apologies For Absence
- 2 Urgent Business
Urgent business, if any, introduced by the Chair
- 3 Declarations of Interest
To Receive Declarations of Interest in any Contract or matter to be discussed at the meeting.
- 4 Public Question Time
To receive Questions from the Public, in accordance with the Council's Constitution.
- 5 Minutes of Previous Meeting (Pages 3 - 6)
The Minutes of the meeting held on 29th October 2024 are attached for approval.
- 6 Licensing Update (Pages 7 - 10)
The reason for this report is to request that Members note the activities of the Licensing Team since the last meeting.
- 7 Allocation of unused Hackney Carriage Licences (Pages 11 - 14)
The reason for this report is to request that Members approve an addition to the Councils Taxi and Private Hire licensing policy in relation to the allocation of unused hackney carriage vehicle licences.

Present: Councillor S. Hussain (Chair)
Councillors Azad, Bishop, Byrne, Chowhan, Cosgrove,
Hamblett, Hindle, J. Hussain, Nasheen, Sheldon and
Shuttleworth

Also in Attendance:
Sumayya Rawat- Solicitor
John Garforth- Service Manager - Security, CCTV & Licensing
Susan Loftus- Licensing Projects and Hearings Officer
Durga Paul- Constitutional Services

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllr Islam.

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 for the meeting to consider.

5 **MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the meeting held on 4th June
2024 be approved as a correct record.

6 **APPOINTMENT OF VICE CHAIR**

RESOLVED that, Cllr J Hussain is appointed as Vice Chair of
the Licensing Committee.

7 **LICENSING UPDATE**

The Licensing Committee received an update on the activities of
the Licensing Team since April 2024 outlining the challenges
and demands on the service.

Alcohol, Entertainment and Late Night Refreshment

Members heard that there has been one hearing since April
2024 and the application was granted with conditions.

Taxi and Private Hire

Officers stated that there have been 906 new applications
received for dual driver licences since April 2024. The
Committee received some comparative data on the active
Licences between May 2023 and April 2024 and significant
increases across most Licence types were identified.

In response to member questioning, Officers explained that the
only decrease was in Private Hire Operator Licences, and this

was likely because some operators had merged reducing total numbers.

Members heard that the significant increase in licensed drivers has placed an additional burden on Officers within the team and a recruitment exercise is underway. The additional vehicles being licensed has also meant an increase in testing capacity at the testing station is required. A third bay is currently being built and then extra test slots will be available for booking. Officers are also working towards the implementation of a new service database and front facing driver application and account system which will improve efficiency and speed.

Upon Member questioning, Officers explained that the current Lead time is 3 weeks currently and they expect this to reduce with the opening of the new testing bay.

Members queried whether a third bay would be sufficient, and if there was a need to expand further to add a fourth bay. Officers explained that this is something that would be closely monitored.

The Committee were given an overview of the current statistics for Vehicle Tests since April 2024 and Officers confirmed that the pass rate is 64% with the main reasons for failures being Brakes, Suspension, Tyres and Condition of interior.

Members expressed concern at some of the serious problems identified in vehicles where tests failed. They queried whether the driver was permitted to stay on the road following a failed test. Officers explained that drivers were not permitted on the roads and their Taxi Licence was suspended until issues were rectified.

Members questioned whether there is a mechanism when repeat offenders can be identified. Officers explained that patterns of behaviour are monitored but not on a large scale, and this is something they would take away and look at.

The Committee were provided with a breakdown of the outcomes of 36 Hearings before the Drivers Panel that have taken place since April 2024 and results of a Vehicle compliance operation was undertaken in partnership with Greater Manchester Police and VOSA. Officers noted that a new operation would be taking place in the future with larger numbers as the last one was small but successful. Although, this would require support from other agencies who have the power to stop drivers.

RESOLVED that, the Licensing Update be noted by the Committee.

TAXI POLICY

The Licensing Officer provided a summary of the updated Taxi Policy for the approval of the Committee. An amendment to the

current policy is sought in relation to the production of driving licences as part of the application process.



The current policy states: Applicants must have held a full GB or EU driving licence for at least two years when applying for a licence. If you do not fall into the categories above and you have a foreign driving licence you must have held a valid licence for at least two years, of which 12 months must have been GB or EU. The two years commences from the issue date of the licence, rather than the date of passing the test.

It is requested that reference to EU licences is removed on the grounds that driving licence status checks on offences and endorsements cannot be carried out on EU licences. Therefore, going forward is request that the policy states that all applicants must have a UK licence to enable checks to be conducted.

It is further requested that existing licence holders who are operating on a UK driving licence must transfer to a UK licence before the expiry of their current dual drivers' licence issued by this authority.

RESOLVED that, the Licensing Committee approve the changes to the Taxi Policy.

9

GAMBLING POLICY

The Licensing Committee heard how the current Gambling Policy was adopted in January 2022 and must be reviewed every three years by law. The content of the policy centres around the regulatory responsibilities of both operators and the Council in how it administers the gambling system.

Significant attention has been paid to the public health concerns surrounding gambling addiction in the revised policy. Data suggest that in Oldham there are around three thousand problem gamblers and nine thousand at risk gamblers. A Greater Manchester Gambling Harm Reduction Strategy has been compiled with funding allocated to support pathways and research.

The proposed policy was shared with all responsible authorities under the Act together with a range of operators covering the different licensed regimes. Responses were received from Public Health and the Fire Service who suggested some amendments which have been incorporated into this final version.

Members queried whether Gambling Premises in Oldham are equipped to address Public Health Concerns. Officers explained that the number of betting shops in Oldham has reduced due to independent shops being bought out by larger chains which are adequately trained and equipped.

RESOLVED that, the Licensing Committee note the report and approve its submission to Council.

The meeting started at 9.33am and ended at 11.03am.





Report to LICENSING COMMITTEE

LICENSING UPDATE

Portfolio Holder:

Councillor Taylor: Cabinet Member for Housing & Licensing

Officer Contact: Nasir Dad

Report Author: John Garforth

25 February 2025

Reason for Decision

The reason for this report is to request that Members note the activities of the Licensing Team since the last meeting.

Recommendations

Members are asked to note the report.

LICENSING UPDATE

1 Background

- 1.1 The Council, acting in its role as Licensing Authority carries out a arrange of statutory functions including taxi and private hire licensing, alcohol, entertainment and late night refreshment, gambling, and street trading.
- 1.2 This report sets out the activities of the licensing team since April 2024 together with outlining the challenges and demands on the service.

2 Alcohol, Entertainment and Late Night Refreshment

- 2.1 The team continues to advise, issue, and ensure compliance with a range of premises licences issued under the Licensing Act 2003.
- 2.2 There has been one hearing since April 2024 as detailed below:
 - o Greene’s Bistro and Parlour, Wade Row, Uppermill.
Application to vary licence refused.
- 2.3 Officers continue to advise and respond to complaints about licensed premises and undertake inspections to ensure compliance with conditions.

3 Taxi and Private Hire

- 3.1 There has been a total of circa. 1300 new applications received for dual driver licences since April 2024.
- 3.2 The total number of licences now in force are detailed below with comparison figures from May 2023.

Licence Type	February 2025	October 2024	May 2023
Dual drivers’ licence	3433	3088	1305
School contract drivers	79	86	95
Private hire vehicles	1880	1756	1030
Private hire operators	93	90	38
Hackney carriage vehicles	85	85	85

- 3.3 As Members will see from the above figures, the significant increase in licensed drivers has placed an additional burden on Officers within the team. A recruitment exercise has taken place with two new staff joining the team recently and one position yet to fill. This will bolster the team in order to meet demand, including extending opening hours of our service reception.
- 3.4 The additional vehicles being licensed has also meant an increase in testing capacity at our testing station at Moorhey Street is required. A third bay is due to open imminently and then 44 extra test slots per week will be available for booking. In addition, a waiting room and CCTV viewing of the testing bay has been installed.
- 3.5 Officers are working towards the implementation of a new service database and front facing driver application and account system which we hope to deliver late 2025. This will improve efficiency and speed of processes and hopefully make it easier for service users to handle their applications.
- 3.6 Current statistics for vehicle tests since April 2024 are as follows:

Month	Total no. of tests	Hackney Carriage Pass Rate	Private Hire Pass Rate
October 2024	356	50%	56%
November 2024	335	69%	60%
December 2024	252	73%	56%
January 2025	328	33%	53%

Overall running year: 57% pass rate (reduction from 64% from last meeting)

Main reasons for failure	Brakes Suspension Tyres	Condition of interior Lights
Missed tests.	213	

- 3.7 Since April 2024 there have been 60 hearings before the Drivers Panel. The breakdown of outcomes is detailed below.

Applications granted	Applications refused	Licences Suspended	Licences Revoked	NFA
7	37	3	11	1

- 3.8 In addition, there have been 12 delegated revocation decisions made by Officers for urgent matters.

4 **Options/Alternatives**

4.1 Not applicable.

5 **Consultation**

5.1 Not applicable.

6 **Financial Implications**

6.1 Not applicable

7 **Legal Implications**

7.1 Not applicable

8 **Appendices**

8.1 None



Report to LICENSING COMMITTEE

ALLOCATION OF UNUSED HACKNEY CARRIAGE LICENCES

Portfolio Holder:

Councillor Taylor, Cabinet Member for Housing & Licensing

Officer Contact: Nasir Dad

Report Author: John Garforth (Service Manager)

25th February 2025

Reason for Decision

The reason for this report is to request that Members approve an addition to the Councils Taxi and Private Hire licensing policy in relation to the allocation of unused hackney carriage vehicle licences.

Recommendations

Members are asked to approve the addition.

ALLOCATION OF UNUSED HACKNEY CARRIAGE LICENCES

1 Background

1.1 The Council, acting in its role as Licensing Authority in relation to taxi and private hire licensing adopts and reviews a policy periodically which sets out how it carries out its functions. This report requests that Members approve an addition to that policy in relation to how the Licensing Authority releases unused hackney carriage vehicle licences when they are unallocated.

2 Current Position

2.1 The Council regulates hackney carriages licences within the Borough. In accordance with the Transport Act 1980, historically, Members have chosen to limit the number of hackney carriage licences that are issued. The last release of hackney carriages licences was in 1999.

2.2 In order to maintain a limit on licences licensing authorities are advised, via the Governments Best Practice Guidance, to conduct an unmet demand survey to establish whether there is a demand for further licences to be issued. A survey will be conducted this year and a report will be presented to Members later this year.

2.3 It is very rare that a licence becomes available but when it does an agreed approach is needed in order to consider a new applicant. It is therefore proposed to adopt the following wording to insert into our taxi and private hire licensing policy: -

On the occasion that a hackney carriage vehicle licence becomes available for issue the licensing authority will ascertain from all licensed clients whether anybody wishes to put their name forward to apply for a licence. Those interested will then go into a draw and the successful person will be invited to apply for a licence as long as they can meet the criteria within the licensing policy. In addition to the trade notification seeking expressions of interest a public notice will be displayed on the councils website seeking to enable other interested parties to participate.

3 Options/Alternatives

3.1 By not having a policy in place it would effectively be a first come first served situation when a prospective applicant either applied of their own volition for a licence or heard that a licence has become available.

4 Consultation

4.1 Not undertaken.

5 Financial Implications

5.1 Not applicable

6 Legal Implications

6.1 If the Council wishes to maintain the existing policy of limiting the number of hackney carriage licences it must be satisfied that there is no significant unmet demand for extra taxis, and it is noted that a survey will be conducted this year. Alternatively, if the Council wishes to remove the limitation policy, it could do so without having to rely on the findings of a survey of unmet demand. Local authorities have an unfettered discretion to increase the number of hackney carriage licences they issue. If unused licences are to be allocated this should be done in an open and transparent manner via an agreed procedure. (A. Evans)

7 **Appendices**

7.1 None

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