

## **Report to LICENSING COMMITTEE**

### **Licensing Update**

**Portfolio Holder:**

Cllr A. Shah – Cabinet Member for Neighbourhoods

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

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**Ext.** 5026

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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