

**LICENSING COMMITTEE**  
**05/11/2019 at 9.30 am**



**Present:** Councillor Briggs (Chair)  
Councillors Cosgrove, Garry, Malik, McLaren, Moores, Price,  
Sheldon and Shuttleworth

Also in Attendance:

Alan Evans	Group Solicitor - Environment
John Garforth	Trading Standards and Licensing Manager
Shamim Iqbal	Licensing
Kaidy McCann	Constitutional Services

1           **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor C. Gloster and Councillor Harrison.

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**

A public question was received from Mr A R Khayal:

“As I raised this question in previous with licensing meeting Mr chairman response to my question that Oldham council have to charged extra money to carried out these checks (which is not acceptable to my memberships.)

When Oldham council set the budget and licensing charged accordingly to the individuals drivers. Why Oldham councils have to charged out side the budgeted figures?

If licensing shifts their work load to a third party then responsibilities lies with licensing they should paid out of our budgeted fee.

Licensing is making their job easy putting financial burdens on us. ( not fair )

Why they have to charge the individuals £24.00?

When other councils are not charging for such services they are accepting the code from DVLA. Why Oldham councils can't accept? Code from DVLA.

Even DBS had reduced fee by £4

We are trying every drivers should come alive with checking with DBS by paying £13 / years with direct debit.

We request to the licensing chair to abolish this illegal fee with immediate effects thanks.”



The following response was provided by the Chair:

“I thank Mr Khayal for his question; however, this is much the same question as he posed at the last meeting and has been corresponding with Mr Garforth about since.

It is at the Council’s discretion as Licensing Authority how they carry out checks on driving records. Unlike some other Councils we approved yearly checks on driver records and it was recommended to us that this function be carried out by an outside company as it would not be something we could easily resource internally.

In terms of fees this is not something the Council can pick up the cost of and it has to be passed back to the licence holder. What I will say is that whilst not proposing to change our policy at this time we will monitor and review other systems to ensure the policy can be complied with.”

5 **MINUTES OF PREVIOUS MEETING**

**RESOLVED** that the minutes of the meeting held on 4<sup>th</sup> June 2019 be approved as a correct record.

6 **LICENSING UPDATE**

Consideration was given to a report of the Trading Standards and Licensing Manager which sought to inform the Committee of activity and key priorities and projects within the Council’s licensing function.

The activities highlighted to the Committee included information related to Clean Air Proposals, Greater Manchester (GM) Minimum Standards, Vehicle Testing results, Panel Hearings, Licences in Force and Animal Welfare Licenses.

Members were informed that Officers were undertaking work on an outline business case to the Government in regard to the Clean Air Proposals and a consultation would be held on the proposals in the near future. There would be a focus on commercial vehicles, covering vans, HGV’s and buses. A range of measures had been shortlisted which would impact on Oldham’s taxi and private hire trades, the work done so far indicated that some form of a clean air zone would likely to be necessary to comply with the Government guidance that required nitrogen dioxide reduction in the shortest possible time.

The Greater Manchester Minimum Licensing Standards consultation had been delayed pending the funding outcomes linked to the Clean Air Proposals. It was unclear what the funding packages would entail for the ten GM licensing Authorities. Funding was in a flux due to the Parliamentary Election and subsequently the Purdah period. Members referred to Reading Borough Council and their purchase of purpose-built

Hackney Carriages valued at £60K each to become compliant with the Government guidance. This was not an option for Greater Manchester as the infrastructure was not available, however, 300 extra charging points for electric vehicles would be installed around Greater Manchester. Wi-Fi enabled pads were available for use on driveways that allowed users to charge their electric vehicle without a charging point.

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### **AMENDMENTS TO ANIMAL WELFARE POLICY**

Consideration was given to a report which sought approval for amendments to the Council's Animal Welfare Licensing Policy.

Members were informed that the Policy had been agreed in November 2018 outlining Oldham's approach to the commercial licensing activities involving dogs, cats, horses, pet shops and exhibiting, after the Government introduced revised Regulations in October 2018. A review of the Policy had been undertaken 12 months after implementation that identified the need for applicants to be required to submit a basic criminal record check via the Disclosure and Baring Service as part of their application. This would allow Officers to assess the applicant's suitability to be a licence holder.

#### **RESOLVED that:**

1. The report be noted.
2. The requirements for applicants to submit a basic criminal record check via the Disclosure and Baring Service as part of their application be agreed.

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### **AMENDMENTS TO TAXI/PH LICENSING POLICY**

Consideration was given to a report which sought approval to amendments to the Council's Taxi and Private Hire Licensing Policy.

Members were informed that under the Government Best Practice Guidance, Council's were suggested to issue a Licensing Policy in relation to the regulation of the taxi and private hire industry. It was noted that Oldham have had a Policy in place for many years which was regularly reviewed. The latest review identified that clarification was required to make the Policy clearer together with revisions for improved regulations.

The proposed changes to the Policy included:

- The re-introduction of front license plates on taxis and private hire vehicles.
- Seeking evidence for older driver licence applications.
- The use of driver medicals from other Councils.
- Medicals to be undertaken by a General Practitioner who has access to applicants' medical records.
- Gaps in licensing vehicles when extending age limit of first licensing.
- Driver Photographs.
- Driver Awareness Training.
- Database of Refusals and Revocations.

- National Database of Vehicle Licences.

In order to reflect the necessary checks and safeguards, as well as complying with statutory obligations, Members were asked to approve the following:

- Power to Refuse Inactive Applications
- Diagnosis of new Medical Condition
- VRQ/NVQ
- Right to Work Checks
- Driving Licence Requirements
- Additional Information during the application period
- Age of Applicants
- Star Rating Scheme
- Vehicle Type Approval
- Hackney Carriage Meter Calibration
- Certificate of Good Conduct
- Seating Configuration
- DBS Update Service

**RESOLVED** that the amendments to the Council's Taxi and Private Hire Licensing Policy as outlined in the report be approved.

The meeting started at 9.30 am and ended at 11.26 am