

Licensing Committee

Licensing Update Report

Report of Executive Member for Neighbourhoods

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28th February 2023

Executive Summary

The purpose of this report is to provide Members with an update on Licensing matters.

Recommendations

That Members:

- 1) Note the report
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Licensing Update Report

1 Purpose of the report

- 1.1 The purpose of this report is to provide Members with an update on Licensing matters

2 General Updates

- 2.1 There are two strategic objectives that relate to Licensing, these are:

- a) To work with businesses to ensure they are licensed and compliant and,
- b) To ensure safe passenger journeys in safe licensed vehicles with safe licensed drivers

- 2.2 There has been a further application considered by the Licensing Premises Panel since the last Committee Hearing. This is shown below

Premises	Application Type	Outcome
Chillz	Variation	Granted

- 2.3 Officers continue to work with the Private Hire & Hackney Carriage trade to ensure effective communication and consultation takes place. We continue to hold trade forum meetings including Members of the Licensing Committee and representatives of Moorhey Street Testing Station.

- 2.4 Details of the number of existing licences in force are detailed below:

Licence Type	Current Total
Dual Driver Licence	1295 (+10)
Private Hire Vehicles	1021 (no change)
Hackney Carriage Vehicles	85 (no change)
Private Hire Operators	33 (-1)
TOTAL	2434

- 2.5 The Licensing Driver Panel continues to sit monthly to hear applications for taxi licences, renewal or reviews of existing licences where offences, misconduct or any other relevant matter arises.

2.6 Since the last Committee Hearing there have been a total of 10 determinations by the Panel which are broken down as follows:

Date	Granted	Suspended	Refused	Revoked	Revoked with immediate effect
Dec '22		2	1		
Jan '23	1	1	1	1	1
Feb '23				1	1
TOTAL	1	3	2	2	2

2.7 There have been no emergency delegated decisions taken by the Trading Standards & Licensing Manager since the last Committee.

3 Clean Air / Licence Extensions

3.1 Members have previously been updated on GM Minimum Licensing Standards and have approved changes to the Taxi Licensing Policy to encompass recommendations as a result of the consultation on those standards, which were originally intended to dovetail with the GM Clean Air Plan.

3.2 The Clean Air Plan remains paused. The plan for Greater Manchester was sent to the Government in July this year, with the suggestion for a non-charging zone with funding. The Government have now responded to request further evidence, which will not be considered until July 2023.

3.3 Members have previously approved a temporary extension to licensed vehicles, whereby they can continue to be licensed beyond the maximum age limit so as to benefit from any funding released by the Government linked with the Clean Air Scheme.

3.4 GM Authorities are still waiting for a decision on the proposed plan and any funding which may be available. However, the temporary extensions to vehicles are due to come to an end on 30th June 2023.

3.5 Members are asked to consider a further extension for vehicles in order that they continue to be licensed pending a final decision being made by the Government. It is the view of Officers that no further extensions should be granted, as we have received no assurances funds for non-compliant vehicles will be released and Officers are concerned that older vehicles continue to breach emission standards and add to pollution levels.

4 **Future challenges and changes**

4.1 There continue to be regular changes to legislation and guidance affecting licensing together with consultations the summaries of which are detailed below:

- Awaiting consultation on the Governments levelling up agenda to review to the number of taxi licensing authorities;
- Awaiting release of the Governments Taxi and Private Hire best practice guidance following consultation earlier this year, it was due to be released before Christmas 2022, however this has been delayed and no release date is known;
- Continuing to work with GM colleagues to deliver minimum licensing standards.

5 **Current Projects Update**

5.1 Projects underway or due to start in the coming months include:

- Revised Statement of Fitness & Suitability was approved by Members at the November Committee hearing
- Assessing the impact of the GM clean air plan on our licensing policy
- Reviewing hackney carriage ranks, licence release policy and unmet demand.

6 **Legal Services Comments**

6.1 Sections 47 and 48 of the Local Government (Miscellaneous Provisions) Act 1976 enable the Council to have a vehicle age policy. Case law has confirmed that it is not unlawful to have a vehicle age policy, provided that the Council continues to consider each application on its individual merits and does not fetter its discretion. Any person aggrieved by any conditions attached to a hackney carriage or private hire vehicle licence may appeal to the magistrates' court. (A. Evans)

7 **Co-operative Agenda**

7.1 The licensing process is in place not only to protect the public but also to support and where necessary regulate businesses within the Borough.

8 **Environmental and Health & Safety Implications**

8.1 None

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

9.1 None

10 **Equality Impact Assessment Completed?**

10.1 No

11 **Key Decision**

11.1 No

12 **Key Decision Reference**

12.1 N/A

13 **Background Papers**

13.1 None

14 **Appendices**

14.1 None