

## **LICENSING COMMITTEE**

# **Licensing Policy – Taxi & Private Hire**

## **Report of Executive Member for Housing & Licensing**

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**21 October 2025**

### **Executive Summary**

This report requests that Members approve a revised Licensing Policy for Taxis & Private Hire.

### **Recommendations**

That Members:

- 1) Note the report; and
  - 2) Approve the policy amendments
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## 1. **Purpose of the report**

This report requests that Members approve a revised Licensing Policy for Taxis & Private Hire.

## 2. **Introduction**

2.1 The Council in its capacity as licensing authority is responsible for the licensing of private hire and hackney carriage drivers and vehicles, and private hire operators.

2.2 Best practice suggests that licensing authorities adopt a single licensing policy in order to unify all its decisions, procedures and conditions as a single source of information for licensees, applicants and interested parties.

2.3 Oldham has had such a policy for a number of years and from time to time it is reviewed in order to keep up with decisions made by the Licensing Committee, revised application procedures, guidance and best practice.

## 3. **Proposed amendments**

### 3.1 **Tinted Windows**

3.2 The Council's current policy requires any tinted windows to be manufacturer fitted:

Manufacturer only fitted window tints will be permitted as follows:

- a) Front windscreen minimum 75% light transmission
- b) Front side glass minimum 70% light transmission
- c) Remaining glass or rear side windows (excluding rear window) minimum 20% light transmission

3.3 It is proposed that the wording requiring tinted windows to be manufacturer fitted is removed.

3.4 Many owners procure their vehicles through the second-hand market, and it is increasingly popular for after-market tint films to be added to vehicles. If the tinted windows meet the legal light transmission requirements outlined in the policy, it is proposed these films be allowed to remain on licensed vehicles.

3.5 The additional testing criteria applicable to vehicles during their compliance test reviews the overall condition of the vehicle, including the windows, and where tints are improperly applied, bubbling, chipped, peeling or are unsightly in any other way, testers can require the owner to remove the tints in line with the vehicle condition not meeting appropriate standards.

### 3.6 **DBS Requirements**

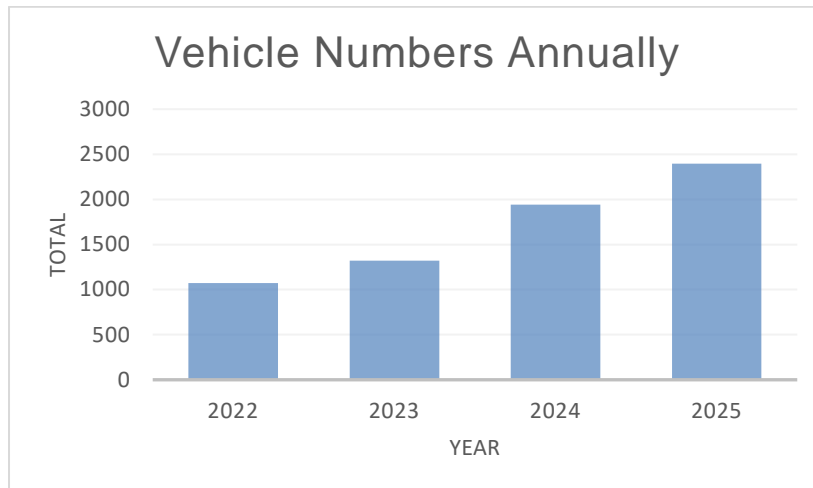
3.7 The Statutory Taxi & Private Hire Vehicle Standards states that all licensed drivers should be required to evidence continuous registration with the DBS update service to enable the licensing authority to routinely check for new

information every 6 months. Drivers that do not subscribe to the update service should still be subject to a check every 6 months.

- 3.8 DBS certificates must be registered for the Online Update Service within 30 days of the date printed on the certificate. If the holder fails to register within that time, they must apply for a new DBS and subsequently register the new certificate.
- 3.9 The Council are experiencing high numbers of new driver applicants who are failing to register their DBS certificate for online updates within the required 30 days.
- 3.10 The current policy allows the Council to grant a Dual Driver Licence to an applicant where their DBS check is under 6 months old, in line with the Statutory Standards, regardless of whether it is registered to the update service or not. Once the existing DBS reaches the 6-month period, if the licence holder has not produced a new DBS their licence will be suspended until such time as they do.
- 3.11 It is proposed to change this policy, to mandate all applicants to evidence their subscription to the DBS Update Service prior to any licence being granted, including any that are required at renewal stage, or a suspension being lifted. This is due to the high volume of new applicants who fail to register their certificate and then also fail to apply for a new DBS Certificate by the time 6 months has passed. This will drastically reduce Officer time spent contacting licence holders and reduce the numbers of suspensions and the time drivers spend off the road.
- 3.12 In line with previous policy changes, the Council undertakes regular checks of the Update Service for all licence holders, currently 2-weekly, to identify any lapses of subscription or new information held against individuals. Doing these more frequent checks has regularly highlighted new information has been recorded against individuals, and those licence holders have often failed to notify the Council of that information.
- 3.13 At such time the check reveals new information is held, the licence holder is suspended with immediate effect and informed they must apply for a new DBS certificate and produce it to the Council to consider the new information.
- 3.14 Any new information usually relates to a conviction or caution, or could include relevant information provided by the police, or the holder may have been placed on the Children or Adults Barred List.
- 3.15 It is proposed to update the Policy to confirm the position of the Council where a licence is suspended in these circumstances. The wording would confirm the suspension would remain in place until a new DBS is produced and the new information is considered, which may be at a Licensing Driver Panel, or by way of delegated decision where the circumstances require an immediate decision.
- 3.16 **Vehicle Testing Arrangements**
- 3.17 Earlier this year, the Council launched a third MOT testing bay to ensure extra provision was in place for the growing licensed vehicle fleet. A review of the current fleet alongside the testing capacity has been undertaken and options

have been considered to reduce long waiting times, and to future proof the service to keep up with the growing fleet.

- 3.18 Since policy changes in 2023, the number of licensed vehicles has continued to grow year on year. Up to 2022, the fleet size remained static at around 1,000 licensed vehicles. In 2025 this has increased by over 100% and there are now 2,397 vehicles licensed by Oldham Councils Licensing Authority – demonstrated in the table below.



- 3.19 The age profile of the existing fleet is predominantly over 3, with 2,257 vehicles falling into that category. These vehicles are subject to two tests per year.
- 3.20 Considering all relevant data such as vehicle age, failures, other ad-hoc applications that require vehicle testing, missed appointments and tests needed following accident damage, the Service is in a position where provision requires an ongoing review regarding the ability to meet demand.
- 3.21 Currently, there is a minimum of 4 weeks before applicants can access a test. This is also the case for those vehicles that fail their test and need to be re-tested. This means vehicle owners are kept off the road and are unable to make a living.
- 3.22 A range of options have been considered, and it is proposed that mid-year tests of vehicles aged 3 years and over are carried out by a DVSA approved test station, where a private MOT can be obtained.
- 3.23 The Department for Transport (DfT) Taxi & Private Hire Vehicle Licensing Best Practice Guidance states the following:

#### Number of testing stations

As the application of the MOT standards is considered appropriate to ensure the mechanical safety of a vehicle it should be accepted that any DVSA approved testing centre is able to conduct this assessment in this respect and that any recent MOT will evidence the fact the vehicle is roadworthy. This approach maximises the testing capacity available to vehicle proprietors and allows licensing authorities to focus their testing capacity on any additional criteria that they consider necessary for taxi and private hire vehicles.

Licensing authorities should ensure that their testing standards are publicised and easily obtainable by applicants for vehicle licences.

3.24 The benefit of this proposal is it would provide the immediate release of around 2,000 test slots currently booked for the fleets mid-year tests. It would clear the wait time for new and renewal applications and those requiring a re-test. It would also provide capacity for any increase in vehicle numbers in the upcoming months.

3.25 Previous revisions were made to the policy in relation to the issue of MOT certificates at the Council's Moorhey Street testing station.

3.26 In January 2025, following a review of the implications of delivering this, a decision was made that it was not feasible to issue MOT certificates and maintain the capacity needed to continue service delivery. The wording regarding providing MOT certificates is required to be removed from the policy to reflect this decision.

### **3.27 Driving Licence Requirements**

3.28 The existing policy requires applicants to have held a full GB driving licence for at least 2 years before they can apply for a licence. If an applicant holds a foreign driving licence, they must have held that licence for 2 years of which 12 months must have been GB.

3.29 It is proposed to update the policy to require applicants to hold a full UK Driving Licence for at least 12 months.

3.30 Dropping the period from 2 years to 12 months is consistent with the other GM Licensing Authorities.

### **3.31 Vehicle Seating Requirements**

3.32 The Council is seeing an increasing number of vehicles being licensed that have been imported from other countries. A common issue among these vehicles is the width of the passenger seats and whether they are adequate for travelling in comfort.

3.33 For standard passenger cars not used as licensed vehicles, there are no specific legal minimum width requirements. The design of passenger seats is covered by EU and UK vehicle construction and safety standards concerning crashworthiness, but not explicit dimensions for adult comfort.

3.34 Local Councils often set their own standards for licensed vehicles to ensure passenger comfort including minimum seat widths.

3.35 It is proposed to impose a width requirement for passenger seats to ensure a minimum standard is being met. Any vehicles currently licensed that do not conform to the width requirement should be given a reasonable period to be replaced. Alternatively, they may be given grandfather rights to remain on until they reach the maximum age policy or cut off for emissions standards if they are not currently emission compliant.

- 3.36 It is proposed the following be applied in the policy:

The minimum accepted width for passenger seats is 400mm. The measurement point will be taken from the front of the seat cushion. For bench seats, the total width required to provide the minimum space per passenger is 1200mm.

#### **4. Legal Comments**

- 4.1 Under section 57 of the Local Government (Miscellaneous Provisions) Act 1976, the Council can require an applicant for a licence under the Town Police Clauses Act 1847 (in respect of hackney carriages) or the Local Government (Miscellaneous Provisions) Act 1976 (in respect of private hire vehicles and private hire operators) to submit such information as they may reasonably consider necessary to enable them to determine whether the licence should be granted or whether conditions should be attached to any such licence. Any person aggrieved by the refusal to grant him a licence may appeal to the magistrates' court.
- 4.2 Under section 47(1) of the Act, the Council may attach such conditions to the grant of a hackney carriage vehicle licence as the Council considers to be reasonably necessary and under section 48(2) of the Act, the Council may attach such conditions to the grant of a private hire vehicle licence as they may consider reasonably necessary. Any person aggrieved by any conditions attached to a hackney carriage or private hire vehicle licence may appeal to the magistrates' court.
- 4.3 The Council may suspend the licence of an existing hackney carriage/private hire vehicle driver for any reasonable cause, which need not involve a conviction. Any driver aggrieved by the decision of the Council may appeal to the Magistrates' Court within 21 days of receiving notice of the Council's decision. (A Evans)

#### **5. Co-operative Agenda**

- 5.1 Not applicable

#### **6. Environmental and Health & Safety Implications**

- 6.1 None

#### **7. Equality, community cohesion and crime implications**

- 7.1 None

#### **8. Equality Impact Assessment Completed?**

- 8.1 No – not required

#### **9. Key Decision – No**

- 9.1 Key Decision Reference - N/A

10.     **Background Papers**

10.1    Consultation document

11.     **Appendices**

11.1    Updated Taxi & Private Hire Licensing Policy for approval