

Minutes of: LICENSING AND SAFETY PANEL

Date of Meeting: 17 October 2019

Present: Councillor T Rafiq (in the Chair)
Councillors P Cropper, C Cummins, J Grimshaw, S Hurst,
G Keeley, C Morris, B Mortenson, C Walsh, S Wright and
Y Wright

Public Attendance: There were 15 members of the public were present at the meeting.

Apologies for Absence: Councillor K Leach

LSP.201 DECLARATIONS OF INTEREST

There were no declarations of interest

LSP.202 MINUTES

Delegated decision:

That the Minutes of the Licensing and Safety Panel meeting held on 5 September 2019, be approved as a correct record and signed by the Chair.

LSP.203 PUBLIC QUESTION TIME

Mr S Mahmood, on behalf of another driver, reported on a recent incident whereby a stone was thrown at the back window of a taxi. A request was made for changes to be made in respect of the display of taxi plates on the front of vehicles. The Licensing Unit Manager explained that the conditions in Bury state that 2 plates be displayed and that any amendment to this would be for Members of this Panel to determine.

During discussion of this issue, the Panel agreed that a report on this matter be brought to a future meeting.

A number of those present raised the issue of MOT testing and requested an update on the provision of additional testing stations. Reference was made to cross border working and the fact that these drivers have been tested outside of the Borough. The Licensing Unit Manager explained that work was ongoing around the issue of MOT Testing and that a report would be brought before this Panel.

Mr Oakes raised issues relating to the Council Motion passed on 11 September 2019, relating to support for taxi drivers. Leigh Webb, Democratic Services Manager, reported that the original motion had been amended at the meeting and explained the actual substantive motion that had been agreed.

A taxi driver raised the issue of the rules on tinted windows in relation to testing. Questions were raised as to why rules for Bury taxi drivers do not comply with national legislation around the issue of privacy glass. The Licensing Unit Manager outlined the rules on this issue in Bury and explained that the decision was taken

on this issue as a means of allowing the Police or Licensing staff to observe the inside of taxi vehicles.

LSP.204 OPERATIONAL REPORT

The Assistant Director (Legal and Democratic Services) submitted a report advising Members on operational issues within the Licensing Service.

The report set out updates in respect of the following issues:

- **APPEAL TO MAGISTRATES**

It was reported that a driver had appeared before Licensing and Safety Panel on 7th March 2019 in respect of his hackney carriage vehicle licence and the decision by the panel was to refuse to renew the Hackney Carriage Vehicle Licence as the vehicle had fallen foul of the Council's Five fault Rule for Hackney Carriage vehicles over 10 years old. This client appealed the decision. The appeal was heard on the 10th September 2019, at Manchester and Salford Magistrates Court. The Magistrates considered the case and decided to dismiss the appeal. The Magistrates awarded the Council £1000 contribution costs.

- **PARTNERSHIP WORKING**

Officers of the Trading Standards and Licensing Service took part in a multi-agency operation on the 25th September 2019. The operation involved Greater Manchester Police, Greater Manchester Fire and Rescue Service, Housing Standards and the Immigration Service. Eight premises were visited. There were issues for the Immigration Service and Greater Manchester Fire. The immigration service found three individuals working in a shop who had no right to work and one individual who was a failed asylum seeker who had absconded. 2620 illicit cigarettes and 1.4 kilogrammes were seized by Trading Standards from one of the off licences visited. Investigations are ongoing.

- **ATTENDANCE REQUESTED TO ATTEND A MEETING**

Following a request by Councillor Daly, the Licensing Unit Manager and the Deputy Licensing Officer attended a meeting at Blackford Bridge Church along with Greater Manchester Police. The meeting consisted of questions relating taxi related matters, these were answered by Greater Manchester Police and the Licensing Unit Manager. The meeting was attended by a large number of licence holders.

- **TAXI TRADE LIAISON MEETING**

On the 19th September 2019, the Licensing Service held a trade liaison meeting with the Hackney Carriage and Private Hire Trade. All Private Hire Operators were invited, along with trade associations representing Hackney and private hire drivers in Bury.

This was a private meeting to allow full discussion on a range of issues. This included: proposals across Greater Manchester relating to common

standards across the Hackney carriage and private hire trade; the proposed GM Clean Air Zone; proposed service improvements in Bury; information regarding Brexit and the EU Settlement Scheme; along with a number of matters put forward by trade reps and individual drivers.

- **COMMON MINIMUM STANDARDS**

The report included the following position statement in respect of Common Minimum Standards:

In 2018, Greater Manchester's 10 local authorities agreed to collectively develop, finalise and implement a common set of minimum standards for Taxi and Private Hire services licensed in Greater Manchester. The proposed standards have four areas of focus: driver standards, vehicles standards, operator standards and local authority standards.

Greater Manchester Leaders have consistently stated that these standards must align with the Greater Manchester Clean Air Plan proposals and support the requirements to tackle air pollution across the region. The 10 local authorities are awaiting feedback from government on some elements of those proposals, most notably the funding available to support vehicle upgrades – including taxis and private hire vehicles (PHVs).

With this uncertainty, and the lack of clarity around the Government's intention to legislate for national minimum licensing standards for taxis and PHVs in the future, there will be no consultation on the proposed Greater Manchester common minimum standards this autumn, however we will continue to engage with the trade on the development of both Clean Air Plan and common minimum standards.

It was agreed:

That the report be noted.

LSP.205 VEHICLE INSPECTION MANUAL

The Assistant Director Legal and Democratic Services submitted a report relating to the testing of Hackney Carriage and Private Hire vehicles introducing a vehicle inspection manual that confirms the standard required to pass the vehicle test. It was reported that the licensing service presented the manual to the attending trade representatives at the trade liaison meeting on the 19th September 2019.

During discussion of this item, a number of drivers in attendance stated that some of the standards within the manual were too strict and could result in drivers being lost to other authorities. The Chair, Councillor Rafiq, explained that the report was seeking agreement to go out to formal consultation. If approved, drivers within the trade will have the opportunity to comment in detail and make suggestions as appropriate.

It was agreed:

That the Licensing Service undertake a full consultation with the Hackney Carriage/Private Hire Trade regarding the proposed vehicle inspection manual with a further report to be presented at a later date.

LSP.206 EXCLUSION OF PRESS AND PUBLIC

Delegated decision:

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items of business since it involved the likely disclosure of information relating to individuals who hold Licences granted by the Authority or Applicants for Licences provided by the Authority.

LSP.207 SUSPENSION AND REVOCATION OF PRIVATE HIRE DRIVER AND PRIVATE HIRE OPERATOR

The Chair, Councillor Rafiq, reported that the case relating to driver 11/2019 had been deferred to a future meeting.

COUNCILLOR T RAFIQ
Chair

(Note: The meeting started at 7.00 pm and ended at 8.25 pm)