

## **AGENDA FOR**

### **LICENSING AND SAFETY PANEL**

Contact: Michael Cunliffe  
Direct Line: 0161 253 5399  
E-mail: [m.cunliffe@bury.gov.uk](mailto:m.cunliffe@bury.gov.uk)  
Web Site: [www.bury.gov.uk](http://www.bury.gov.uk)

**To: All Members of Licensing and Safety Panel**

**Councillors** : S Walmsley (Chair), J Grimshaw, T Holt,  
S Hurst, G Keeley, K Leach, C Morris, I Schofield,  
M Smith, Sarah Southworth, C Walsh, S Wright and  
Y Wright

Dear Member/Colleague

#### **Licensing and Safety Panel**

You are invited to attend a meeting of the Licensing and Safety Panel which will be held as follows:-

<b>Date:</b>	Thursday, 4 March 2021
<b>Place:</b>	Virtual meeting via Microsoft Teams
<b>Time:</b>	7.00 pm
<b>Briefing Facilities:</b>	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.
<b>Notes:</b>	

## **AGENDA**

### **1 APOLOGIES FOR ABSENCE**

### **2 DECLARATIONS OF INTEREST**

Members of the Licensing and Safety Panel are asked to consider whether they have an interest in any of the matters on the agenda, and if so, to formally declare that interest.

### **3 MINUTES OF PREVIOUS MEETING** *(Pages 5 - 14)*

The Minutes of the Meeting held on the 7<sup>th</sup> January 2021 are attached. Members of the Licensing & Safety Committee are asked to consider whether these are a correct record of the meeting, and if so, to formally approve them.

### **4 PUBLIC QUESTION TIME**

Questions are invited from members of the public present virtually at the meeting on any matters for which this Panel is responsible.

Approximately 30 minutes will be set aside for Public Question Time if required.

### **5 OPERATIONAL REPORT** *(Pages 15 - 18)*

A report from the Executive Director (Operations) is attached.

### **6 CLEAN AIR AND COMMON MINIMUM LICENSING STANDARDS** *(Pages 19 - 58)*

A report from the Executive Director (Operations) is attached.

### **7 URGENT BUSINESS**

Any other business, which by reason of special circumstances, the Chair agrees may be considered as a matter of urgency.

### **8 EXCLUSION OF PRESS AND PUBLIC**

To consider passing the appropriate resolution under section 100 (A)(4) of the Local Government Act 1972 that the press and public be excluded from the meeting during consideration of the following item of business since it involves the likely disclosure of the exempt information stated.

### **9 SUSPENSION/REVOCATION OF PRIVATE HIRE DRIVER LICENCE** *(Pages 59 - 70)*

A report from the Executive Director (Operations) is attached.

**10 APPLICATIONS FOR PRIVATE HIRE DRIVER LICENCE** (*Pages 71 - 78*)

A report from the Executive Director (Operations) is attached.

This page is intentionally left blank

**Minutes of: LICENSING AND SAFETY PANEL**

**Date of Meeting:** 7 January 2021

**Present:** Councillor T Holt (in the Chair)  
Councillors J Grimshaw, S Hurst, G Keeley, K Leach,  
C Morris, I Schofield, M Smith, Sarah Southworth and  
Y Wright

**Also in  
attendance:**

**Public Attendance:** No members of the public were present at the meeting.

**Apologies for Absence:** Councillor S Walmsley, Councillor C Walsh and Councillor  
S Wright

---

**LSP.1 NOMINATION OF CHAIR**

In the absence of the Chair of the Licensing & Safety Panel, Members are asked to nominate a Chair for this meeting.

**Delegated decision:**

That Councillor Holt Chair the Licensing & Safety Panel.

**LSP.2 DECLARATIONS OF INTEREST**

There were no declarations of interest made at the meeting.

**LSP.3 MINUTES OF THE LAST MEETING**

**Delegated decision:**

That the Minutes of the last meeting held on 26 November 2020 be approved as a correct record and signed by the Chair.

**LSP.4 PUBLIC QUESTION TIME**

No public questions were submitted to the meeting.

**LSP.5 OPERATIONAL REPORT**

The Executive Director (Operations) submitted a report advising Members on operational issues within the Licensing Service.

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

**COMMON MINIMUM LICENSING STANDARDS/CLEAN AIR**

The Licensing Service would like to inform the Members of the panel that the consultation relating to the Common Minimum Licensing standards/Clean Air closed on the 3<sup>rd</sup> December 2020. Transport for Greater Manchester and the approved contractor are currently analysing the responses received.

A briefing session is being arranged early January for the Executive Member and Chair of Licensing Committee. This will be set up by Transport for Greater Manchester to brief members on the next steps regarding Clean Air and Common Minimum Licensing Standards.

## **COVID 19 – Covid Marshals**

A team of Covid Marshals has been employed by Bury Council using funding from Central Government. The team commenced work on the 1<sup>st</sup> December and will be in place until the end of March 2021, it consists of 2 daytime marshals working 8am-4.30pm and 2 evening marshals working 4.30pm-11pm. We have also had extra marshals in place for the weekend 12/13 December and 19/20 December to assist with busy areas such as the market and Millgate shopping centre during the busy shopping period on the run up to Christmas. If Greater Manchester moves into Tier 2 extra marshals will be employed to help with checking of licensed premises in an evening.

Marshals working during the day have been handing out masks to students and high school children using public transport in the morning and afternoon at Bury, Prestwich and Radcliffe Metrolink stations. They have been assisting with queue management and giving advice to retail and close contact service staff regarding the wearing of face coverings. They have also been working in conjunction with markets management to assist with compliance of coronavirus restrictions on the market.

During the evening the marshals have been checking for compliance outside the park at the Lightopia event at Heaton Park as well as checking takeaways for staff and customers wearing face coverings and visiting licensed premises across the borough to ensure they remain closed except for takeaway. They have also assisted at various events taking place across the borough.

## **LICENSING HEARINGS PANEL - 6<sup>th</sup> October 2020**

The Licensing service have received an application for the grant of a premises licence under the Licensing Act 2003 in respect of Eat New York, 24 Bury New Road, Prestwich, M25 0LD. This application attracted representations from Greater Manchester Police in their capacity as a Responsible Authority and 27 representations from interested parties. Members considered this application at a Licensing Hearings Panel on the 6<sup>th</sup> October 2020 and resolved that the premises licence be granted as set out in the updated operating schedule:

- a. Supply of alcohol – For consumption On/Off the Premises.  
Monday to Sunday 12.00 until 01.00
- b. Provision of Late Night Refreshment (Indoors)  
Monday to Sunday 23.00 until 01.30
- c. Opening Times.  
Monday to Sunday 10.00 until 01.30

The Panel also attached 30 conditions to the premises licence.

## **TAXI MATTERS**

On the 17<sup>th</sup> August 2020, the Licensing service received a referral from a Bury Council safeguarding practitioner. The referral detailed an incident wherein a licensed private hire driver had behaved inappropriately with 2 vulnerable females. This matter was investigated by the police and the Licensing Service.

The Licensing Unit Manager consulted with the Chair of the Licensing and Safety Panel about the matter and it was decided that this private hire drivers licence should be revoked with immediate effect pursuant to s61 (1)(b) – ‘any other reasonable cause’, on the grounds of public safety, pursuant to s61 (2B) of the Act.

### **COMPLIANCE AND ENFORCEMENT**

The Licensing service have since the last panel on the 6<sup>th</sup> October until the 16<sup>th</sup> December 2020 dealt with business premises in relation to Covid issues:

- 10 business premises advice given
- 22 complaints
- 278 compliance checks
- 40 enforcement actions taken including 3 improvement notices and 1 prohibition notice
- 18 intelligence checks recorded

### **OUTCOME OF APPEAL AGAINST LICENSING AND SAFETY PANEL DECISION.**

On the 15<sup>th</sup> December 2020, an appeal against the decision of the Licensing and Safety panel on the 23 July 2020 at Manchester Magistrates Court was considered. The applicant was previously a private hire driver for 10 years but had let his licence lapse so had submitted a new application for a private hire driver's licence but failed to declare a number of convictions to the Licensing Authority. The appeal was dismissed by the District Judge, the council made a costs application but unfortunately this was rejected on the basis that he had lost his income.

#### **LSP.6**

### **REVIEW OF THE DECISION TO SUSPEND LICENCES UNDER THE LICENSING ACT 2003 FOR NON-PAYMENT OF ANNUAL FEES DURING THE COVID 19 PANDEMIC**

The Executive Director (Operations) submitted a report relating to the review of a decision taken by the Council in respect of annual fees under the Licensing Act 2003 during the Covid 19 Pandemic.

It was reported that the Licensing and Safety Panel had received a report at its meeting on 26 November 2020 where it had been agreed to defer a decision of the Emergency Powers Group in relation to Annual Fees under the Licensing Act 2003 during the Covid-19 Pandemic to this meeting of the Panel in order that a further detailed report be submitted.

On the 14 July 2020, the Emergency Powers Group was consulted about an urgent decision that was required in relation to the suspension of annual fees payable

under the Licensing Act 2003 in respect of Premises Licences and Club Premises Certificates.

The Greater Manchester Combined Authority had agreed a consistent approach which has been referred to the Wider Leadership Team as part of a number of measures to assist licensed premises as part of the lockdown easing as businesses reopen.

Members of the Emergency Powers Group (EPG) agreed to the proposed decision not to suspend any Licensing Act 2003 premises licences for non-payment of the annual fee until 1 December 2020. In addition it was noted that a review of this urgent decision would be referred to the Council's Licensing and Safety Panel for consideration in November 2020.

The second lockdown was implemented by Government on 5 November 2020 and ended on the 2 December 2020.

On the 26 November 2020, a report was considered by the Licensing and Safety Panel to review the urgent decision taken on the 14th July 2020. Members resolved that the implementation of the decision, i.e. to commence the recovery of the annual fees that are payable under the Licensing Act 2003, be deferred so that a further detailed report could be prepared for consideration at the next meeting of the Licensing & Safety Panel in January 2021.

Since the meeting of the Licensing and Safety Panel on the 26 November 2020, the Government placed Greater Manchester in Tier 3 on the 2 December 2020.

The Licensing Service would like to inform members, no further guidance on a consistent approach has been issued by the Greater Manchester Combined Authority or the Wider Leadership Team on this matter. The Licensing Service have liaised with the Council's finance department and the annual fees are set up as a subscription. The invoices are then sent when required via this automated system to the licence holders of premises licences and club premises certificates, to advise them that the annual fee is payable. During the pandemic this invoices have still been being issued, but the Licensing Service have not been suspending premises licences or club premise certificates when payment has not been made. This is as a result of the direction of the Wider Leadership Team, the Combined Authority and the urgent decision in July 2020.

In light of the decision of the Licensing and Safety Panel on the 26 November 2020, the licensing service have requested details of the payment information for the period 1 April 2020 until the 1 December 2020:

The total value of the fees payable from 1 April to 1 December 2020 was £101,855. Approximately two thirds of licensing invoices issued have been paid by businesses (£70,185) and a total of £31,670 remains outstanding.

Other businesses will be due to receive invoices between 1 December 2020 and 31 March 2021 which will have a value of £17,200. Based on the experience of the first three quarters payments (two thirds paid) then £11,352 is likely to be paid, which would leave £5,848 unpaid.



This totals a potential of £37,518 that would be outstanding for payment (based on outstanding fees to date and the projection for the rest of the year).

It should be noted that the outstanding payments include a variety of business types including Off Licences, pubs, restaurants, takeaways.

The Licensing Act 2003 requires the Council to suspend a premises licence or club premises certificate if the annual fee is not paid when it is due.

The outstanding income outlined in the report will represent a budget deficit if not recovered in this financial year.

It was also explained that the annual fees for next year will still be payable on the anniversary of the issue of licences and certificates and this may require venues to pay two annual fees in a short period.

The Council has a debt management process in place that would be followed in recovering the outstanding payments. This process allows companies to contact the finance team if they are struggling to pay and discuss payment options. Finance staff will be briefed to check that anyone struggling has accessed all the support they are entitled to.

**Delegated decisions:**

1. That the Licensing Service will take steps to suspend any licence for non-payment of the annual licence fee.
2. It is noted that any unpaid annual licence fee will be recovered using the Council's debt recovery process.

**LSP.7 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.8 SUSPENSION/REVOCATION OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCES**

Licence Holder 22/2020

The Executive Director (Operations) submitted a report relating to Licence Holder 22/2020 who did not attend the meeting.

The Licensing Unit Manager reported that the Licence Holder had requested that an adjournment be granted as it was reported that the Licence Holder had not had enough notice to instruct a legal representative due to the Christmas and New

Year breaks. The request for adjournment was read out verbatim by the Licensing Unit Manager.

The Council's legal representative at the meeting advised Members that the Licence holder had received all of the paperwork relating to the case on 17 December 2020 and it was felt that this was a reasonable amount of time to enable legal representation to be sought.

It was also reported that through his legal representative, the Licence Holder had been advised that the Panel would hear the case in absence if they agreed to proceed. They refused to attend in person.

The Panel Members voted and, it was agreed that the request for an adjournment be denied and the Panel proceed with the case in absence.

On 14th October 2020, the licensing service received notification from Greater Manchester Police that this client had been issued with a fixed penalty notice for driving with incorrectly displayed number plates. Greater Manchester Police confirmed that whilst the fine is not endorsable; this is an MOT failure which renders the vehicle unroadworthy and is a breach of Private Hire Vehicle condition 3 which states: Condition of the Vehicle a. You must make sure that the vehicle is kept in a good condition. We can inspect and test the vehicle at any time to make sure it reaches out standards. b. You must keep the inside and outside of the vehicle clean and safe. c. You must not alter the private hire vehicle in any way without first checking with us. d. Inside the vehicle: Seats must be properly covered and upholstered; Floors must be covered by mats, carpets or other coverings which are clean and in good condition; and Any damage to upholstery or carpets must be professionally repaired.

This client's vehicle was subsequently seen by Licensing Enforcement Officers on the 15th October 2020 and again on 6th November 2020 with the illegal number plates still in place on the vehicle. When asked about the matter in interview the client claimed that he had been unable to change the plates because the current pandemic had meant shops who manufactured the plates were not open. Halfords; a nationwide vehicle accessories retailer and supplier of vehicle number plates was considered an essential retailer for the purpose of the recent lockdown and consequently remained open throughout. The client claims that he has now rectified this matter and his vehicle now displays road legal registration plates.

On 5th November 2020, the licensing service received a complaint of poor driving. The complainant described how on the 5th November at 10am she was travelling in a vehicle, owned by her, being driven by her friend, from Bolton to Little Lever and was on Bury Road. After passing through a set of traffic lights, she noticed a white car coming up behind them at speed. She is a driving instructor so has rear mirrors fitted in the passenger side on the car. She described how even when she is not working it's just natural instinct to always be checking in the mirrors. The driver also observed the car which was a white Jaguar with Bury taxi plates fitted. As the car got closer it moved over to the right and started to flash its lights. It was crossing over the central markings in the road. The complainant was approaching a pelican crossing and was concerned that the taxi was going to overtake and potentially put pedestrians at risk. As a driving instructor she states that she is aware that the Highway Code indicates that if a vehicle is tailgating,

you should drop back to allow distance to separate yourself from the vehicle in front. They held their position and the vehicle continued to flash its headlights. Her friend indicated and pulled up on the left to allow the car to overtake. The vehicle then pulled up beside them blocking the road and an argument began. The driver of the taxi said we had been "braking illegally" and also suggested "cash for crash". The complainant's vehicle is 6 weeks old and it would not be in her interest to have an accident as the vehicle is her livelihood, she also has dash cams fitted should an accident occur so it would be fully documented. She stated that the taxi drove in front of them and kept putting his brakes on to deliberately slow them down. Unfortunately she didn't download the front cam footage as she says it happened very suddenly and we were more aware of his actions behind us at first. The complainant submitted the rear dash cam footage to the licensing service by email. The car could clearly be identified by its registration plate and is licensed by the client. The client was shown the dashcam footage during interview and asked why he was driving in the middle of the road. He stated that the complainant's car was braking for no reason so his natural instinct was to swerve to the right. On 20th November 2020 this client's vehicle was seen in Bury Town Centre failing to display signage indicating which Operator he worked for. When interviewed in relation to this matter the client indicated that he had removed the Operator stickers as he had recently changed Operator and had taken the opportunity to detail his vehicle. He claims that he has now rectified this matter and the vehicle displays the correct signage. Private Hire vehicle licence condition 5 states:

### Signs

Vehicles must display the following signs at all times:

- The name of the operator's firm on the front windscreen at the top left-hand side.
- The name of the operator's firm at the bottom of the back windscreen.
- The name, phone number and logo of the operator's firm on the two front door panels.

All signs, including phone numbers and logos, must be between 4cm and 7cm high. New signs must be checked with the Council's licensing service before you use them. They must be affixed to the vehicle by means of a sticker.

When asked why he had left his previous Operator; the client indicated that it was due to a lack of work. His previous Operator was therefore contacted to confirm this assertion. An Office manager from his previous operator indicated that they took the decision to end their partnership with this client following receipt of two complaints that were emailed to them in October 2020. The two emailed complaints that were emailed to the private hire Operator.

Complaint 1 is from a school headmaster who asserted that this client was belligerent, overly aggressive and harassed the school and its employees following an incident outside the school where a child was nearly run over. The school accept this client is not at fault for the near miss; however, they felt his subsequent actions were wholly unacceptable. In interview the client believed that he had not behaved inappropriately. He felt an employee of the school was abusive towards him so he was within his rights to demand an apology that has not been forthcoming. The second complaint was from a Superintendent within

Greater Manchester Police who emailed this client's operator to complain that this client had overtaken at speed a line of cars and gone straight ahead from a right turn only lane and then travelled along Bury & Bolton road overtaking at speed. The Superintendent stated that had he been in a marked vehicle the client's driving would have warranted a ticket. When asked about this incident the client does not believe that he was speeding and stated that he had intended to turn right at the lights but changed his direction of travel when he received a job from his Operator whilst stationary at the traffic lights.

On the 15th December 2020; the licensing service received a telephone call from this client who wished to make a complaint about a parking warden operating within Bury town centre. He was advised that the licensing service could not help with such a query and was directed to the correct Council department. The client then became combative and aggressive towards the licensing advisor who gave the client ample warning before terminating the telephone call.

## **Delegated decision:**

The Panel carefully considered the report, and taking into account the Council's Conviction Policy and Guidelines and in accordance with the Local Government (Miscellaneous Provisions) Act 1976, as amended by the Road Safety Act 2006, resolved, on a majority basis, to invoke Section 52 and to suspend the Licence Holder with immediate effect.

The Panel found as follows:

- The Licence Holder received a fixed Penalty Notice for driving with incorrectly displayed number plates.
- The Licence Holder continued to drive with illegal number plates even after being advised on two occasions to change them by a Licensing Enforcement Officer.
- The Licensing Unit received a number of complaints from members of the public regarding poor driving and aggressive behaviour.
- The Licence Holder has behaved aggressively towards a Licensing Advisor.
- The Licence Holder was removed as a driver by his previous operator due to his behaviour.
- The licence holders' driving display and aggressive manner with members of the public was such that he posed a danger to the public

## **Licence Holder – 23/2020**

The Executive Director (Operations) submitted a report relating to Licence Holder 22/2020 who attended the meeting with his legal representative. The Chair made introductions. The Legal Officer outlined the procedure to be followed and clarified that all those present had read the report. The report which was accepted by the Licence Holder set out the reasons for the Licence Holder being before the Panel.

The Licence Holder submitted an online application for the renewal of a Private Hire drivers licence on the 7th December 2020. This client's private hire driver's licence has been extended until the 7th January 2021.

As part of the application the applicant is asked to declare any convictions. The following conviction was declared by the applicant on his online application.

Offence	Offence Date	Expiry Date	Sentence
CD10 Driving without due care and attention,	6th January 2018	6th January 2021	Licence endorsed with 3 points Fixed Penalty Notice

The client's history has been checked on the licensing computer system and there is no record of the applicant declaring this conviction. The applicant has therefore failed to declare this motoring conviction within the correct time frame as stipulated in the private hire drivers licence conditions. Condition 13 of this clients Private Hire Drivers Licence states:

Convictions – If you are formally cautioned for an offence or convicted of an offence you must tell us in writing, within seven days. Write to the Licensing Unit Manager, 3 Knowsley Place, Duke Street, Bury, BL9 0EJ.

This applicant was subsequently asked for the history behind the conviction and the reasons as to why he had failed to declare it in line with his conditions.

He explained that it was a mistake and that he was not aware of the condition that he had to declare the conviction to within 7 days. The conviction came about as a result of an incident where the applicant's vehicle hit a pedestrian. The client assisted the pedestrian and took them to the walk in centre. He also reported the incident to the Police. He states that he was living in Dubai at the time and was due to fly out the next day to meet his family. He was sent a letter by the Police to attend an awareness course but when he came back from Dubai the offer for the course had been withdrawn and he instead attended Bolton Crown Court and was given 3 penalty points. The applicant was asked to email in his reasons for failing to declare the conviction.

#### **Delegated decision:**

The Panel carefully considered the report, the additional documentation and oral representations by licence holder 23/2020 and his representative and taking into account the Council's Conviction Policy and Guidelines and in accordance with the Local Government (Miscellaneous Provisions) Act 1976, resolved, to grant the renewal application and to admonish the licence holder as to future conduct.

## **LSP.9 APPLICATIONS FOR PUBLIC/PRIVATE HIRE DRIVER LICENCES A**

### **Licence Holder 24/2020**

The Executive Director (Operations) submitted a report relating to Licence Holder 24/2020 who attended the meeting. The Chair made introductions. The Legal Officer outlined the procedure to be followed and clarified that all those present

had read the report. The report which was accepted by the Licence Holder set out the reasons for the Licence Holder being before the Panel.

This applicant had previously held a private hire driver's licence continually since 29th November 2003 until its expiry on the 29th November 2020. He submitted an online application for the grant of a new Private Hire drivers licence on the 4th December 2020.

When a licensing advisor used the DVLA's online portal to check this applicants driving licence the following conviction was found:

Offence	Offence Date	Expiry Date	Sentence
SP50 - Exceeding speed limit on a motorway	22 March 2019	22 March 2022	Licence endorsed with 3 points Fixed Penalty Notice

This applicant has therefore failed to declare this motoring conviction within the correct time frame as stipulated in the private hire drivers licence conditions. Condition 13 of this clients Private Hire Drivers Licence states:

Convictions – If you are formally cautioned for an offence or convicted of an offence you must tell us in writing, within seven days. Write to the Licensing Unit Manager, 3 Knowsley Place, Duke Street, Bury, BL9 0EJ.

This applicant was subsequently interviewed by a licensing enforcement officer. He explained that that he was travelling on the M6 when he was stopped by the Police for doing 82mph in a 70mph zone for which he accepted 3 points and paid a £100 fine. The applicant was apologetic and stated that he has not tried to deliberately mislead the licensing service but had made a genuine mistake in failing to be fully aware of the conditions on his private hire driver's licence. He stated that this is the first time his DVLA issued driving licence has been endorsed.

## **Delegated decision:**

The Panel carefully considered the report, the additional documentation and oral representations by licence holder 24/2020 and taking into account the Council's Conviction Policy and Guidelines and in accordance with the Local Government (Miscellaneous Provisions) Act 1976, resolved, on a majority basis, grant the Licence application.

**COUNCILLOR T HOLT**  
**Chair**

**(Note: The meeting started at 7.00 pm and ended at 8.30 pm)**



<b>Classification</b>	<b>Item No.</b>
<b>Open / Closed</b>	

<b>Meeting:</b>	Licensing & Safety Committee
<b>Meeting date:</b>	4 <sup>th</sup> March 2021
<b>Title of report:</b>	Operational Report
<b>Report by:</b>	Executive Director (Operations)
<b>Decision Type:</b>	N/A Report for information only
<b>Ward(s) to which report relates</b>	N/A

**Executive Summary:** A report to advise members on operational issues within the Licensing service.

### **Recommendation(s)**

That the report be noted.

### **Key considerations**

Not applicable

---

### **Community impact / Contribution to the Bury 2030 Strategy**

---

### **Equality Impact and considerations:**

24. *Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:*

*A public authority must, in the exercise of its functions, have due regard to the need to -*

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

25. *The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.*

---

### **Assessment of Risk:**

The following risks apply to the decision:

<b>Risk / opportunity</b>	<b>Mitigation</b>
None	.

---

### **Consultation:**

---

### **Legal Implications:**

Not Applicable

---

### **Financial Implications:**

Not Applicable

---



## Report Author and Contact Details:

M Bridge  
Licensing Unit Manager  
3 Knowsley Place  
Duke Street  
Bury  
BL9 0EJ      Tel: 0161 253 5209      Email: [m.bridge@bury.gov.uk](mailto:m.bridge@bury.gov.uk)

---

**Please include a glossary of terms, abbreviations and acronyms used in this report.**

Term	Meaning
None	

### 1.0 BACKGROUND

1.1 The report advises Members on operational issues within the Licensing service.

### 2.0 COVID 19 – Covid Marshals

2.1 Covid Marshals are currently working with officers within Public Protection. The marshals work 7 days a week and this changes flexibly depending on current restrictions

The work that is undertaken by the marshals includes:

- Proactive engagement with businesses and residents in Covid hotspots
- Behaviour change engagement on Covid secure matters
- Supporting GMP and Community Safety with repeat offending households.

### 3.0 TAXI MATTERS – Grants/Enforcement

3.1 The Licensing Service have been assisting the Strategic Planning and Economic Development service to engage with the Hackney Carriage and Private Hire Trade to help promote awareness to enable them to apply for a small and micro business grant being given by the Authority.

### 4.0 Illegal Puppies

4.1 Officers from the Public Protection Service became aware of an illegally landed puppy following a referral from a vet. This resulted in a miniature daschund puppy being seized and taken into quarantine. The puppy was examined and

was judged (teeth checked) to be younger than 12 weeks minimum age requirement before being allowed to be imported. The puppy was imported by someone in Reading from Hungary and was found to have a fraudulent pet passport which came with the puppy.

The Public Protection Service issued a press release which can be found at:

<https://www.mynewsdesk.com/uk/bury-council/pressreleases/bury-council-warn-of-crack-down-on-the-illegal-puppy-trade-3070241>

## **5.0 Suspected illegally Landed Cat**

- 5.1 The Licensing Service received a referral from a vet relating to a cat that had been imported from Greece not having a relevant microchip. Officers liaised with Dover Port, given length of time cat had been in the country and several attempts to identify a microchip, the vet decided to re microchip and provide new documents once satisfied not a rabies risk.

## **6.0 Investigation of dumping of food at Bury Lido**

- 6.1 Licensing Officers have assisted the investigation of fly tipping of dumped food at Bury Lido as the individual arrived by a private hire vehicle.

## **7.0 Reports of avian Flu in North Yorkshire surrounding Turkey and Chicken Rearing**

- 7.1 In December, Licensing staff met with GM Civil contingencies and resilience unit to draw up an avian flu plan, this work is ongoing. Local Authorities responsibilities in relation to an outbreak includes Assisting Animal Plant & Health Agency identifying and maintaining a list of poultry keepers, enforcement of movement restrictions & bio security controls (if and when applicable) and assistance to Public Health England in managing fears and risks to human health.

The Licensing Service have reviewed poultry keepers register, also submitted communications via the Council's website, Bury Times and Social media alerting the public re Avian Flu and requirement to keep birds indoors. Also requesting bird keepers notify the council, please note that this is not a mandatory requirement for small numbers of birds.

Ongoing Notification received are received from APHA AI notification service Notifications provide bird flu latest updates on confirmed cases – the work is still continuing.

## **8.0 Annual Fees for Licensing Act premises**

- 8.1 Following the previous report to this panel on the 7<sup>th</sup> January 2021 for noting, the Licensing Service have requested that duplicate invoices are sent to the businesses that have not paid their annual fees under the Licensing Act 2003.



<b>Classification</b>	<b>Item No. 6</b>
<b>Open / Closed</b>	

<b>Meeting:</b>	Licensing & Safety Panel
<b>Meeting date:</b>	4 <sup>th</sup> March 2021
<b>Title of report:</b>	GM Clean Air Plan: Consultation
<b>Report by:</b>	Executive Director (Operations)
<b>Decision Type:</b>	Report for information only
<b>Ward(s) to which report relates</b>	N/A

**Executive Summary:** A report to advise members on the ongoing work relating to the Clean Air Plan and Common Minimum Licensing Standards which has been considered by Cabinet on the 23<sup>rd</sup> February 2021.

### **Recommendation(s)**

That the report be noted.

**Key considerations** Not applicable

---

### **Community impact / Contribution to the Bury 2030 Strategy**

The proposals in the GM Clean Air Plan are designed to protect the health of our communities and are in line with Section 4.2 re "Place" in the Bury 2030 Strategy.

---

## Equality Impact and considerations:

24. *Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:*

*A public authority must, in the exercise of its functions, have due regard to the need to -*

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*
25. *The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.*

An Equality Impact Assessment was completed for the consultation and can be found at [here](#). This will be updated and published with the final plan.

---

## Assessment of Risk:

The following risks apply to the decision:

Risk / opportunity	Mitigation
Initial risk register set out in Clean Air Plan OBC (March 2019)	.

---

## Consultation:

This report provides an update on the community consultation exercise.

---

### Legal Implications:

See Cabinet report attached at Appendix 1.

---

### Financial Implications:

See Cabinet report attached at Appendix 1.

---

### Report Author and Contact Details:

M Bridge  
Licensing Unit Manager  
3 Knowsley Place  
Duke Street  
Bury  
BL9 0EJ      Tel: 0161 253 5209      Email: [m.bridge@bury.gov.uk](mailto:m.bridge@bury.gov.uk)

---

**Please include a glossary of terms, abbreviations and acronyms used in this report.**

Term	Meaning
None	

#### 1.0 BACKGROUND

- 1.1 On the 29<sup>th</sup> January 2021, a report was considered by the Greater Manchester Combined Authority relating to the Clean Air Plan and Common Minimum Licensing Standards consultation.
- 1.2 This was followed by the attached report at Appendix 1 which was considered by Cabinet on the 23rd February 2021.

#### 2.0 RECOMMENDATION

- 2.1 Members of the Licensing and Safety Committee are requested to note the report to Cabinet.

This page is intentionally left blank



<b>Classification</b>	<b>Item No. 6</b>
<b>Open</b>	

<b>Meeting:</b>	Cabinet
<b>Meeting date:</b>	23rd February 2021
<b>Title of report:</b>	GM Clean Air Plan: Consultation
<b>Report by:</b>	Cllr Lucy Smith – Cabinet member - Transport and Infrastructure Cllr Alan Quinn – Cabinet member – Environment and Climate Change
<b>Decision Type:</b>	Cabinet Non Key Decision
<b>Ward(s) to which report relates</b>	All wards

## 1 Executive Summary:

1.1. In Greater Manchester, the 10 local authorities, the Greater Manchester Combined Authority (GMCA) and Transport for Greater Manchester (TfGM), collectively referred to as "Greater Manchester" or "GM", have worked together to develop a Clean Air Plan to tackle NO<sub>2</sub> Exceedances at the Roadside, referred to as GM CAP. This report sets the progress of the GM CAP and the next steps for the development of the Clean Air Plan and the closely linked Minimum Licensing Standards (MLS) for taxi and private hire services. Key developments since the last GMCA report include:

- Since the last report there has been no confirmation or offer of government funding for LGVs or hackneys, or the taxi and private hire electric vehicle charge points.

- Government ministers have agreed to consider extending Greater Manchester's Clean Air Zone (CAZ) charges to the sections of the A628/A57 in Tameside which form part of the Strategic Road Network, within the proposed CAZ boundary. The extension of any charges to the A628/A57 will be subject to a full assessment of the potential impacts, to be led by Highways England. Following the assessment ministers will take the final decision on whether or not charging should be implemented on the A628/A57.
  - GM was awarded £14.7m of funding for the retrofitting of buses, and this work commenced in December 2020. GM's bus retrofit fund offers operators of locally registered bus services up to £16k of funding per vehicle towards the retrofit of non-compliant buses. The funding is available for vehicles, including minibuses and coaches, operating on a registered bus service within Greater Manchester. This includes cross-boundary services operating within the GM CAZ boundary.
- 1.2. The report sets out the near-term impacts of COVID-19 government restrictions on movement on air quality. It sets out how air quality is legally monitored, and how the Government has directed GM (and other areas) under UK law to address exceedance of the Annual Average standard for NO<sub>2</sub> which is set at 40 ug/m<sup>3</sup>. As GM Clean Air Plan is required to take action to tackle nitrogen dioxide exceedances until compliance with legal limits has been demonstrated (over a number of years), the nearer term influence of COVID-19 on air quality is not expected to lead to sufficiently long term reductions in pollution such that the modelled exceedances of the legal NO<sub>2</sub> limits will be met without implementing a Clean Air Zone.
  - 1.3. The report sets out that following the conclusion of the consultation, both GM CAP and MLS consultation responses are being analysed and reported on by an independent research agency. GM authorities will fully consider all of the information and evidence gathered during the consultation, so that they can understand the consequences COVID-19 has had on vehicle owners and trades which will be directly affected by the GM CAP and MLS.
  - 1.4. The report and appendices also set out the work TfGM is undertaking on behalf of the ten Greater Manchester Authorities in the preparatory implementation and contract arrangements required to deliver the CAZ and other GM CAP measures. Preparatory work is required in order to maintain delivery momentum in line with the funding arrangements agreed with JAQU, for example in relation to automatic number plate recognition (ANPR) cameras, back office systems and service providers.
  - 1.5. The report then covers the consultation approach, engagement activity, additional research undertaken and the number of responses to both the GM CAP and MLS consultations.
  - 1.6. The report also sets out the governance approach to both GM CAP and MLS, with the GM CAP final plan to be brought forward for decision makers as soon as is reasonably practicable and no later than summer 2021, and the outputs of the MLS to be reported alongside the GM CAP at the same time.



- 1.7. Due to the dynamic context of COVID-19 and national and regional/local lockdowns, progress on the development of the final plan will be provided by the Green City Region Lead, as required at GMCA meetings.

## **2 Recommendations**

- 2.1 Note the progress of the Greater Manchester Clean Air Plan;
- 2.2 Note the next steps for the development of the Clean Air Plan and Minimum Licensing Standards, listed at Section 11;
- 2.3 Note the distribution of Bus Retrofit funding commenced in December 2020;
- 2.4 Note that Government ministers have agreed to consider extending Greater Manchester's Clean Air Zone (CAZ) charges to the sections of the A628/A57 which form part of the Strategic Road Network, within the proposed CAZ boundary, subject to the outcomes of an assessment, which is expected to be completed by early 2021;
- 2.5 Note that the GM Clean Air Plan is required to take action to tackle nitrogen dioxide exceedances until compliance with the legal limits has been demonstrated and that the nearer term influence of COVID-19 on air quality is not expected to lead to sufficiently long term reductions in pollution such that the exceedances of the legal limits of nitrogen dioxide will not occur without implementing a Clean Air Zone;
- 2.6 Note that the GM CAP final plan will be brought forward for decision makers as soon as is reasonably practicable and no later than summer 2021;
- 2.7 Note that the outputs of the MLS will be reported alongside the GM CAP as soon as is reasonably practicable and no later than summer 2021; and
- 2.8 Agree to the establishment of joint committees and to delegate to those committees the Authority's functions as set out in this report at paragraph 9.5 and the terms of reference, as set out in Appendix 6.
- 2.9 Appoint the Cabinet Member for Transport and Infrastructure to sit on both committees for purposes as set out in this report at paragraph 9.5 with specific terms of reference, as set out in Appendix 6.
- 2.10 Appoint the Cabinet Member for Environment and Climate Change as substitute for both committees for purposes as set out in this report at paragraph 9.5 with specific terms of reference, as set out in Appendix 6.
- 2.11 Bury Council agrees to enter into a collaboration agreement with the other 9 GM local authorities and GMCA/TfGM to clarify amongst other matters the rights, responsibilities and obligations of the authorities in relation to those

contracts set out in Appendix 2 that are required to maintain delivery momentum in line with JAQU funding agreements.

- 2.12 Agree a delegation to the Council Solicitor and Monitoring Officer to agree the final form of the collaboration agreement;
- 2.13 Agree a delegation to the Executive Director of Operations in consultation with the Cabinet Member for Transport and Infrastructure and the Cabinet Member for Climate Change to award the contracts set out in Appendix 2 (subject to government funding) that are required to implement a charging Clean Air Zone in Spring 2022 to ensure the achievement of Nitrogen Dioxide compliance in the shortest possible time and by 2024 at the latest as required by the Ministerial Direction.
- 2.14 Agree a delegation to Executive Director of Operations in consultation with the Cabinet Member for Transport and Infrastructure and the Cabinet Member for Climate Change to approve the submission of supplementary information to the Government's Joint Air Quality Unit (JAQU).

### **3 Key considerations**

#### **Background**

- 3.1. In July 2017 the Secretary of State issued a Direction under the Environment Act 1995 requiring seven Greater Manchester local authorities, including Bury Council, to produce a feasibility study to identify the option which will deliver compliance with the requirement to meet legal limits for nitrogen dioxide *in the shortest possible time*.
- 3.2. In accordance with this Direction [Council Name] has been developing the study collectively with the other 9 Greater Manchester local authorities and the GMCA, coordinated by TfGM in line with Government direction and guidance and an Outline Business Case (OBC) was duly submitted in March 2019.
- 3.3. Bury Council along with the other 9 Greater Manchester local authorities is now subject to a Ministerial direction dated 16 March 2020 requiring the submission of an Interim Full Business Case (FBC) (along with confirmation that all public consultation activity has been completed) as soon as possible and by no later than 30 October 2020. Under this direction Bury Council along with the other 9 Greater Manchester local authorities is under a legal duty to ensure that the GM CAP (Charging Clean Air Zone Class C with additional measures) is implemented so that NO<sub>2</sub> compliance is achieved in the shortest possible time and by 2024 at the latest and that human exposure is reduced as quickly as possible.

#### **Introduction**

- 3.4. Poor air quality is the largest environmental risk to the public's health. Taking action to improve air quality is crucial to improve population health.

- 3.5. Whilst air quality has been generally improving over time, particular pollutants remain a serious concern in many urban areas. These are oxides of nitrogen (NO<sub>x</sub>) and its harmful form nitrogen dioxide (NO<sub>2</sub>), and particulate matter (PM).
- 3.6. In Greater Manchester, road transport is responsible for approximately 80% of NO<sub>2</sub> concentrations at roadside, of which diesel vehicles are the largest source.
- 3.7. Long-term exposure to elevated levels of particulate matter (PM<sub>2.5</sub>, PM<sub>10</sub>) and NO<sub>2</sub> may contribute to the development of cardiovascular or respiratory disease and may reduce life expectancy<sup>1</sup>. The youngest, the oldest, those living in areas of deprivation, and those with existing respiratory or cardiovascular disease are most likely to develop symptoms due to exposure to air pollution<sup>2,3</sup>.
- 3.8. Public Health England estimate the health and social care costs across England due to exposure to air pollution will be £5.3 billion by 2035 for diseases where there is a strong association with air pollution, or £18.6 billion for all diseases with evidence of an association with air pollution<sup>4</sup>.
- 3.9. The Secretary of State has instructed many local authorities across the UK to take quick action to reduce harmful Nitrogen Dioxide (NO<sub>2</sub>) levels, issuing a direction under the Environment Act 1995 to undertake feasibility studies to identify measures for reducing NO<sub>2</sub> concentrations to within legal limit values in the "shortest possible time". In Greater Manchester, the 10 local authorities, the Greater Manchester Combined Authority (GMCA) and Transport for Greater Manchester (TfGM), collectively referred to as "Greater Manchester" or "GM", have worked together to develop a Clean Air Plan to tackle NO<sub>2</sub> Exceedances at the Roadside, referred to as GM CAP.
- 3.10. The core goal of the GM Clean Air Plan is to address the legal requirement to remove ALL concentrations of NO<sub>2</sub> that have been forecast to exceed the legal Limit Value (40 µg/m<sup>3</sup>) identified through the target determination process in the "shortest possible time" in line with Government guidance and legal rulings.
- 3.11. Throughout the development of the plan GM has considered a range of options to deliver compliance, overseen by the GM Steering Group<sup>5</sup>, and to understand the type and scale of intervention needed to reduce NO<sub>2</sub> to within legal Limit Values in the "shortest possible time" across Greater Manchester.

---

<sup>1</sup> Air Quality – A Briefing for Directors of Public Health (2017), <https://www.local.gov.uk/air-quality-briefing-directors-public-health>

<sup>2</sup> Air Quality – A Briefing for Directors of Public Health (2017), <https://www.local.gov.uk/air-quality-briefing-directors-public-health>

<sup>3</sup> RCP and RCPCH London, Every breath we take lifelong impact of air pollution (2016), <https://www.rcplondon.ac.uk/projects/outputs/every-breath-we-take-lifelong-impact-air-pollution>

<sup>4</sup> <https://www.gov.uk/government/news/new-tool-calculates-nhs-and-social-care-costs-of-air-pollution>

<sup>5</sup> Members include Directors or Assistant Directors from each GM authority.

- 3.12. A best performing option was recommended within an Outline Business Case (OBC) for further consideration and discussion with stakeholders and the public to aid the development of the Full Business Case.
- 3.13. In March 2019 the GM Authorities agreed the submission of the OBC that proposed a package of measures that was considered would deliver compliance in the shortest possible time, at the lowest cost, least risk and with the least negative impacts.
- 3.14. The OBC made clear the expectation that the UK Government would support the plans through:
- Clear arrangements and funding to develop workable, local vehicle scrappage / upgrade measures;
  - Short term effective interventions in vehicle and technology manufacturing and distribution, led by national Government with local authorities;
  - Replacement of non-compliant buses; and
  - A clear instruction to Highways England with regard to air pollution from the Strategic Road Network (SRN) in Greater Manchester<sup>6</sup>.
- 3.15. In March 2020 the Government provided initial funding of £41m for clean vehicle funds to award grants or loans to eligible businesses: £15.4m for bus retrofit, £10.7m for Private Hire Vehicles, £8m for HGVs, £4.6m for coaches and £2.1m for minibuses. Note: These figures include JAQU estimated delivery costs at 5%.
- 3.16. The Clean Air Update report on 29th July 2020<sup>7</sup> detailed updates on the developments of the GM Clean Air Plan including the Light Goods Vehicles (LGV) and hackney carriage funding position, interaction with the Strategic Route Network and Highways England, confirmed arrangements for distributing funding received for bus retrofit and highlighted separate discussions with DfT about funding for bus replacement.
- 3.17. It set out a proposal for consultation, detailed the positions for consultation on the daily charges, discounts and exemptions, and the proposed funding offer for each of the supporting funds, and the Vehicle Finance offer. The report also considered the proposed Governance arrangements for the CAZ and that TfGM will act as an 'operating body' responsible for day to day operation of the CAZ and the implementation of other GM CAP measures.
- 3.18. The report also highlighted the link to taxi and private hire vehicle common minimum licensing standards (MLS). In 2018, GM's ten local authorities agreed to collectively develop, approve and implement a common set of minimum licensing standards (MLS) for Taxi and Private Hire services that cover the whole of GM and to undertake parallel consultations for MLS and GM CAP, to ensure that so those affected by both policy positions can understand the full impact of the proposals and respond to the consultations.

---

<sup>6</sup> GM Authorities are directed to take action on the local road network those roads managed by Highways England, such as motorways and trunk roads are excluded from the Clean Air Plan.

## **4 COVID-19: THE IMPACT ON AIR QUALITY**

- 4.1. Since the COVID-19 pandemic has progressed there have been many questions asked about what its effects on traffic mean for Greater Manchester's Clean Air Plan (GM CAP). In particular, the GM Authorities have been asked for comparative data for Air Quality monitoring for this year – during the full lockdown period and more recently - compared with last year.
- 4.2. Whilst data from 2019 is available, the comparator data for 2020 isn't; this is because a full calendar year of results is needed to make a comparison with the relevant standard. The Government has directed GM (and other areas) under UK law to address exceedance of the Annual Average standard for NO<sub>2</sub> which is set at 40 ug/m<sup>3</sup>.
- 4.3. Greater Manchester issues its Air Quality data annually in the Air Quality Annual Status Report, so for 2020 this information will be published in June 2021. This is due to the fact that diffusion tube data (that measures NO<sub>2</sub> concentrations) needs to be validated, by application of a bias adjustment process.
- 4.4. The bias adjustment process uses co-location of diffusion tubes with continuous monitors, and comparison of the two measured concentrations. Data from our continuous monitors is considered provisional until it has been ratified through a Quality Assurance process, completed by an independent party in April of the following calendar year.
- 4.5. The diffusion tube results used to calculate the annual mean concentration, for comparison with Annual Mean NO<sub>2</sub> standard of 40 ug/m<sup>3</sup>, are processed once the continuous monitoring data is ratified, and the bias adjustment factor can be finalised.
- 4.6. Whilst the COVID-19 pandemic has caused changes that radically altered transport patterns and behaviour, the relaxation of 'lockdown 1' (March – May 20) travel restrictions since June led to increasing vehicle flows. By the introduction of 'lockdown 2' (November 20), traffic flows were at around 85% of typical pre-COVID-19 levels. Because the GM Clean Air Plan is required to take action to take NO<sub>2</sub> levels over a number of years into the future in order to demonstrate compliance with legal limits<sup>7</sup>, the nearer term influence of COVID-19 on air quality is not expected to lead to sufficiently long term reductions in pollution such that the modelled exceedances of the legal NO<sub>2</sub> limits will be met without implementing a Clean Air Zone.

---

<sup>7</sup> The modelling approved by government of NO<sub>2</sub> concentrations in Greater Manchester predicts that exceedance of the legal limit is likely to continue until 2027, if action is not taken to reduce road vehicle emissions.

- 4.7. In practice, there are many ways in which the pandemic could influence future emissions: in particular, sustained traffic reductions due to permanent increases in working from home or other lifestyle changes, or reductions in bus services due to a sustained decline in demand could reduce emissions, whilst an older fleet on the roads due to vehicle owners delaying vehicle purchases as a result of the pandemic and manufacturing constraints on new vehicles could delay expected necessary future improvements to the emissions of circulating vehicles.

#### **COVID-19: ECONOMIC IMPACTS AND BUILDING BACK BETTER**

- 4.8. As has been outlined earlier in the report the core goal of the GM Clean Air Plan is to address the legal requirement to remove ALL roadside concentrations of NO<sub>2</sub> that have been forecast to exceed the legal Limit Value (40 µg/m<sup>3</sup>), identified through the target determination process, in the "shortest possible time" in line with Government guidance and legal requirements.
- 4.9. The aim of the Government's funding set out in the plan is to assist vehicle owners with upgrading their vehicle to a compliant vehicle and to mitigate the negative socio-economic effects of the GM CAZ. Government funding for the clean air plans is limited and has not to date been designed in consideration of the economic effects of COVID-19, and given that all of GM's proposals were prepared pre-COVID, GM has undertaken to make an assessment of the possible impacts of COVID-19 to inform a technical briefing note for decision makers. A review of the assumptions GM made in terms of the economic circumstances of impacted groups, is necessary as the 'starting positions' assumed in the policy positions for each of the measures will have changes as a result of COVID-19. As a result of COVID-19 it is anticipated that the impact the CAZ will have changed and GM needs to identify, where possible, what this change will bring and report this in the final proposals for decision makers to consider.
- 4.10. As a result of the pandemic, vehicle owners may not be starting from the same position as had been previously assumed in terms of their fleets and their ability to upgrade as a result of the GM CAP. They may therefore need more or different support to help them upgrade or to mitigate the impacts of the CAZ.
- 4.11. The timescales for GM CAP are determined by a Ministerial Direction. GM needs to launch a Clean Air Zone in 2022 to meet the requirement of the direction to secure compliance with NO<sub>2</sub> standards in the shortest possible time and by 2024 at the latest. As has been made clear in other reports, Ministers have written to Greater Manchester confirming that they expect measures to continue to be developed and the consultation to be undertaken as required by the Ministerial Direction.

- 4.12. GM must make a final plan no later than Summer 2021 in order to be in a position to launch a Clean Air Zone in 2022. The GM Authorities report on the Final Clean Air Plan will include the consultation results, the assessment of COVID-19 and a final recommended package of measures to ensure the achievement of NO<sub>2</sub> compliance in the shortest possible time and by 2024 at the latest as required by the Ministerial Direction. The report will be supported by the following documents:
- AECOM Consultation Report<sup>8</sup>
  - GM Authorities Response to the Consultation
  - Impacts of COVID-19 Report
  - GM CAP Equality Impact Assessment following Consultation
  - GM CAP Policy following Consultation
  - Modelling report of final CAP package
  - Economic implications of CAP
- 4.13. That plan will need to determine:
- the boundary, discounts, exemptions and daily charges of a Clean Air Zone.
  - the amount of supporting funds
- 4.14. In determining the final funding amounts this will in turn start the process of distributing the secured funding to those eligible, as per the 'final plan' GM CAP policy.
- 4.15. Supporting funds are critical to help businesses prepare for the launch of a Clean Air Zone. Elsewhere in this report it is described that when Leeds City Council opened their clean vehicle funds it enabled impacted groups to access funding and upgrade their vehicle prior to the scheme's launch. This is reported to have led to a dramatic shift to cleaner vehicles. This along with a smaller geographic area, and pandemic traffic levels led to a joint review with JAQU which found that air pollution in Leeds was significantly below legal limits and that it was likely to be maintained, meaning legal limits will be met without implementing a Clean Air Zone. It should be noted that at the outset air pollution levels were not as poor in Leeds as in GM, and compliance was expected to occur naturally earlier than the opening date for the GM CAP.
- 4.16. GM recognises the absolute importance of understanding what impacts the pandemic has had on air quality and businesses, ensuring any impacts are reflected in the final plans and the ongoing discussions with government. That is why the consultations asked for business feedback on this crucial issue, encouraging as wide a range of views as possible.

---

<sup>8</sup> AECOM – the independent agency who are managing and analysing the consultation responses

- 4.17. It is a very uncertain time and getting the right level of funding to support local businesses and organisations before the Clean Air Zone is introduced is key. Following the conclusion of the consultation, both GM CAP and MLS consultation responses will be analysed and reported on by AECOM an independent research agency.
- 4.18. GM will fully consider all the information and evidence gathered during the consultation, so that it can understand the consequences COVID-19 has had on vehicle owners and trades which will be directly affected by the GM CAP and MLS.
- 4.19. As set out in previous reports the Impacts of COVID report will include consideration of:
- whether the assumptions underpinning the GM CAP are still valid;
  - whether GM will remain in exceedance of legal nitrogen dioxide limits under the proposals as they currently stand;
  - the measures proposed in the package for consultation; and
  - whether the proposed support package will be sufficient.
- 4.20. Given the timescales the GM Authorities are working to they need to be clear as to what assessments can be made, ahead of the determination of a final plan. The final plan report will:
- set out the revised assumptions underpinning the GM CAP and the uncertainty surrounding these;
  - set out the revised policy positions for each of the measures including amount of supporting funds for eligible applicants; and
  - include an assessment of the possible impact of COVID-19 on when GM will secure compliance.
  - set out what level of funding GM will be seeking from government to support the individuals and smallest businesses who will be most economically vulnerable to the GM CAZ and where, given the impact of COVID-19 the previous amounts of grant funding to help upgrade to a compliant vehicle may not be enough to adequately mitigate the potential adverse economic impacts of both.
- 4.21. On the 4<sup>th</sup> January the Prime Minister announced a national lockdown and instructed people to stay at home to control the virus, protect the NHS and save lives. At the time of writing this report (6<sup>th</sup> January 2021) the implications for 'lockdown 3' on the GM Clean Air Plan are unknown. As the pandemic is unpredictable and dynamic, contemporary reporting on the progress on the development of the final plan will be provided by the Green City Region Lead, as required, at GMCA meetings.

## **5 CLEAN AIR – PROGRESS SINCE LAST UPDATE**

### **5.1. Hackney Carriages & LGV fleet support**



- 5.1.1. As reported in July, Government has accepted the need for vehicle replacement funds for Hackney Carriages, and Light Goods Vehicles, but requested further development of shared evidence on the needs within this complex sector before responding to the specific asks of is £80m for LGVs/vans and for Hackney Carriages it is £10.4m, plus delivery costs. GM has submitted this information, however at the time of writing the Government has not made an offer of funding. GM Authorities consulted on the financial proposal at the date of consultation.

## 5.2. **Try Before You Buy & EV Taxi Infrastructure**

- 5.2.1. GM is proposing a 'Try Before You Buy' Electric vehicle initiative for GM-licensed Hackney Carriage drivers to address uncertainties such as operating costs, range anxiety and availability of charging infrastructure. This is similar to a scheme run by Nottingham City Council which resulted in a 40% conversion rate (40% of those who used the scheme then switched to an electric hackney). The funding ask for this is £1.9m, however Government has not yet made an offer of funding for this initiative.
- 5.2.2. GM is also proposing a network of 40 hackney/PHV-only rapid electric vehicle charging points to be funded via the GM CAP. These will be installed in suitable, available and sustainable locations, with a focus on re-purposing public sector assets and will be supported by the development of an EV Taxi (HC and PHV) charging membership scheme. The funding ask for this is £6.5m, and Government has not yet made an offer of funding for this initiative.

## 5.3. **Clean Bus Fund – Replacement**

- 5.3.1. It was assumed at OBC stage that an estimated 350 buses could not be retrofitted and that it would be for the market to find a solution. GM is looking to secure funding from the £5 billion of new funding for buses and cycling announced in the March budget. Alongside this, GM is proposing to Government that it requires circa £9m of funding plus delivery costs to support the replacement of non-compliant vehicles operating on registered bus services in GM that cannot be retrofitted; in this respect the Government have not made an offer of funding.

## 5.4. **Strategic Road Network managed by Highways England**

- 5.4.1. The 10 GM Authorities continue to ask the Government to direct Highways England to tackle NO<sub>2</sub> exceedances on the Strategic Road Network (SRN) in the same way GM Authorities are having to take action on the local road network.
- 5.4.2. In particular Tameside MBC has highlighted to Ministers that the inconsistency in approach is leaving many residents unprotected, particularly, around the A628/A57, a strategically important trans-Pennine route that passes through the villages of Hollingworth and Mottram as a single carriageway. This route, managed by Highways England, will be left with NO<sub>2</sub> exceedances that are not being addressed, despite the area being declared as part of GM's Air Quality Management Area.

5.4.3. As previously reported on 21 July 2020 a meeting was held between Rachel MacLean – Parliamentary Under Secretary of State for Transport, Councillor Brenda Warrington, Councillor Andrew Western, Jonathan Reynolds MP and Robert Largan MP. Minister MacLean listened to the concerns of GM politicians and committed to reviewing the options to deal with this issue.

5.4.4. On 25 August 2020, Tameside MBC were notified that Government ministers have agreed to consider extending Greater Manchester's Clean Air Zone (CAZ) charges to the sections of the A628/A57 which form part of the Strategic Road Network, within the proposed CAZ boundary. The extension of any charges to the A628/A57 will be subject to a full assessment of the potential impacts, to be led by Highways England. This will cover air quality impacts on other roads, safety impacts, carbon impacts, as well as wider issues for Highways England, such as operational and network issues. Following the assessment ministers will take the final decision on whether or not charging should be implemented on the A628/A57. Tameside officers are involved in the work to ensure that it comes to a collective conclusion about the outcomes of the assessment, which is expected to be completed by early 2021. An update on progress can be found at Appendix 1.

#### 5.5. **Clean Bus Fund – Retrofit**

5.5.1. As reported in July the Government awarded £14.7m as an initial tranche of funding to retrofit buses running services in GM that have older engines which are not compliant with the GM CAZ emission standards. Government also confirmed the funding award for Bus Retrofit funding should be distributed as a continuation of the Clean Bus Technology Fund. As this funding mechanism is distinct from the wider delivery of the GM CAP, no consultation feedback was requested on this aspect of the policy.

5.5.2. The distribution of Bus Retrofit funding commenced in December 2020.

5.5.3. This fund offers operators of locally registered bus services with up to £16k of funding per vehicle towards the retrofit of non-compliant buses before the launch of the Clean Air Zone in Spring 2022. The funding is available for vehicles, including minibuses and coaches, operating on a registered bus service within Greater Manchester. This includes cross-boundary services operating within the GM CAZ boundary.

#### 5.6. **Other Cities' Clean Air Plans**

5.6.1. Since the last report to members in July there have been significant updates on the progress of other cities plans to implement Clean Air Zones.

5.6.2. Leeds City Council – statutorily consulted on their proposals 29 June – 12 August 2018 and in 2019 announced their Clean Air Zone would launch in 2020. They commenced distributing clean air funding in 2019 to encourage vehicle upgrade. The Government's Joint Air Quality Unit (JAQU) recently undertook a joint review with Leeds to analyse the impact of COVID-19 on air quality and to understand if a Clean Air Zone remains necessary, or whether NO<sub>2</sub> compliance by the legally required timeframe can be achieved and maintained in other ways. Due to the dramatic shift to cleaner vehicles already

delivered by the funding and by businesses preparing for the imminent launch of the CAZ, the review found that air pollution in Leeds is significantly below legal limits and that is likely to be maintained, even if traffic were to return to 'normal' levels or slightly higher. However, as set out in paragraph 3.6 this is not the case for the Greater Manchester Authorities where they have been instructed by government to proceed with the proposals.

- 5.6.3. Bath & North East Somerset announced on 8 October that their clean air zone, a city centre CAZ C, would take effect on 15 March 2021. This was initially due to launch in November 2020 but was delayed by the COVID-19 pandemic. The Council has opened access to its clean vehicle upgrade funds now, prior to the scheme opening, to enable impacted groups to upgrade their vehicles.
- 5.6.4. Birmingham announced on 8 October that their clean air zone will launch on 1 June 2021. The scheme, which is a city centre CAZ D, was initially due to launch in January 2020 but was delayed by issues with the Government's vehicle checker and then by impacts of the COVID-19 pandemic. Birmingham have opened up their clean vehicle funds to enable impacted groups to access funding and upgrade their vehicle prior to the scheme's launch.
- 5.6.5. Bristol consulted on their clean air zone proposals between 8 October and 13 December 2020. The Council consulted on a number of options while carrying out modelling work to look at the impact of green recovery measures. Option 1 would be a Clean Air Zone covering a small area of central Bristol where older, more polluting commercial vehicles and polluting private cars would pay to drive in the zone, referred to as 'small CAZ D'. Option 2 would be Option 1 plus a larger charging zone where older, more polluting commercial vehicles, but not private cars, would be charged to drive in the zone, referred to as 'medium CAZ C'. The full business case process is scheduled to be submitted in early 2021.
- 5.6.6. As far as GM is aware, all other authorities that received a ministerial direction to implement a clean air zone are proceeding with the development of their plans. Ministers have written to other authorities in similar terms to Greater Manchester confirming that they expect measures to continue to be developed where necessary. Some cities, such as Newcastle/Gateshead, are revising their initial proposals for a clean air zone. London's Ultra Low Emissions Zone (ULEZ), although not required under the same legislation as local authority clean air plans which are part of the clean air zone framework but has similar principles of charging the most polluting vehicles, is to be extended to the North and South Circular roads of inner London on 25 October 2021.

## **6 CLEAN AIR ZONE PREPARATORY ARRANGEMENTS**

- 6.1. In July 2019 on the basis of evidence provided as at that date, a Ministerial letter set out that the GM plan appeared to be on track to deliver compliance in the shortest possible time and that the Greater Manchester authorities should continue to proceed towards developing the implementation and contract arrangements of a charging Clean Air Zone in Greater Manchester. Government provided an initial tranche of £36m of funding to take this forward.

- 6.2. The ten Greater Manchester Local Authorities have been directed by Government to introduce a category C Clean Air Zone across the region, therefore the key elements of the Clean Air Zone including the intended boundary and times of operation, proposed discounts/exemptions, vehicles affected and daily charges, have been subject to a statutory consultation. The supporting measures, the detail of proposals of the funds and vehicle finance were also set out at consultation to enable consultees to respond fully to the GM CAP proposals. Given that the 10 Local Authorities are subject to the direction to implement the CAZ, the preparatory procurement arrangements have commenced without a risk of the consultation outcome being pre-judged.
- 6.3. The ten Greater Manchester Local Authorities are undertaking the preparatory implementation and contract arrangements required to deliver the CAZ and other GM CAP measures. Preparatory work is required in order to maintain delivery momentum in line with the funding arrangements agreed with JAQU, for example in relation to automatic number plate recognition (ANPR) cameras, back office systems and service providers.
- 6.4. A description of the main procurements is set out in Appendix 2. This includes the date when formal contract awards are expected to be made to enable GM to deliver a charging Clean Air Zone in Spring 2022 to meet the timescales required by the Ministerial Direction.
- 6.5. TfGM is running the procurement exercise with potential suppliers to final evaluation and to provide a report to allow the authorities (as set out in section 9 a joint committee will be set up to delegate to TfGM) to make a decision to award to the successful supplier(s) on receipt of [confirmation of] funding from JAQU.
- 6.6. The 29th July 2020 report considered the proposed Governance arrangements for the CAZ and it was subsequently agreed by all 10 Greater Manchester Local Authorities and GMCA that TfGM will act as an 'operating body' responsible for day to day operation of the CAZ and the implementation of other GM CAP measures.
- 6.7. The 29<sup>th</sup> July 2020 report also set out that a future report would detail the formal governance mechanisms that will underpin the delivery of a GM Clean Air Zone (CAZ) and the supporting measures, including the powers that will need to be delegated to the Operating Body. Section 8 of this report considers the joint working arrangements that will be required.

## **7 CLEAN AIR – CONSULTATION**

### **Consultation purpose and delivery arrangements**

- 7.1 The ten Greater Manchester authorities conducted an eight-week consultation from 8 October to 3 December 2020 that adhered to the government's COVID-19 guidance around social distancing. The purpose of the consultation was to seek views from residents, visitors, stakeholders and businesses on the proposals to achieve compliant NO<sub>2</sub> levels in Greater Manchester. The Greater Manchester Minimum Licensing Standards consultation ran in parallel to ensure that those impacted and/or interested in the proposals could have a

complete view of the proposed changes to vehicles and the financial support available.

- 7.2 The consultation was not seeking a decision on whether to introduce a scheme as that has been directed by the Secretary of State; it set out a position for consultation on the daily charge, discounts and exemptions of a Category C GM Clean Air Zone, and the proposals for the supporting funds.
- 7.3 TfGM, on behalf of the ten Greater Manchester authorities, conducted the consultation, under the CleanAirGM branding. AECOM – an independent opinion research agency – was appointed to receive, manage, process and analyse the consultation responses on TfGM’s behalf; to undertake qualitative research on the proposals (a research method of facilitated sessions to seek feedback from representative groups); and produce a full report on the findings from the consultation.
- 7.4 The consultation was also supported by engagement activity to ensure all groups could engage with the consultation materials and respond in a meaningful way.

#### **Consultation documentation**

- 7.5 The consultation materials were published on [www.CleanAirGM.com](http://www.CleanAirGM.com) on 8 October 2020. This included the [consultation document](#), the questionnaire, technical reports, the policy for consultation and supporting public facing materials such as leaflets and fact sheets. An animation outlining the proposals with subtitles and British Sign Language interpretation was also published.
- 7.6 Hard copies of the consultation document and questionnaire were sent to each local authority for distribution across the boroughs as deemed appropriate. These materials were also sent to every Travelshop operated by TfGM across Greater Manchester. Hard copies of other materials were available on request, as well as alternative formats.
- 7.7 In addition to the online and hard copy questionnaire, people could respond via a dedicated phonenumber, email or post. A language line facility was also in place for non-English speakers.

#### **Consultation methodology and questions**

- 7.8 The consultation questions were embedded throughout the consultation document and in the questionnaire.
- 7.9 The aim was to seek views on the detail of the proposed boundary (already set by the direction at GM-wide), the proposed operation, the proposed charges and discounts / exemptions, the supporting measures (funds, vehicle finance) and the impacts of Covid-19 on the ability of businesses / organisations to respond to the proposals.
- 7.10 During the consultation planning stage, an equality impact assessment was undertaken to ensure that the proposed consultation methodology did not exclude any groups with protected characteristics and that any issues arising

due to the current situation in relation to COVID-19 were appropriately mitigated.

### **Engagement and awareness raising activity**

- 7.11 GM and national-level engagement activity was coordinated and delivered by TfGM under the CleanAirGM branding. Each of the 10 GM authorities also implemented their own delivery plans for consultation with their residents and businesses. Full details of the GM level engagement delivered throughout the consultation can be found in Appendix 3.
- 7.12 The GM authorities used both online and offline channels to promote the consultation, (including social media, digital advertising, out of home advertising, media and PR, working with stakeholders and other routes). As traditional consultation-style events and drop-in sessions could not be hosted due to the restrictions on large gatherings, GM used online events, webinars, social media in order to answer questions and engage. Activity undertaken at a local level will be included in local authority reports, as appropriate.
- 7.13 TfGM also developed a virtual exhibition space to provide an alternative way to engage with the consultation materials and speak to members of the CleanAirGM team, in the absence of face-to-face engagement. The platform had an online chat facility which operated for several hours a day at least six days a week.

### **Qualitative research**

- 7.14 Alongside the consultation and engagement activity, qualitative research was also undertaken by AECOM to explore the impact of the proposals and the impact of Covid-19 on the most impacted groups. This included small and micro businesses, the taxi and private hire trade, the freight and logistics sector, public transport users and those with respiratory conditions.
- 7.15 The sessions took place as either focus groups or depth-interviews on Microsoft Teams and were facilitated by an independent moderator. Full details of the activity can be found in Appendix 4.
- 7.16 This research was conducted whilst the consultation was ongoing and will be reported within the consultation findings report.

### **Final response numbers and other submissions**

- 7.17. A total of 4765 responses were received during the consultation period:
- 3954 via online questionnaire
  - 767 via email
  - 43 paper questionnaires
  - 1 telephone response
- 7.18. The full AECOM Consultation Report will be published with the final plan.

- 7.19. Late responses (i.e. submitted after the deadline of 3 December 2020 at 23:59) are not counted in the final numbers of responses but will be summarised in a separate chapter of the report that will be produced by AECOM (the independent agency who are managing and analysing the responses to the consultation). Any late responses to the Clean Air consultation will be considered in the local authority reports on the outputs of the consultations to the extent that they are deemed to be material.

## **8 CLEAN AIR – GOVERNANCE**

- 8.1. The 29<sup>th</sup> July 2020 report considered the proposed Governance arrangements for the GM CAZ and it was subsequently agreed by all 10 GM Authorities and GMCA that TfGM will act as an 'operating body' responsible for day-to-day operation of the CAZ and the implementation of other GM CAP measures.
- 8.2. The 29<sup>th</sup> July 2020 report also set out that a future report would detail the formal governance mechanisms that will underpin the delivery of a GM Clean Air Zone (CAZ) and the supporting measures, including the powers that will need to be delegated to the Operating Body.
- 8.3. This section of the report considers the formal governance mechanisms and joint working arrangements that will be required to ensure that the 10 GM Authorities implement a charging Clean Air Zone in Spring 2022 so as to ensure the achievement of NO<sub>2</sub> compliance in the shortest possible time and by 2024 at the latest as required by the Ministerial Direction.
- 8.4. The formal governance mechanisms include the political oversight arrangements (to include to the oversight of the CAZ including monitoring and policy setting) and operating arrangements.
- 8.5. As there are several key charging authority functions that can only be discharged by the charging authorities (and as the GMCA is not a charging authority), the approach that GM will take will be to establish:
- a Joint Committee of charging authorities to enable decisions to be taken that are required to be taken jointly by the Constituent Authorities' as charging authorities in relation to the Greater Manchester Clean Air Zone; and
  - a Joint Committee of the charging authorities and the GMCA to enable the joint discharge of the GMCA's and Constituent Authorities' functions under sections 82 to 84 of the Environment Act 1995 (Air Quality) and in relation to the Greater Manchester Clean Air Plan (excluding such decisions that must be taken by the charging authorities jointly under Part 3 of, and Schedule 12 to, the Transport Act 2000 and regulations made thereunder).

- 8.6. These formal governance arrangements need to be in place before the GM Authorities make a decision to award the contracts necessary, as set out in Appendix 2, to deliver a charging Clean Air Zone and other measures to successful supplier(s). The terms of reference including the functions requiring delegation to the joint committees are set out in Appendix 6. The 10 GM local authorities are being asked to agree the establishment of the committees, nominate their committee members and terms of reference for the joint committees.
- 8.7. The proposed governance arrangements will also enable TfGM to discharge relevant local authority functions before decisions to award contracts to successful suppliers.
- 8.8. A description of the main procurements is set out in Appendix 2. This table includes the date when formal contract awards are expected to be made to enable GM to deliver a charging Clean Air Zone in Spring 2022 as required by the Ministerial Direction. They are imminent with the first being in March 2021 through the Summer of 2021.
- 8.9. Furthermore, it is prudent and conventional on such a complex, multi-authority project, for there to be an agreement put in place between the 10 local authorities and GMCA/TfGM to clarify the rights, responsibilities and obligations of the authorities in relation to [those contracts and] the collective GM CAP, and setting out how all parties will work together to deliver the GM CAP up to and beyond the determination of the final plan.
- 8.10. The GM authorities are being asked to provide sufficient delegations for each Authority to be a party to the collaboration agreement between the 10 local authorities and GMCA/TfGM to clarify amongst other matters the rights, responsibilities and obligations of the authorities in relation to those contracts set out in Appendix 2.

### **State Aid**

- 8.11. The consultation materials were published on [www.CleanAirGM.com](http://www.CleanAirGM.com) on 8 October 2020 in the [Policy for Consultation](#), GM outlined that the proposed measures would be subject to state aid restrictions. Subsequently there are new rules and arrangements are in place. The EU-UK Trade and Co-operation Agreement (TCA) sets out the new obligations for Subsidy Control which replaces the State aid regime in the UK. The new rules must be considered in respect of all grants awarded from 1<sup>st</sup> January 2021. This will be taken into consideration in the development of the final plan.



## **9 MINIMUM LICENSING STANDARDS AND THE GM CLEAN AIR PLAN**

- 9.1 Taxi/PHV services are a significant part of GM's transport offer. In 2018, GM's ten local authorities agreed to collectively develop, approve and implement a common set of minimum licensing standards (MLS) for Taxi and Private Hire services that cover the whole of GM. At that time, the primary driver for this work was to improve public safety, but vehicle age and emission standards in the context of the Clean Air agenda are now also a major consideration.
- 9.2 As licensing is a local authority regulatory function, the work to devise the Standards has been undertaken by the GM Licensing Managers Network, with TfGM supporting the co-ordination of this work, and alignment with other relevant GM policies, at a GM level.
- 9.3 There are four areas of focus for the MLS:
- Drivers: Criminal Records Checks; Medical Examinations; Local knowledge test; English language; Driver training; Driving Proficiency; Dress Code.
  - Vehicles: Vehicle emissions (diesel Euro 6 and above, petrol Euro 4 and above with an ambition for a zero-emission capable fleet); Vehicle ages (under 5 years at first licensing, no older than 10 years); Vehicle colour (Black for Taxi/Hackney, white for Private Hire Vehicles); Vehicle livery (common GM design with Council logo incorporated); Accessibility (all Taxis to be wheelchair accessible); Vehicle testing; CCTV; Executive Hire; Vehicle design and licensing requirements.
  - Operators: Private Hire Operators/staff will require basic criminal record check; more stringent requirements in relation to booking records; Operators to take more responsibility for the behaviour of their drivers.
  - Local Authorities: Applications may be submitted up to 8 weeks in advance of license expiry; Once determined, license issued within 5 working days; Agree to develop common enforcement approach and a framework to which licensing fees are set; Councillors to receive training before they hear applications.
- 9.4 Given the decarbonisation challenge, sectors such as transport need to take very significant action now to reduce carbon emissions. For taxis and PHVs to contribute will require them to switch to zero-emission capable (ZEC) vehicles. To invest in ZEC vehicles, taxi proprietors also require long term confidence in the local policy landscape, including future interventions and supporting infrastructure.
- 9.5 The trade has asked for certainty, funding, and long lead in times for these changes. This is extremely challenging within the current and emerging policy environment. Officers have developed policy proposals that can meet these needs as far as possible, which is why parallel consultations have been undertaken for MLS and GM CAP, and that charging, funding, and licensing policy positions are coherent and joined-up.

- 9.6 Ultimately the collaborative approach that the MLS represents will help achieve the vision of a strong, professional and healthy taxi and private hire sector providing safe and high-quality services to residents and visitors across the whole of Greater Manchester. This vision sees taxis and Private Hire as a crucial part of the overall transport mix, that can consistently deliver safe and high-quality services for the public. The proposed MLS will help deliver improved safety, customer focus, higher environmental standards and accessibility.
- 9.7 In addition, GM understands that, like many parts of the economy, and in particular the transport sector, the taxi and private hire trade have been impacted by COVID-19, lockdown and the effects of social distancing policies. Therefore, the MLS consultation, which is a matter for the 10 district councils, included questions designed to elicit a fuller and more informed understanding of the wider effects of COVID-19 on the economic health and sustainability of the taxi and private hire trades.

## **10 MLS – CONSULTATION**

### **Consultation purpose and delivery arrangements**

- 10.1 The ten Greater Manchester authorities conducted an eight-week consultation from 8 October to 3 December that adhered to the government COVID-19 guidance around social distancing. The purpose of the consultation was to inform the trade and the public of the proposals and engage impacted groups (the trade and the main service users) to build understanding and awareness to inform the final standards.
- 10.2 TfGM, on behalf of the ten Greater Manchester licensing authorities, conducted the consultation, under the GM Taxis Standards brand. AECOM – an independent opinion research agency – was appointed to receive, manage, process and analyse the consultation responses on TfGM’s behalf; to undertake qualitative research on the proposals (a research method of facilitated sessions to seek feedback from representative groups); and produce a full report on the findings from the consultation.
- 10.3 The consultation was also supported by engagement activity with the trade to help ensure they could engage with the consultation materials and respond in a meaningful way.

### **Consultation documentation**

- 10.4 The consultation documentation was published on [www.gmtaxistandards.com](http://www.gmtaxistandards.com) on 8 October 2020. This included the [consultation document](#), the questionnaire and supporting public facing materials such as leaflets and factsheets. An animation outlining the proposals with subtitles and British Sign Language interpretation was also developed.

- 10.5 Hard copies of the consultation document and questionnaire were sent to each local authority for distribution across the boroughs as deemed appropriate. These materials were also sent to every Travelshop operated by TfGM across Greater Manchester. Hard copies of other materials were available on request, as well as alternative formats.
- 10.6 In addition to the online and hard copy questionnaire, people could respond via a dedicated phonenumber, email or post. A language line facility was also in place to support non-English speakers.

### **Consultation methodology and questions**

- 10.7 The consultation questions were embedded throughout the consultation document and in the questionnaire.
- 10.8 The aim was to seek views on the proposed driver standards, vehicle standards, operator standards, local authority standards, local authorities, the proposed implementation timetable and the impacts of COVID-19 on the ability of businesses / organisations to respond to the proposals.
- 10.9 During the consultation planning stage, an equality impact assessment was undertaken to ensure that the proposed consultation methodology did not exclude any groups with protected characteristics and that any issues arising due to the current situation in relation to COVID-19 were appropriately mitigated.

### **Engagement and awareness raising activity**

- 10.10 GM engagement activity was coordinated and delivered by TfGM under the GM Taxi Standards brand. Each of the 10 GM communications and engagement teams and licensing teams supported this delivery plan, with their own local plans. Full details of the GM level engagement delivered throughout the consultation can be found in Appendix 3.
- 10.11 The GM authorities used both online and offline channels to promote the consultation, (including social media, digital advertising, out of home advertising, media and PR, working with stakeholders and other routes).
- 10.12 As traditional consultation-style events and drop-in sessions could not be hosted due to the restrictions on large gatherings, GM used online events, webinars, social media and promoted a phone number, in order engage with the public and impacted groups.
- 10.13 TfGM also developed a virtual exhibition space to provide an alternative way to engage with the consultation materials.

### **Qualitative research**

- 10.14 Alongside the consultation and engagement activity, qualitative research was also undertaken by AECOM to explore the impact of the proposals and the impact of COVID-19 on the trade and key users.

- 10.15 The sessions took place as either focus groups or interviews on Microsoft Teams and were facilitated by a moderator. Full details of the sessions ran can be found in Appendix 5.
- 10.16 This research was conducted whilst the consultation was ongoing and will be reported within the consultation findings report.

### **Final response numbers and other submissions**

- 10.17. A total of 1682 responses were received during the consultation period:
- 1552 via online questionnaire
  - 46 via email
  - 84 paper questionnaires
- 10.18. The full AECOM Consultation Report will be published with the final plan.
- 10.19. Late responses (i.e. submitted after the deadline of 3 December 2020 at 23:59) are not counted in the final numbers of responses but will be summarised in a separate chapter of the report that will be produced by AECOM (the independent agency who are managing and analysing the responses to the consultation). Any late responses to the MLS consultation will be considered in the local authority reports on the outputs of the consultations to the extent that they are deemed to be material.

## **11 NEXT STEPS**

- 11.1. GM needs time to:
- Review all the information gathered through the GM CAP and MLS consultations.
  - Fully consider all the information and evidence gathered, so that it can understand the consequences of COVID-19 has had on vehicle owners and trades affected by the GM CAP and MLS.
  - Undertake the subsequent equalities, air quality and emissions impact assessments, this work will be vital to inform future decisions on each aspect of the final plan.
- 11.2. It is proposed that for the GM CAP a final plan will be brought forward for decision makers as soon as is reasonably practicable and no later than summer 2021, and at this time the outputs of the MLS consultation will also be reported.
- 11.3 Officers will:
- Continue dialogue with JAQU to secure a clear response from government on GM's outstanding clean air funding asks;

- Continue to undertake the preparatory implementation and contract arrangements that need to be undertaken to deliver the CAZ and other GM CAP measures;
- Continue work to understand the possible impacts of COVID-19 on the GM CAP and MLS;
- Continue to assess the findings of the consultation and develop a final Clean Air Plan (as set out at paragraph 5.5) for consideration by the 10 Greater Manchester Local Authorities; and
- Consider the proposed approach to the consideration and adoption of MLS by the 10 Greater Manchester Local Authorities.

---

### Other alternative options considered

The text of the report describes all relevant considerations.

---

### Community impact/links with Community Strategy

The proposals in the GM Clean Air Plan are designed to protect the health of our communities and are in line with Section 4.2 re "Place" in the Bury 2030 Strategy.

---

### Equality Impact and considerations:

*Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:*

*A public authority must, in the exercise of its functions, have due regard to the need to -*

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

*The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.*

<b>Equality Analysis</b>	<i>Please provide a written explanation of the outcome(s) of either conducting an initial or full EA.</i>
An Equality Impact Assessment was completed for the consultation and can be	

found at [here](#). This will be updated and published with the final plan.

*\*Please note: Approval of a cabinet report is paused when the 'Equality/Diversity implications' section is left blank and approval will only be considered when this section is completed.*

---

#### Assessment of Risk:

The following risks apply to the decision:

Risk / opportunity	Mitigation
Initial risk register set out in Clean Air Plan OBC (March 2019)	.

---

#### Consultation:

This report provides an update on a community consultation exercise

---

#### Legal Implications:

The legal considerations relating to the specific proposals are set out in the body of the report. The proposed joint arrangements relate to executive/cabinet functions of the council and do not need full council approval. As these proposals do not involve additional expenditure and are administrative in nature, they are not key decisions.

---

#### Financial Implications:

**Revenue:** Initial Financial Case set out in Clean Air Plan OBC (March 2019), with all development and delivery costs to be covered by central Government

**Capital:** Initial Financial Case set out in Clean Air Plan OBC (March 2019), with all development and delivery costs to be covered by central Government

---

#### Report Author and Contact Details:

Laura Swann – Assistant Director - Operations (Strategy)  
Chris Horth – Unit Manager – Environment Team

---

Background papers:

- 31 July 2020, report to GMCA: Clean Air Plan Update
- 29 May 2020, report to GMCA: Clean Air Plan Update
- 31 January 2020, report to GMCA: Clean Air Plan Update
- 26 Jul 2019, report to GMCA: Clean Air Plan Update
- 1 March 2019, report to GMCA: Greater Manchester's Clean Air Plan – Tackling Nitrogen Dioxide Exceedances at the Roadside - Outline Business Case
- 11 January 2019, report to GMCA/AGMA: Clean Air Update
- 14 December 2018, report to GMCA: Clean Air Update
- 30 November 2018, report to GMCA: Clean Air Plan Update
- 26 October 2018, report to GMCA: GM Clean Air Plan Update on Local Air Quality Monitoring
- 15 November 2018, report to HPEOS Committee: Clean Air Update
- 16 August 2018, report to HPEOS Committee: GM Clean Air Plan Update
- UK plan for tackling roadside nitrogen dioxide concentrations, Defra and DfT, July 2017

**Please include a glossary of terms, abbreviations and acronyms used in this report.**

Term	Meaning
GMCAP	Greater Manchester Clean Air Plan
MLS	Minimum Licensing Standards
LGV	Light Goods Vehicle
CAZ	Clean Air Zone
NO2	Nitrogen Dioxide
JAQU	The Governments Joint Air Quality Unit
ANPR	Automatic Number Plate Recognition
PM	Particulate Matter
PM2.5	Particulate matter with diameter under 2.5 micrometres

PM10	Particulate matter with diameter under 10 micrometres
OBC	Outline Business Case
ug/m3	Microgrammes per metre cubed
PHV	Private Hire Vehicle
HC	Hackney Carriage
EV	Electric Vehicle
SRN	Strategic Road Network
ZEC	Zero Emission Capable (Vehicle)



## **12 APPENDIX 1 – UPDATE ON ASSESSING IMPACTS OF EXTENDING GREATER MANCHESTER’S CLEAN AIR ZONE (CAZ) CHARGES TO THE SECTIONS OF THE A628/A57**

- 12.1 As set out at 5.4 Government ministers have agreed to consider extending Greater Manchester’s Clean Air Zone (CAZ) charges to the sections of the A628/A57 which form part of the Strategic Road Network, within the proposed CAZ boundary. The extension of any charges to the A628/A57 will be subject to a full assessment of the potential impacts, to be led by Highways England. This will cover air quality impacts on other roads, safety impacts, carbon impacts, as well as wider issues for Highways England, such as operational and network issues. Following the assessment ministers will take the final decision on whether or not charging should be implemented on the A628/A57. Tameside officers are involved in the work to ensure that it comes to a collective conclusion about the outcomes of the assessment, which is expected to be completed by early 2021
- 12.2 The assessment of the potential impacts work has commenced. The scope of work produced by Highways England, Tameside and TfGM addresses air quality, carbon, safety and consideration of wider network operations. The scope of work will be submitted to DfT for approval. The scope is clear it will consider the extents of any charging on the SRN (A57 / A628), will be limited to within Tameside administrative boundary in line with the proposed boundary of the GM Clean Air Zone (CAZ).
- 12.3 The scope outlines the assessment will follow a staged approach, increasing the level of detail and information required as necessary.

### Stage 1

- a high-level assessment, to determine the number of non-compliant HGVs, buses, taxis and vans that are predicted to use the A57 / A628 as a strategic through route staying on the SRN transiting the region and not entering Greater Manchester (GM) Clean Air Zone (CAZ);
  - an estimation of the likely air quality benefits on the A57 / A628 from including this section of road within the charging CAZ; and
  - JAQU have confirmed that the location of predicted exceedances in 2023 provided by TfGM to date are qualifying features for the reporting requirements for Limit Values.
- 12.4 If the high-level assessment completed at Stage 1 indicates that it is possible for charging on the A57/A628 to deliver material improvements to predicted exceedances or achieve limit value compliance a year earlier on the A57/A628 than without charging, then the assessment work would move to Stage 2.

### Stage 2

- A more detailed investigation of traffic movements along the A57 / A628 and movements in and out of proposed GM charging CAZ;

- Detailed air quality modelling of the impacts and effect of charging on the SRN. It is anticipated that Highways England would work in partnership with TfGM to complete this work as they have the models, including driver behaviour responses already developed.
- Depending on the anticipated behavioural response to charging:
  - Identification of likely alternative routes HGVs and vans would take to move between their origin and destinations;
  - Calculation of changes in carbon dioxide emissions for HGVs and vans associated with these new routes;
  - A review of the safety implications for additional HGVs and van movements on alternative routes;
  - Commentary of the impacts for operating and maintaining the network associated with changes in traffic movements along the A57 / A628 corridor and the use of alternative routes.

12.5 The assessment to date highlights GM's material point that Government's requirements of Highways England in respect of NO<sub>2</sub> are not the same as the approach they have taken in respect of the GM authorities who have been directed to take action on the local road network. The appraisal approaches required by Government are not consistent in their interpretation of Highways England and local authority roads, which reflects the typically differing nature of public access immediately adjacent to local roads and motorways. However, the A57/A628 section of the SRN is atypical in that it more closely resembles a 'local road' environment with public residences at the kerbside. It has therefore been determined in the scope of works to apply the approach used by the GM Authorities in modelling the GM CAP.

### **Initial Outputs**

- 12.6 Highways England, Tameside and Transport for Greater Manchester noted that work to date as part of the GM CAP shows that the introduction of a GM Clean Air Zone leads to a 3 to 4µg/m<sup>3</sup> reduction in annual mean NO<sub>2</sub> concentrations for properties adjacent to the A57 and A628 when first opened. On expiry of the temporary exemption for LGVs and minibuses, NO<sub>2</sub> concentrations reduce by a similar amount again, providing a total improvement of 6 to 8µg/m<sup>3</sup>.
- 12.7 Further analysis and air quality modelling as part of this study indicates that there are expected to be NO<sub>2</sub> exceedances in 2023 with the GM CAZ operational, and also there are expected to be additional NO<sub>2</sub> reductions from charging on this section of the SRN. Therefore, as the early indication is that it is possible for charging to deliver material improvements to predicted exceedances on the A57/A628 than without charging, work will progress to Stage 2.
- 12.8 As part of stage 2 the study will continue to refine the traffic data and associated air quality modelling, reviewing the results to understand what they mean for this study.

# 13 APPENDIX 2 – MAIN PROCUREMENTS TO ENABLE GM TO DELIVER A CHARGING CLEAN AIR ZONE IN SPRING 2022

Procurement Activity	Reason for Procurement	Procurement Approach	Estimated Contract Value £m*	Anticipated Contract Award Date	Funding Required from JAQU to enable contract award
CAZ Signage	Signs are required to be placed on the highway network to support the implementation of the GM CAZ. The signage will need to be placed within the GM CAZ and at entry and exit points on the Strategic Route Network and neighbouring authorities <sup>9</sup> .	A procurement exercise has been undertaken for entry, exit and advance, repeater and advance direction signage, to cover the manufacture, installation, management and de-commissioning of such signs. Advanced warning signs on the Strategic Road Network required for CAZ are to be procured separately by Highways England, who manage this network.	£2.55m(CAPEX)	March 2021	n/a funded by £36m initial funding award
CAZ Service	Automatic Number Plate Recognition (ANPR) cameras will be used to detect vehicles through the capture of Vehicle Registration Marks (VRMs) and record evidential data of their entry into the GM CAZ. ANPR cameras will be installed at key locations across the region.	Procurement is being run through a competitive dialogue procedure to acquire the following services under a single contract: 1) A Vehicle Detection and Processing Service to operate and maintain the ANPR devices; 2) A CAZ Office Service that will: • service customers, so as to handle individual queries from members of the public regarding the GM CAZ; and • enable integration with the via a Central Government Payment Portal. 3) A Penalty Enforcement Service that will enable 'case management', and interface to the DVLA, to issue Penalty Charge Notices (PCNs) and where necessary the Traffic Enforcement Centre (TEC), Traffic Penalty Tribunal (TPT) and the Enforcement Agents, and track the progress of the PCN.	£62.0m (CAPEX) £98.5m (OPEX)	Summer 2021	£38m plus £24m from the initial funding award
CAZ Debt Recovery	A Debt Recovery Service will be required to progress debt management and to secure payment of outstanding fines, penalties and any charges as directed by the TEC and TPT.	This contract will be a call-off from the Crown Commercial Services (CCS) framework to recover outstanding debts both nationally and internationally.	£40.7m	May 2021	n/a will be funded by the operational revenues of the Clean Air Zone
Vehicle Funds - Clean Vehicle Funds Service	Owners or registered keepers of a non-compliant vehicle that will be subject to the GM CAZ charges may be eligible to apply for financial support towards upgrading to a compliant vehicle, subject to meeting eligibility criteria. The Clean Vehicle Administration of the Clean Air Funds will be delivered through a Financial Conduct Authority (FCA) authorised Clean Vehicle Fund Service (CVFS) and a panel of FCA authorised Financiers <sup>10</sup> .	<ul style="list-style-type: none"> <li>Provide a "digital first" entry point for the customer, and an automated process so applicants will quickly be able to access information on funding options available to them and to make an application.</li> <li>Manage a network of dealerships accredited to receive grant payments.</li> <li>Provide applicants with non-compliant vehicles who successfully passed eligibility testing the option of either a grant or vehicle finance funding option and progress sourcing a vehicle.</li> <li>An Applicant who chooses the grant option will be able to access an accredited dealership<sup>11</sup> list to redeem the grant monies through a voucher issued through the CVFS.</li> <li>A database of all applications made for grant and vehicle finance and the funding route chosen.</li> <li>Interface management between the CVFS and the Financiers in order to deliver a digital customer journey.</li> <li>A robust process for monitoring of the funds. N.B. if there is a lower take up of the Clean</li> </ul>	£4.56m	May 2021	£4.56m

<sup>9</sup> Formal agreement of the precise location of the CAZ signage, this can only be decided once the boundary is finalised in the Final Plan Report.

<sup>10</sup> TfGM, the ten Greater Manchester local authorities and GMCA will not be party to any vehicle selection, specification and supply or to any of the financial agreements between the Financiers and the vehicle owners. TfGM will not be required to be FCA authorised.

Procurement Activity	Reason for Procurement	Procurement Approach	Estimated Contract Value £m*	Anticipated Contract Award Date	Funding Required from JAQU to enable contract award
		Funds Scheme than expected volumes (or higher than expected in a particular funding tranche), GM can widen the eligibility criteria through the CVFS without prejudice to existing Applicants contained within the CVFS database.			
Vehicle Funds - Vehicle Financiers		<ul style="list-style-type: none"> <li>• Provide applicants with non-compliant vehicles who successfully passed eligibility testing and choose the vehicle finance funding option access to asset finance and leases at contributory rates to owners of eligible vehicles with the GM CAP Clean Funds Scheme providing the value of the contribution.</li> <li>• Interface with the CVFS for hand-over of data through the CVFS on all applicants who have passed the eligibility checks and chosen to take the contributory vehicle finance funding option.</li> <li>• Be required to supply all management information requirements of the fund measures.</li> </ul>	£114m <sup>12</sup>	May 2021	£6.1m
Diffusion Tubes & Air Quality Monitoring	Air Quality monitoring will be critical in confirming that the GM CAP is delivering the necessary trajectory of air quality improvement and compliance with air quality standards. Air Quality will be measured via a combination of Diffusion Tubes and Continuous Monitors	The diffusion tubes tender was issued to market in November 2020. The scope of the procurement for diffusion tube air quality monitoring includes the supply, installation and decommissioning of the diffusion tubes at 467 monitoring sites, monthly monitoring and provision of analysis to support the GM CAP programme.	£C£1.5m	April 2021	n/a will be funded by the operational revenues of the Clean Air Zone
EV Taxi Try before You Buy (TBYB)	<p>The GM CAP and the proposed GM MLS will require Hackney Carriages to meet stricter emissions standards, which will mean a significant proportion of the trade will need to upgrade to compliant vehicles.</p> <p>The Hackney ZEC/EV rental initiative for drivers that are uncertain about transitioning straight to ZEC.</p>	TBYB scheme is awaiting a Government offer of funding. The procurement strategy will be defined during early 2021s	£1.0 m	Autumn 2021	£1.0m

\*With the exception of the Signage, the contract values are estimates which will be firmed up once bids are received.

<sup>11</sup> Dealerships will be able to apply through the platform for accreditation to the Clean Funds Scheme and therefore receive grant payments. Dealerships will be required to be FCA authorised (or exempt as appointed representatives of FCA authorised Principal firms); and agree electronic Term's and Condition's for the scheme.

<sup>12</sup> This sum represents the maximum that could be disbursed to Financiers should all applicants apply for finance.

**14 APPENDIX 3 – ENGAGEMENT ACTIVITY WITH NATIONAL AND GREATER MANCHESTER-WIDE STAKEHOLDERS AND ORGANISATIONS REPRESENTING IMPACTED INDIVIDUALS AND BUSINESSES**

- 14.1 During the consultation TfGM, on behalf of the 10 GM local authorities contacted c.200 national and regional stakeholders who represented individuals or businesses who would be impacted by the GM Clean Air Plan and GM Minimum Licensing Standards.
- 14.2 Information was shared with these organisations (including digital toolkits) so that stakeholders could inform their members and networks of the consultation as well as providing the stakeholders with an opportunity to participate in meetings and webinars.
- 14.3 In total, there were 43 briefing sessions with impacted groups, which were attended by more than 300 people. This included 12 sessions for Taxi and PHV trade and drivers, plus 31 with businesses and representative bodies, including Federation of Small Businesses, CBI, British Horse Society, National Farmers Union, Confederation of Passenger Transport and Road Haulage Association.
- 14.4 Content was shared by many stakeholders including: GM Growth Company, GMCVO Friends of the Earth Manchester, Business Bolton, Salford CVS, GM Ageing Hub, ProManchester, CityCo, GM Health and Social Care Partnership, GM Chamber, Bury Means Business, High Peak BC, Confederation of Passenger Transport, Altrincham Partnership, Action Together, BVRLA, Love Old Trafford, Wythenshawe Forum, Manchester BID, Federation of Small Business, Wrightington, Wigan, and Leigh NHS, GM Cycling and Walking Commissioner, Clean Air UK, Rochdale Youth Service, Trafford Partnership, Health Watch Manchester, University of Manchester (this is a sample, rather than comprehensive list).
- 14.5 Through these networks sharing content, it can be estimated that more than 500K impacted businesses and individuals were reached via stakeholder social media channels.
- 14.6 As well as this, the Clean Air GM newsletter was issued at various points during the consultation, to those who had subscribed, which currently has just over 4,000 subscribers.

## **15 APPENDIX 4 – CLEAN AIR PLAN QUALITATIVE RESEARCH**

### **Individuals**

- 2 groups with outside GM respondents who make trips into the GM region
- 2 groups with Inside GM respondents who use a mix of modes and live in areas of poor air quality and a mix of income levels (1 aged 18-40 and 1 aged 41+)
- 1 group with inside GM taxi/ PHV users
- 2 groups with inside GM respondents (50% from poor air quality areas and 50% from better air quality areas) (1 group aged 18-40 and 1 aged 41+)
- 2 groups with inside GM respondents (mix of modes used – 1 group aged 18-34 and 1 group aged 35+)
- 2 groups with inside GM respondents (bus and taxi/PHV users – 1 aged 18-34 and 1 group aged 35+)
- 1 group with inside GM respondents (campervan and horsebox owners)
- 1 depth with outside GM respondent (horse transportation vehicle)

### **Taxi / PHV**

- 30 depth interviews with taxi drivers
- 10 depth interviews with taxi operators (1 from each LA)
- 4 groups with taxi users

### **Businesses – all with impacted vehicles**

- 1 group with outside GM businesses (agriculture/ Waste Management/ Construction)
- 1 group with inside GM businesses (agriculture/ Waste Management/ Construction)
- 1 x group with inside GM businesses (retail)
- 1 x group with inside GM business (minibus/ coach operators/ voluntary sector)
- 1 x group with inside GM business (manufacturing)
- 1 x group with outside GM businesses (retail)
- 1 x group with inside GM businesses (construction/ retail)
- 1 x group with outside GM businesses (minibus/ coach operators)
- 1 x group with inside GM businesses (gardener/florist)
- 1 x group with inside GM business (night time economy)
- 1 x depth with waste management business (inside GM)
- 1 x depth with manufacturing business (inside GM)
- 1 x depth with coach/ minibus business (inside GM)
- 1 x depth with plumbing and gas business (inside GM)
- 1 x depth with butchers business (outside GM but travel into GM for trade)

## **16 APPENDIX 5 – MLS QUALITATIVE RESEARCH**

### **Depth interviews**

- 30 depth interviews with taxi drivers
- 10 depth interviews with taxi operators (1 from each Local Authority area)

### **Focus groups**

- 4 groups with taxi users
  - All users use taxi / PHV once a fortnight or more
  - 1 Female only group
  - 17 respondents
    - 13 female / 4 male
    - Range of ages (between 18 and 65+)
    - 5 had physical or mobility disabilities which affected their travel choices
    - At least one respondent from each of the 10 districts

## **17 APPENDIX 6 – JOINT COMMITTEES TERM OF REFERENCE**

### **Clean Air Charging Authorities Committee – Terms of Reference**

#### **General**

The Clean Air Charging Authorities Committee is a joint committee created by the ten Greater Manchester local authorities (“the Constituent Authorities”) under section 101(5) of the Local Government Act 1972 and Part 4 of the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012.

#### **Membership of the Committee**

The membership of the committee shall be ten, consisting of the lead executive member for clean air of each of the Constituent Authorities from time to time. The Constituent Authorities shall also each nominate a substitute executive member to attend and vote in their stead.

#### **Role of the Committee**

To enable decisions to be taken that are required to be taken jointly by the Constituent Authorities’ as charging authorities in relation to the Greater Manchester Clean Air Zone.

#### **Powers to be discharged by the Committee**

The Committee shall have power to take all such decisions of the Constituent Authorities (as charging authorities) that must be taken jointly under Part 3 of, and Schedule 12 to, the Transport Act 2000 and any regulations made thereunder.

This includes, but is not limited to:

- Making and varying a joint local charging scheme order;
  - Decisions of the charging authority under such a joint local charging scheme and the Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013.

#### **Operation of the Committee**

- The Committee shall appoint a chair at its first meeting;
- The Quorum of the Committee shall be 8 members;
- Each member shall have one vote;
- The Chair shall not have a casting vote;
- Unless required by law, decisions shall be made by a simple majority.



## **Air Quality Administration Committee – Terms of Reference**

### **General**

The Air Quality Administration Committee is a joint committee created by the ten Greater Manchester local authorities ("the Constituent Authorities") and the Greater Manchester Combined Authority ("the GMCA") under section 101(5) of the Local Government Act 1972 and Part 4 of the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012.

### **Membership of the Committee**

The membership of the committee shall be eleven, consisting of the lead executive member for clean air of each of the Constituent Authorities and the relevant portfolio holder responsible for clean air of the GMCA from time to time. The Constituent Authorities and the GMCA shall also each nominate a substitute executive member/assistant portfolio holder to attend and vote in their stead.

### **Role of the Committee**

To enable the joint discharge of the GMCA's and Constituent Authorities' functions under sections 82 to 84 of the Environment Act 1995 (Air Quality) and in relation to the Greater Manchester Clean Air Plan (excluding such decisions that must be taken by the charging authorities jointly under Part 3 of, and Schedule 12 to, the Transport Act 2000 and regulations made thereunder).

### **Powers to be discharged by the Committee**

The Committee shall have the power to discharge jointly:

- the GMCA's and the Constituent Authorities' functions under sections 82 to 84 of the Environment Act 1995
  - the GMCA's functions in relation to the Greater Manchester Clean Air Plan (including the taking of action likely to promote or improve the economic, social or environmental well-being of Greater Manchester in connection with it and the use of grants made by the Secretary of State under section 31 of the Local Government Act 2003 to implement that plan).
- the Constituent Authorities functions under the Greater Manchester Clean Air Plan including those under Part 3 of, and Schedule 12 to, the Transport Act 2000 and regulations made thereunder (excluding any decision thereunder that must be taken jointly by charging authorities) including, but not limited to:
  - action required under the Environment Act 1995 (Greater Manchester) Air Quality Direction 2020 (other than the making of the joint local charging scheme);
  - the exercise of their powers under sections 176, 177 and 192 of the Transport Act 2000;
  - the application of the Constituent Authorities' shares of any net proceeds of a joint local charging scheme made by them.

The discharge of such functions includes the doing of anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of those functions.

**Operation of the Committee**

- The Committee shall appoint a chair at its first meeting;
- The Quorum of the Committee shall be 8 members;
- Each member shall have one vote;
- The Chair shall not have a casting vote;
- Unless required by law, decisions shall be made by a simple majority.

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank