

REPORT FOR DECISION

Agenda Item	
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DECISION OF:	LICENSING & SAFETY PANEL
DATE:	4th NOVEMBER 2013
SUBJECT:	OPERATIONAL REPORT
REPORT FROM:	ASSISTANT DIRECTOR (LOCALITIES)
CONTACT OFFICER:	W A JOHNSON
TYPE OF DECISION:	N/A – Report for information only
FREEDOM OF INFORMATION/STATUS:	This paper is in the public domain
SUMMARY:	A report to advise members on operational issues within the licensing service.
IMPLICATIONS:	
Wards Affected:	N/A
Scrutiny Interest:	Internal Scrutiny Panel

1.0 BACKGROUND

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

2.0 Illegal Street Trading

2.1 The licensing service have recently prosecuted an illegal street trader who was trading during the music event held at Heaton Park on the 7th June 2013. The magistrates considered the evidence and found him guilty, he was fined £140 plus £20 victim surcharge and the council were awarded £325.00 costs in respect of the prosecution.

3.0 Statement from the Hackney Drivers Association Ltd

3.1 Members will be aware that on the 10th June 2013, following a request from the Hackney Drivers Association Ltd, represented by Mr Oakes, Members considered a report on the subject of the 'five fault rule' relating to the testing of hackney carriage vehicles over 10 years old. Mr Oakes members had requested that the 5 fault rule be amended so as to allow vehicles which fail to

meet the defined criteria to continue to be licensed subject to other proposals from the trade. These proposals were rejected by Members who resolved to amend the 5 fault rule so as to make passing the test more achievable in respect of bodywork and paintwork damage but also to extend the rule so as to make it applicable to all hackney carriages over 6 years old from the date of first registration.

- 3.2 The Council has recently received correspondence from Mr Oakes on behalf of his members, demanding that the 5 fault rule policy be withdrawn forthwith because it is causing financial hardship to them and their families, that domestic violence is on the increase because of the lack of earnings which they blame on this policy.
- 3.3 The Hackney Drivers Association Ltd propose that the 5 fault rule be replaced with a policy whereby hackney carriages will not be licensed beyond 15 years of age (presumably regardless of condition).
- 3.4 They further request that more testing stations are provided and that a night time taxi rank is established directly outside one of our licensed premises, namely The Met Bar on Market Street.
- 3.5 Members will be aware that there is already a full time taxi rank located on Market Street opposite The Met Bar (4 vehicles) and a further full time rank further along on Haymarket Street (11 vehicles). In addition, our colleagues in Highways have already received and are considering a request from the Hackney Drivers Association Ltd, to establish a night time taxi rank close to The Art Picture House on Haymarket Street, opposite the Bus Station.
- 3.6 The correspondence from Mr Oakes goes on to threaten to take a number of courses of action if the council does not remove the 5 fault rule and provide a further testing station. A copy of correspondence is attached.

4.0 Operational Decision

On the 17th October 2013, an application was made to Head of Commercial and Licensing following consultation with the Chairman of the Licensing and Safety Panel to immediately revoke an individual's private hire driver's licence due to information that had been received from Greater Manchester Police in relation to indecency. The application was granted.

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