

# REPORT FOR DECISION

<b>DECISION OF:</b>	<b>LICENSING &amp; SAFETY PANEL</b>
<b>DATE:</b>	<b>25<sup>th</sup> JULY 2019</b>
<b>SUBJECT:</b>	<b>GREATER MANCHESTER MINIMUM STANDARDS FOR TAXI LICENSING</b>
<b>REPORT FROM:</b>	<b>ASSISTANT DIRECTOR (LEGAL AND DEMOCRATIC SERVICES)</b>
<b>CONTACT OFFICER:</b>	<b>MR M BRIDGE</b>
<b>TYPE OF DECISION:</b>	<b>COUNCIL</b>
<b>FREEDOM OF INFORMATION/STATUS:</b>	This paper is in the public domain
<b>SUMMARY:</b>	<ul style="list-style-type: none"> <li>To provide members with details of proposals to introduce common, minimum standards for Private Hire and Hackney Carriages Vehicles, Drivers and Operators licensed by Licensing Authorities across Greater Manchester.</li> <li>To provide members with details of proposals to consult across GM on the proposed GM minimum standards.</li> </ul>
<b>OPTIONS &amp; RECOMMENDED OPTION</b>	<p>It is recommended, that Members:</p> <ul style="list-style-type: none"> <li>Note the contents of the report; and</li> <li>Authorise a consultation on the proposed GM Minimum Standards in autumn and support the proposal that TfGM administers the consultation process.</li> </ul>
<b>IMPLICATIONS:</b>	
<b>Corporate Aims/Policy Framework:</b>	Do the proposals accord with the Policy Framework? <b>Yes</b>
<b>Statement by the S151 Officer: Financial Implications and Risk Considerations:</b>	There are no specific issues arising from the report

<b>Statement by Executive Director of Resources:</b>	The costs of the licensing function are funded through the fees and charges levied by the Council. There may be additional costs if appeals are lodged with the Magistrates and Crown Courts.
<b>Equality/Diversity implications:</b>	No - not at this stage
<b>Considered by Monitoring Officer:</b>	<p>Under the legislation the Council can apply reasonable conditions to licences.</p> <p>Members are advised that licences are regarded as possessions within the terms of the Human Rights Act 1998. Under the Act everyone is entitled to the peaceful enjoyment of one's possessions and so actions interfering with those possessions must be lawful, reasonable and proportionate. It is lawful to impose reasonable conditions as a way of protecting the safety of the travelling public, so long as it is not out of proportion. It is a balancing act between the public interest and the individual's rights.</p>
<b>Wards Affected:</b>	All
<b>Scrutiny Interest:</b>	Overview and Scrutiny Panel

## TRACKING/PROCESS

## DIRECTOR:

Chief Executive/ Strategic Leadership Team	Executive Member/Chair	Ward Members	Partners
Scrutiny Committee	Committee	Council	

## 1.0 BACKGROUND

- 1.1 Changes to Hackney Carriage and Private Hire regulation, new technology new business models, and an outmoded legislative framework have all contributed to the current situation where the Taxi and PH trade is becoming increasingly problematic and difficult to regulate.
- 1.2 The key issues are around public safety, out-of-area working, vehicle standards, poor air quality and congestion, particularly in specific city centre locations. The proposed approach of common minimum standards across Greater Manchester seeks to: encourage consistently high standards for Hackney Carriage and Private Hire services in Greater Manchester; to encourage Government to pursue regulatory reform to ensure high safety

standards; and to contribute to the vision of an improved integrated transport system for Greater Manchester.

- 1.3 As a result of the recommendations made by the Department for Transport's (DfT) Task and Finish Group on 'Taxi and Private Hire Vehicle Licensing: a safer and more robust system' GM's licensing authorities have agreed to deal with the challenges detailed above by adopting a two-track approach, with Transport for Greater Manchester (TfGM) supporting GM Licensing Authorities in this work.
  - 1.3.1 Firstly GM's licensing authorities have agreed to collectively develop a common set of minimum standards for Private Hire Vehicles and Hackney Carriages licensed by Licensing Authorities across Greater Manchester. GM Licensing Authorities have been working closely with Transport for Greater Manchester (TfGM) on proposals around these minimum standards.
  - 1.3.2 Secondly, Greater Manchester Combined authority (GMCA), TfGM and GM Licensing Authorities are working with other city-regions and local authorities to urge Government to take appropriate action to reform the legislative and regulatory framework to ensure it is fit for purpose.
- 1.4 The next steps in respect of 1.3.1 is for TfGM to consult, on behalf of all GM Licensing Authorities, on the proposed GM minimum standards, as further detailed in this report below.

## **2.0 GM MINIMUM STANDARDS CONSULTATION**

- 2.1 The Greater Manchester Licensing Network (GMLN Group) has identified the four key areas where common standards are required, namely: drivers, vehicles, operators and licensing authority standards.
- 2.2 The GMLN Group is currently developing a set of minimum standards for Hackney Carriage and Private Hire licensing and enforcement that can be incorporated within each Licensing Authorities' own licensing policies.
- 2.3 The proposed minimum standards relate to the four key areas identified by GMLN Group and aim to raise standards across GM with a view to a more consistent approach to taxi licensing across the region.
- 2.4 A consultation on the proposed GM minimum standards is scheduled to commence in the Autumn.
- 2.5 TfGM will host the GM minimum standards consultation on behalf of all GM Licensing Authorities and will procure an outside agency to do the analysis of responses. The GMLN Group has requested that 10 separate reports be provided by TfGM to show individual local authority responses.
- 2.6 Bury Licensing Service is fully supportive of the proposed minimum standards and has been an engaged contributor to the work. We believe it will lead to an improvement in our current standards.
- 2.7 It is proposed that Bury Council support TfGM in its administration of the consultation process.

- 2.8 A further report will be compiled for Members once the TfGM consultation process has concluded and consultation response data will be shared with Members.

### **3.0 OPTIONS**

- 3.1 It is recommended, that Members:

- Note the contents of the report; and
- Authorise a consultation on the proposed GM Minimum Standards in autumn and support the proposal that TfGM administers the consultation process.

The only alternative option is to not support the aim of the other GM Authorities in harmonising hackney carriage and private hire standards across the region. This would impact on the establishment of a consistent approach to taxi and private hire licensing in Greater Manchester; and contradict the work being supported by TfGM and endorsed by the Mayor of Greater Manchester.

### **4.0 CONSULTATION**

- 4.1 The consultation requirements are as set out in this report.

### **5.0 Reasons for Recommendation**

- 5.1 By agreeing to support consultation on GM Minimum Standards the Council is showing its commitment to working together with the other GM Authorities to achieve a single vision of consistently high standards for licensed vehicles, drivers and operators across Greater Manchester.

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#### **List of Background Papers:-**

**Not applicable**

#### **Contact Details:-**

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