

Licensing and Appeals Committee

Minutes of the meeting held on 10 November 2014

Present:

Councillor Ludford in the Chair
Councillors Austin, Evans, Grimshaw, Hughes, Longsdon, Loughman, Shilton-Godwin and Stone.

Councillor Flanagan, Executive Member for Human Resources and Finance.

Apologies:

Councillors N Ali, Collins, Royle and Tuebler.

LAP/14/22 Minutes

The minutes of the meeting on 29 September 2014 were submitted for consideration.

Decision

To approve as a correct record the minutes of the meeting held on 29 September 2014, with an amendment that Councillor Shilton-Godwin had given her apologies.

LAP/14/23 Taxi Licensing update report

A report of the Head of Planning, Building Control and Licensing was presented to the Committee by the Principal Officer for Taxi Licensing.

The report provided the Committee with updated information regarding taxi related proposals contained within the Deregulation Bill, which is currently at Committee stage in the House of Lords. The Committee noted the timescales for the subsequent stages of the Bill.

Decision

To note the report.

LAP/14/24 Review of the Methodology for Calculating Hackney Carriage Fares

A report of the Head of Planning, Building Control and Licensing was presented to the Committee by the Principal Officer for Taxi Licensing.

The report detailed the request from the Executive to review the methodology for reviewing hackney carriage fares. The report provided the legal framework required for the setting of taxi licence fares and recommended that the previous reports from October 2012 and January 2013 are used as the framework for the review.

The Committee questioned whether expenditure on vehicle parts and labour was tax deductible for the individual hackney carriage drivers or proprietors. The Principal

Officer for Taxi Licensing provided information that showed that parts, repairs and repair costs were in fact tax deductible.

The Committee determined that the methodology and framework used to calculate fares for next year should not be changed.

Decision

To not make any changes to the methodology for reviewing hackney carriage fares.

LAP/14/25 Taxi Licensing Policy Review

A report of the Head of Planning, Building Control and Licensing was presented to the Committee by the Principal Officer for Taxi Licensing.

The report advised the Committee of concerns that have been received in relation to private hire and hackney carriage drivers knowledge, which centre around, driver route knowledge, customer care and disability awareness. The report indicates that these matters are also included in the Law Commission recommendations and it may be appropriate for a working party to review this in the first instance.

The report also advised that when undertaking a review the Committee could consider a recommendation from the Councils External Auditors regarding the potential impact of the Councils regulatory policies on its taxi licence fees, and that the working party includes this within the review of policy.

Councillors Austin, Grimshaw and Shilton-Godwin volunteered to be members of a working party. The Committee determined that the membership of the working party should be left open as not all members of the Committee were present or able to volunteer at the time.

Decision

1. That the Committee nominate Councillors Austin, Grimshaw and Shilton-Godwin to sit on the working party.
2. That the working party undertake a review of the following:
 - A. Law Commissions Recommendations to
 - i. Ascertain if current Manchester City Council Policies, Guidance and Conditions are consistent with the Law Commission recommendations.
 - ii. Be proactive in preparing a plan for the introduction of any new legislation.
 - B. Current/new hackney carriage / private hire drivers policies relating to the concerns highlighted in para 2.2 of the report.

C. The Councils External Auditors recommendations to review the impact of the Councils regulatory policies on licence fees, when compared to other authorities to determine whether it remains satisfied with the comparative rigour of these policies.

3. That the working party, report their observations back to the Licensing and Appeals Committee.

LAP/14/26 Exclusion of the Public

A recommendation was made that the public be excluded during consideration of the following items of business.

Decision

To exclude the public during consideration of the following items which involved consideration of exempt information relating to the financial or business affairs of particular persons, and public interest in maintaining the exemption outweighed the public interest in disclosing the information.

LAP/14/27 Hackney Carriage/Private Hire driver licences issued under delegated authority between July – September 2014

A report was submitted which informed the Committee of the decisions made under delegated authority in relation to Hackney Carriage and Private Hire Driver licenses.

Decision

To note the report.

LAP/14/28 Update on ongoing work regarding Pedlars

A report was submitted which informed the Committee of a briefing note provided from a member of the working group established at the request of the Committee on 29 September 2014. The briefing note provided an overview of the legislation governing pedlars, and informed the Committee of the ongoing work associated with changes to the legislation.

Decision

1. To note the report.
2. To request a further report on the ongoing work.
3. To appoint Councillor Austin to the working group.