

## **Licensing and Appeals Committee**

### **Minutes of the meeting held on 9 February 2015**

#### **Present:**

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

#### **Apologies:**

Councillors N Ali, Sameem Ali, Collins, Ludford, Royle and Teubler.

#### **LAP/15/1      Minutes**

The minutes of the meeting on 15 December 2014 were submitted for consideration.

#### **Decision**

To approve as a correct record the minutes of the meeting held on 15 December 2014.

#### **LAP/15/2      Annual Report in respect of Street Collection Permits**

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 outlined details of the returns received in respect of street collection permits allocated for 2014. In addition the report also provided information in respect of street collection permits requested for 2015 and the decisions made in respect of those requests.

The allocation of street collection permits for 2014 were made in accordance with the revised Street Collection Permits Allocation and Monitoring Policy approved by the Committee on 29 October 2012.

The Committee noted that there were some discrepancies between the figures shown in the report regarding the number of street collections that had not submitted a return, and the figures shown in the Appendices which gave details of the individual permits that were issued. The Committee heard that the Charities concerned were responsible for pursuing individual returns, and were strongly encouraged to do so.

The Committee also noted that there is no legal requirement to collect for a registered charity, and that it would not be possible to ascertain whether the individual collections were given to a charity or not.

The Committee queried why a street collection permit was issued to an individual who had previously failed to submit a return, and the officer responsible explained that this was because the application for a subsequent street collection permit was received before the deadline for submitting the initial return.

## **Decision**

To note the report with the proviso that Officers investigate the anomalies and return the matter to the Committee when this was done.

### **LAP/15/3      Review of Hackney Carriage Advertisement and Livery Policy**

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

This report provided the Committee with details of the consultation responses received following the Committee decisions on the 27 August 2013 (min LAP/13/33 refers) and 17 February 2014 (min LAP/14/03 refers) to consult on a review of the Manchester's Hackney Carriage Advertisement and Livery Policy.

In addition the report provided information relating to other advertisement matters, which Manchester City Council has been asked to consider in relation to vehicle roof top advertisements and vehicle identification light boxes. It also highlighted the key issues that the Committee were required to consider in the determination of such matters.

The Committee were asked to consider the content of the report; having regard to the attached appendices, the Law Commission proposals, Department for Transport's Taxi and Private Hire Vehicle Licensing Best Practice Guidance published March 2010 and any representations made at the meeting and determine each of the following issues.

1. In respect of the content of the advertisements' allowed in the current policy – whether or not to include an additional section that addresses Health and Safety and the Protection of the Public.
2. The location of advertisements on hackney carriage vehicles and in particular whether this should be amended.
3. Whether new/replacement vehicles should be restricted in relation to the location of advertisements.
4. Should advertisements that cover the whole or part of a hackney carriage be allowed?
5. Should the policy be amended to allow the use of roof signs for advertisements.
6. With regard to Livery and Identification of vehicles, should new/replacement vehicles be subject to colour restriction?
7. Consideration of a mandatory 'Vehicle Identification Light Box' to be fitted in all HCV's.

The Committee heard representation from members of the Manchester Cab Committee on behalf of Hackney Carriage Drivers, as well as other representatives from the Taxi Trade, the Taxi Advertising Trade, the Taxi Drivers Trade Union representative and the Manchester Airport Taxi Drivers association.

The Committee discussed at length the proposals made by all parties. The Committee determined that the interests and safety of the public were of paramount importance, and that this would direct their decision.

The Committee noted concerns that exterior vehicle advertisements could cover defects in the bodywork of a vehicle, and that this could lead to increased risk to the travelling public. The Committee also discussed the idea that a single, uniform livery would increase public confidence in the Manchester taxi fleet, and improve passenger safety insofar as this would enable members of the public to recognise more easily Hackney Carriage vehicles licensed by the Council and guarantee to a potential passenger that a Hackney Carriage driver was trained to a high standard, and that a Hackney Carriage vehicle had been subject to a vigorous inspection regime.

## **Decision**

1. To amend the current policy to introduce a section relating to Health and Safety and Protection of the Public. This would include a presumption that advertisements that market the following will not be approved.
  - a. Alcohol
  - b. Tobacco products and E-Cigarettes
  - c. Gambling
  - d. Payday loans
2. To amend the policy on advertisement surfaces so that advertisements that cover whole or part of a Hackney Carriage exterior surface will not be permitted.
3. To amend the policy on advertisement surface for new and replacement vehicles to be restricted to the interior of the vehicle only.
4. To amend the policy on Livery and Identification of vehicles so that new and replacement vehicles must be black in colour with a Manchester City Council coat of arms on the door of the vehicle.
5. To not amend the policy to allow the use of roof signs for advertisements.
6. To amend the current hackney carriage vehicle policy to introduce a mandatory 'Vehicle Identification Light Box' to be fitted in all HCV's.
7. That officers, in conjunction with a representative from City Solicitors, submit a report to the next Licensing and Appeals Committee, which includes a copy of the revised advertisement policy in addition to providing proposals relating to the introduction of the new policy.

**LAP/15/4      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/15/5      Hackney Carriage/Private Hire Driver licences issued under  
delegated authority between October – December 2014  
(Public Excluded)**

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.