

## **Licensing and Appeals Committee**

### **Minutes of the meeting held on 23 March 2015**

#### **Present:**

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

#### **Apologies:**

Councillors Ludford and Royle

#### **LAP/15/6      Urgent Business**

The Chair informed the Committee that he had agreed to accept an update to the annual report in respect of Street Collection permits for consideration as urgent business.

#### **LAP/15/7      Minutes**

The minutes of the meeting on 9 February 2015 were submitted for consideration as a correct record.

#### **Decision**

To approve as a correct record the minutes of the meeting held on 9 February 2015.

#### **LAP/15/8      Proposals for the introduction of interim measures in relation to Hackney Carriage and Private Hire knowledge tests.**

The Committee considered a report of the Head of Planning, Building Control and Licensing regarding proposed interim measures for the introduction of an additional section to the Hackney Carriage and Private Hire knowledge tests.

At its meeting on 15 December 2015, the Committee resolved that pending a full review, an additional section to the knowledge tests that encompassed customer care, disability awareness and the safeguarding of children/young people and vulnerable adults should be added. The Committee was provided with a set of example questions for the additional section; members were informed that should any member wish to see the full bank of questions, this could be arranged by the Principal Licensing Officer (Taxis).

A member asked whether access to appropriate training was available to drivers to ensure they had the right skill set. The Principal Licensing Officer (Taxis) advised that training was available to new applicants only at present. She added that, due the number of existing hackney carriage/private hire licence holders in the city, officers in conjunction with Greater Manchester Police were currently exploring the most effective way to roll this out.

The Committee discussed the significant role licensed drivers can play in protecting vulnerable children, young people and adults from harm and stressed the importance of equipping drivers with the appropriate level of training and advice to support them in recognising safeguarding issues with confidence.

The Committee agreed that any revisions, amendments or additions to the bank of questions, as and when required, should be undertaken in consultation with the Chair of Licensing where indicated.

## **Decision**

To agree that:

- (i) The introduction of 'Paper 3' on both hackney carriage and private hire driver knowledge tests using a bank of questions which relate to customer care, conditions and byelaws and combined with questions specifically relating to 'safeguarding issues'
- (ii) That any revision/amendment/addition of the questions be undertaken as and when required by a Principal or more Senior Licensing Officer and in consultation with the Chair of Licensing, where indicated.
- (ii) A commencement date of 1 April 2015 for the introduction of 'Paper 3' within the private hire and hackney carriage driver knowledge tests and confirm that
  - The pass mark will be 8 out of 10 questions.
  - It will be mandatory for applicants to pass this section of the knowledge test.

## **LAP/15/9      Implementation of an addendum relating to the provision of evidence of servicing/maintaining Hackney Carriage and Private Hire Vehicles.**

The Committee considered a report of the Head of Planning, Building Control and Licensing which presented proposals for the implementation of an agreed addendum to the current hackney carriage vehicle policy and vehicle proprietor conditions.

The Committee discussed the proposal that documentation should only be provided at a vehicle's annual inspection and that in relation to the proposed definition of reasonable written evidence. The Committee noted that the proposed annual assessment would still require robust written evidence that drivers had undertaken the appropriate level of vehicle maintenance.

## **Decision**

To agree that:

- (i) A revision to the wording of the addendum to the current hackney carriage vehicle policy and private hire vehicle proprietor conditions, as outlined in 2.5 of the report (see Appendix 1).
- (ii) That reasonable written evidence should include the production of a 'check sheet (or comparable document) as provided in Appendix 2 of these minutes.
- (iii) That the policy is implemented on 5 May 2015

**LAP/15/10 Update on the Annual Report in respect of Street Collection permits.**

The Committee had considered a report on Street Collection permits on 9 February 2015. A member of the Committee had queried whether the figures quoted in the report were accurate, and requested that the matter was investigated and returned to the Committee when clarification was made. The Principal Licensing Officer tabled an update on Street collection permits. He advised that the figure relating to permits for which no return had been received in last month's report had been incorrectly reported as 38%. The figure should at the time have been reported as 49%, and the figure had subsequently been updated to 43% following the receipt of further returns.

The Committee discussed the process for allocation of street permits for charity collections, the onus of responsibility on the individual undertaking the collection and the challenges and limitations of enforcement.

**Decision**

To note the update.

- 2.5 Officers have amended the wording of the policy so that it reflects the proposals for its implementation. The revised wording, which will be added to the Hackney Carriage Vehicle Policy, Conditions attached to both Hackney Carriage and Private Hire Vehicle Proprietor Conditions are provided below, with the changed text in bold italic

Hackney Carriage Vehicle Policy Section 3 (Miscellaneous Policies and Standards)

### 3.6 Vehicle Test Standards

B(i) The hackney carriage vehicle proprietor must:

- at any time during the currency of the hackney carriage vehicle licence be able to produce on request by an authorised officer of the Council or a police constable, \*reasonable written evidence that any vehicle owned by him/her has been regularly and properly mechanically serviced/maintained.
- at the time of the Councils mechanical and structural inspection test (***vehicle annual inspection***), provide \*reasonable written evidence that any vehicle owned by him/her has been regularly and properly mechanically serviced/maintained.
  - \*reasonable written evidence shall include, as a minimum:
- ***evidence of daily vehicle checks***, documented service/maintenance history and associated receipts

Hackney Carriage Vehicles Policy Section 5 (5.1 Conditions attached to a Hackney Carriage Proprietors' Licence

6. (i) The hackney carriage vehicle proprietor must:

- at any time during the currency of the hackney carriage vehicle licence be able to produce on request by an authorised officer of the Council or a police constable, \*reasonable written evidence that any vehicle owned by him/her has been regularly and properly mechanically serviced/maintained.
- at the time of the Councils mechanical and structural inspection test, (***vehicle annual inspection***), provide \*reasonable written evidence that any vehicle owned by him/her has been regularly and properly mechanically serviced/maintained.
  - \*reasonable written evidence shall include, as a minimum:
- ***evidence of daily vehicle checks*** documented service/maintenance history and associated receipts

## Private Hire Vehicle Proprietor Licence Conditions

### 5(i) The private hire vehicle proprietor must:

- at any time during the currency of the private hire vehicle licence be able to produce on request by an authorised officer of the Council or a police constable, \*reasonable written evidence that any vehicle owned by him/her has been regularly and properly mechanically serviced/maintained.
- at the time of the Councils mechanical and structural inspection test, **(vehicle annual inspection)**, provide \*reasonable written evidence that any vehicle owned by him/her has been regularly and properly mechanically serviced/maintained.
  - \*reasonable written evidence shall include, as a minimum:
- **evidence of daily vehicle checks** documented service/maintenance history and associated receipts

Item checked		Satisfactory (please ✓ as appropriate)	
		YES	NO
Fuel, oil and water			
Handbrake/footbrake			
Wheel security (no nuts/studs missing or loose)			
Tyres: tread/pressure			
Lights, reflectors, horn (including activated warning lights)			
Driver's mirrors (intact and adjusted)			
Windscreen/wipers/washer			
All seats and seat belts			
First aid box/fire extinguisher			
Stickers/plates			
Body panels/paintwork			
Sundry equipment, i.e. steps, ramps, wheelchair anchor straps, swivel seats			
Suspension/steering, i.e. any knocking or rattling? (Problems should be investigated immediately and necessary repairs carried out.)			
Plate number		Registration number	
Checks completed	Date From:	Date To:	
I certify that the above checks have been completed. Any corrective action has been completed. The vehicle is/is not in a roadworthy condition.			
Checks carried out by	Name (please print):	Badge no:	
	Signature:	Date:	
Proprietor of vehicle	Name (please print):	Contact no:	
	Signature:	Date:	

Item checked		Satisfactory (please ✓ as appropriate)	
		YES	NO
Fuel, oil and water			
Handbrake/footbrake			
Wheel security (no nuts/studs missing or loose)			
Tyres: tread/pressure			
Lights, reflectors, horn (including activated warning lights)			
Driver's mirrors (intact and adjusted)			
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## Hackney Carriage Vehicle Safety Checks

An addition to the current Hackney Carriage Vehicle Policy was agreed by the Licensing and Appeals Committee in December 2014, and written proof will now be required to show that you have performed basic vehicle checks on a regular basis, and that your vehicle has been properly maintained throughout the course of its licence.

### Daily checks:

Basic checks should be carried out every day before taking the vehicle on the road, to ensure that it's roadworthy at all times. However, the check sheet will only need to be completed each month. Evidence of any maintenance and repairs should also be proven, ie. receipts for parts, fitting and/or labour.

We have enclosed a checklist (a comparable check sheet/booklet will be acceptable), which should be signed each month by the driver who has carried out the daily checks, as well as the vehicle proprietor (owner).

NB. If, on checking the vehicle, the driver records 'no defect(s)', they are stating that they have found the condition of the vehicle to be safe and roadworthy. Proprietors should ensure that before tracking out a vehicle they make sure that any driver(s) is fully aware of all of the vehicle facilities, especially in relation to the operation of swivel seats, deployment of ramps and the use of straps for securing a wheelchair in the vehicle, and that they are competent enough to carry out the basic checks required. Where a vehicle is tracked to more than one person the proprietor should ensure that the checks are carried out by one or all of the drivers.

### At the Manchester City Council garage:

When a vehicle is brought into the garage for its annual inspection, you will now need to show your completed copy of the document attached (or a comparable one) and will also be asked for written evidence that the vehicle has been checked on a daily basis (ie. monthly check sheets) and any maintenance/servicing.

### What if I don't complete the form?

Any vehicles presented for test without this written information, or with part of it missing, will be unable to get their vehicle licence plates until they have produced the relevant information at the garage. The matter may also be reported to the licensing unit for consideration by a senior officer.

### What if the vehicle fails its test?

Any proprietor who presents a vehicle that fails its annual test in a manner that (at an interim test) would normally be suspended, will be reported to the Licensing Unit. The report may also be passed to the Licensing and Appeals Committee with a view to the Committee determining whether or not the vehicle licence should be renewed.

### Notes:

- The vehicle must be in a roadworthy condition before it's available for hire. Defects should be reported to the vehicle proprietor and repaired/rectified before starting work.
- Documents will need to be checked at the annual test. This form can be replaced with similar paperwork\* of your choice, but plates will only be issued after your documents have been checked/approved.
- If documents (ie. this form or alternative documentation as above) are not available, plates will not be issued.

\*Documentation of regular maintenance and repairs on the vehicle will suffice, including receipts for parts fitted during this time.

Item checked	Satisfactory (please ✓ as appropriate)	
	YES	NO
Fuel, oil and water		
Handbrake/footbrake		
Wheel security (no nuts/studs missing or loose)		
Tyres: tread/pressure		
Lights, reflectors, horn (including activated warning lights)		
Driver's mirrors (intact and adjusted)		
Windscreen/wipers/washer		
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First aid box/fire extinguisher		
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Sundry equipment, ie. steps, ramps, wheelchair anchor straps, swivel seats		
Suspension/steering, ie. any knocking or rattling? (Problems should be investigated immediately and necessary repairs carried out.)		

Plate number: \_\_\_\_\_ Registration number: \_\_\_\_\_

Checks completed: \_\_\_\_\_ Date From: \_\_\_\_\_ Date To: \_\_\_\_\_

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Checks completed: \_\_\_\_\_ Date From: \_\_\_\_\_ Date To: \_\_\_\_\_

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Checks carried out by	Name (please print):	Badge no:
	Signature:	Date:

Proprietor of vehicle	Name (please print):	Contact no:
	Signature:	Date:

WORK TICKET: 83061

Design: \_\_\_\_\_

Production: \_\_\_\_\_

Creative: \_\_\_\_\_

Copywriter: \_\_\_\_\_

Proofread: \_\_\_\_\_

Account Handler: \_\_\_\_\_

Date: 09.03.15

Items added to this item: \_\_\_\_\_