

Licensing and Appeals Committee

Minutes of the meeting held on 30 November 2015

Present

Councillor Longsden (in the Chair)
Councillors Austin, Grimshaw, Hughes, S. Judge, Loughman, Ludford, Monaghan,
Paul and Stone

Apologies

Councillors Barrett.

LAP/15/20 Minutes

The minutes of the meeting on 19 October 2015 were submitted for consideration as a correct record.

Decision

To approve as a correct record the minutes of the meeting held on 19 October 2015.

LAP/15/21 Review of Hackney Carriage Advertisement and Livery Policy

The Committee considered a report of the Head of Planning, Building Control and Licensing which provided an update for the Committee as part of the Members consideration of the review of the Advertisement and Livery Policy. The report provided the Committee with more detailed information about advertisements on vehicles and outlined how the concerns raised at earlier meetings could be addressed. It further referenced the outcome of a Financial Impact Study (FIS) which Members should have regard to as part of the decision making process.

A representative of the Trade was invited to address the Committee and said that the Trade is in broad agreement with the proposals. However they were not in agreement with the proposal that vehicles which have had advertisements taken off, cannot have a replacement advertisement until after its next regular inspection. He said that this could result in drivers having a protracted period of time without advertising income.

The Committee discussed this issue and were of the opinion that as Hackney Carriage Proprietors are under an obligation to ensure that a vehicle is in a fit condition at all times there should be no problem in having an inspection before subsequent advertisements are fitted. However, the Committee asked the Principle Licensing Officer to have further discussions with the Trade, in detail about the proposals.

Decision

To agree the following recommendations.

1. That no changes should be made to the current advertisement policy in relation to the display of advertisements.
2. That there should be no restrictions on the colour of a bespoke hackney carriages licensed by MCC.
3. Advertisement companies will in future be asked to provide, prior to approval of advertisements, to the Council (as prescribed).
 - the registration numbers and plate number of vehicles that are to be fitted with advertisements.
 - the duration of those advertisements.
 - the location on the vehicles of the advertisements.
 - the type of advertisement .
4. That the conditions relating to hackney carriage vehicles are amended as follows:
 - i. That the proprietor of any hackney carriage vehicle that has any type of external advertisement (excluding any signage as requested by the Council) fitted must:
 - ii. prior to the fitting of any advertisement - remedy any defects in the bodywork to which advertisements are to be applied and bring the paintwork back to an acceptable standard (as defined in the MCC Vehicle Inspection Manual).
 - iii. at the end of the contract with the advertisement company, remove the advertisement and ensure that any defects in the bodywork to which advertisements have been applied are remedied and the paintwork brought back to an acceptable standard (as defined in the MCC Vehicle Inspection Manual).
 - iv. not have any replacement advertisement fitted to the vehicle until the vehicle bodywork has been inspected and found to be satisfactory (at the vehicles next vehicle inspection test).
5. To amend the current policy on livery and identification of vehicles to allow any existing new or replacement (bespoke) hackney carriage vehicles (that do not have any external advertisements (except those as required by MCC) displayed on the bodywork) to display the Manchester City Council crest, as issued by the Council, on the exterior, front doors.
6. That any vehicle (not being a bespoke taxi) that is licensed as a hackney carriage vehicle will during the currency of the licence be (and remain)
 - i. black in colour.

- ii. The vehicle must display the manufacturer's taxi signage along both sides of the vehicle.
- iii. The proprietor shall ensure that the manufacturer's taxi signage is maintained in a clean and legible condition.

7. That following the Committees determination of the issues contained within the report officers bring back to Committee:

- i. an updated version of the relevant parts of the Hackney Carriage Vehicles Policy in relation to the :-
 - advertisement policy (including the matters referred to in 3.7 of the report).
 - hackney carriage vehicle proprietor conditions.
 - livery allowed on vehicles (that are not bespoke taxis) licensed by MCC as hackney carriage vehicles.
- ii. a guidance document which sets out the future provision of information required by advertisement companies, prior to any approval of advertisements.

LAP/15/22 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/15/23 Hackney Carriage/Private Hire Driver Licences issued under delegated authority between July to September 2015 (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.

LAP/15/23 Application relating to the renewal of hackney carriage vehicle proprietor licence HV0266 (AW)

(Public Excluded)

The Committee considered a report of the Head of Planning, Building Control and Licensing which related to the renewal application for a hackney carriage vehicle proprietor licence HV0266. The proprietor of the licence submitted the renewal application for the vehicle 'out of time' as the vehicle licence in question expired on 27 October 2015. The report requests that the Committee consider the application.

After consideration of the explanation for the late submission offered by the Applicant supported by Trade representatives the Committee accepted that there were extenuating reasons for the late submission. The Committee decided that taking into account the special circumstances and mitigation it would in this case grant the application which had been submitted out of time.

Decision

To grant the application.