

**Manchester City Council
Report for Information**

Report to: Licensing and Appeals Committee – 24 October 2016

Subject: Taxi Compliance Update Report

Report of: Head of Planning, Building Control and Licensing.
Deputy Chief Executive [Neighbourhoods]

Purpose of Report

To inform the Committee of the work undertaken by the Licensing Unit's Taxi Compliance Team for the following reporting periods:

- July – December 2015 (Qtr 2 and 3 2015/16)
- January – March 2016 (Qtr 4 2015/16)
- April – June 2016 (Qtr 1 2016/17)

Recommendations

That members note the report and advise on any additional information they would like the Unit to look to record for future reporting.

Wards Affected: All

Community Strategy Spine	Summary of the contribution to the strategy
Performance of the economy of the region and sub region	Demands and encourages compliance with legal requirements, therefore raises standards and public confidence in licensed vehicles with the potential to increase the public use of these services which benefits the local economy. Supports a safer night time economy in the City for visitors and residents as part of the overall transport offer.
Reaching full potential in education and employment	Not applicable to the content of this report
Individual and collective self esteem – mutual respect	Not applicable to the content of this report

Neighbourhoods of Choice	Organised Multi Agency operations are designed to provide a visible and re assuring presence to the public. It also serves to deter bogus taxi activity. The operations focus on driver eligibility and vehicle standards and seek to identify defective/illegal vehicles and illegal/non conforming drivers. All these factors affect public safety
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Full details are in the body of the report, along with any implications for:

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

Financial Consequences – Revenue

Operation Aztec that has been the subject of a previous report to the committee is wholly funded by the Licensing Unit

Financial Consequences – Capital

None

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1. Introduction

- 1.1 This report provides the committee with information in respect of work that has been undertaken by the Compliance Team over the past year. The data is broken down into different reporting periods so that it can be examined within the context of the service delivery and changes taking effect at that time. Therefore it should be noted that reporting periods are not directly comparable as yet.
- 1.2 In April 2015 a new supervisor role was filled from within the Compliance Team with the promotion of an experienced Compliance Officer. This role was created to assist the Principal Licensing Officer in the management of the complaints system, the collection of statistical information of work outputs and the day to day management of the team. The post that officer vacated was backfilled in October 2015 by recruiting an experienced vehicle examiner on to the team.
- 1.3 New recording mechanisms were then introduced in July 2015, capturing more of the activity and outputs of the compliance team, as well as more reliable data than had been available previously. This will improve further still with the introduction in October 2016 of a new case management system, UNiform. It should be noted that the Licensing Unit will continue to work with colleagues in the department's systems support team and ICT to continually improve record keeping, performance reporting, as well as exploring ways in which systems can be accessed and updated contemporaneously whilst officers are mobile.
- 1.4 The team's function changed significantly in January 2016, when, as part of the wider Neighbourhood Services Review, the responsibility for enforcement of Premises and Street Trading was passed from the Compliance Team to the new Out of Hours Licensing Compliance Team. This accounted for a large amount of reactive work as well as programmed activity throughout the year. The Taxi Compliance team remained responsible for Gambling Act enforcement and Sex Establishments until September 2016 (although this generated little reactive work) and is now solely concerned with compliance and enforcement activity against Taxis and Private Hire vehicles, drivers and operators within the City.
- 1.5 Therefore the reporting periods in this report should be read in the context of:
- Qtr 2 and 3 2015/16 (July – December 2015) – compliance team with wider premises and street trading remit for the City
 - Qtr 4 2015/16 and Qtr 1 2016/17 (Jan – June 2016) – compliance team focused solely on taxi and private hire enforcement therefore shows a significant increase in taxi related activity

2. Performance Report

2.1 Complaints

- 2.1.1 The Compliance Team receives complaints/reports (from members of the public and the trade) against both Hackney Carriage and Private Hire licence holders, which are logged and allocated a unique reference number in chronological order.
- 2.1.2 All complaints are investigated with licence holders (where permission is required by the complainant, this is sought prior to investigations proceeding), who are given the opportunity to respond to any allegations made against them. All complaints are recorded against licence holder records, noting both the allegation and drivers response, where we are satisfied that drivers have been correctly identified.
- 2.1.3 Complaints can result in one of the following outcomes:
- No further action (generally due to a lack of evidence or complainant/witness not supporting action)
 - Advice given
 - Formal Warning
 - Referral to Officer Panel or Sub-Committee
 - Prosecution
- 2.1.4 Unfortunately, we are unable to provide the outcome summary data for the complaints we have received since 2015, as this has not been recorded in a way that is easily interrogated/obtained and reported on. Each individual case file would have to be reviewed to obtain this information. However, the Unit will be able to provide this data going forward from December 2016 when all new cases will be recorded and managed on the new case management module within the UNiform system.

Table 1 – Complaints received over 12 months (1 July 2015 – 30 June 2016)

Complaint Category	Qtr 2 (15/16)	Qtr 3 (15/16)	Qtr 4 (15/16)	Qtr 1 (16/17)
Driver Behaviour or Conduct	64	89	24	12
Alleged Overcharge	35	45	24	29
Complaint Regarding Driving Manner (Including non passenger)	7	40	23	9
Refusal of Hire	6	14	5	6
Other Traffic Matters (Parking e.t.c)	2	10	11	12
Illegal Ply (Private Hire)	10	5	3	0
Long Route	5	5	2	9
Poor Driver Knowledge	1	4	5	6
Not Using Meter	1	3	1	2
Disability Issue	0	0	3	4
Other	47	12	25	14
Total	178	227	126	103

2.2 Proactive Investigations

- 2.2.1 Routine checks are carried out on both day and night shifts at various locations across the city, including railway stations, the airport, hospitals and

supermarkets. Every vehicle interaction shown in the tables below also includes a driver check.

Table 2 – Proactive checks conducted over 12 months (1 July 2015 – 30 June 2016)

Vehicle and Driver Type	Qtr 2 (15/16)	Qtr 3 (15/16)	Qtr 4 (15/16)	Qtr 1 (16/17)	Total
Manchester Hackney	525	627	665	322	2139
Manchester Private Hire	507	621	691	633	2452
Other Vehicles (Working) in Manchester	182	196	231	275	884
Other Vehicles (Visiting) Manchester	296	142	193	170	801
Total	1510	1586	1780	1400	6276

2.3 Outputs

2.3.1 Proactive checks and investigations can result in one of the following outcomes:

- Advice given
- Formal warning
- Compliance Notice
- Suspension Notice
- FPN
- Referral to Sub-Committee
- Prosecution

Full details about cases appearing before the Licensing and Appeals Sub-Committee is contained a separate quarterly report.

2.3.2 **Notices**

Table 3 – Notices issued Qtr 2 and 3 2015/16 (July – Dec 2015)

Defect Type	Compliance Notice		Suspension Notice		Total
	PH	HC	PH	HC	
Tyres	7	5	5	8	25
Bodywork / Interior	6	4	8	4	22
Electrical	2	13	0	3	18
Mechanical	0	0	0	0	0
Cond / Byelaws	36	38	24	0	98
Other	14	10	12	16	52
Total	65	70	49	31	215

Table 4 – Notices issued Qtr 4 2015/16 (Jan – March 2016)

Defect Type	Compliance Notice		Suspension Notice		Total
	PH	HC	PH	HC	
Tyres	1	1	8	4	14
Bodywork / Interior	3	4	11	16	34
Electrical	8	14	5	1	28
Mechanical	1	0	2	0	3
Cond / Byelaws	27	5	22	0	54
Other	6	2	13	0	21
Total	46	26	61	21	154

Table 5 – Notices issued Qtr 1 2016/17 (Apr – June 2016)

Defect Type	Compliance Notice		Suspension Notice		Total
	PH	HC	PH	HC	
Tyres	1	1	2	0	4
Bodywork / Interior	6	2	5	2	15
Electrical	2	2	1	1	6
Mechanical	0	0	0	0	0
Cond / Byelaws	9	1	23	0	33
Other	1	1	2	0	4
Total	19	7	33	3	62

2.3.3 FPNs

FPNs are issued to any drivers smoking in a licensed vehicle, including drivers licensed by other authorities who are visiting or working within the City boundaries (although this information isn't currently recorded separately).

Table 6 – FPNs issued over 12 months (July 2015 – June 2016)

FPNs issued	Qtr 2 (15/16)	Qtr 3 (15/16)	Qtr 4 (15/16)	Qtr 1 (16/17)	Total
Total	7	6	21	17	51

2.3.4 Prosecutions

Prosecution cases, on average take anything between 6 to 12 months to be concluded at Court. The most common offence types are:

- Ply for hire (and associated no insurance charge)
- Unlicensed
- Failure to wear ID
- Refusal to hire / carry passengers

The Committee and trade representatives have identified that illegal ply for hire is a priority for the City. The table below is a breakdown of referrals made by the compliance team for prosecution, identifying how many of those cases are for illegally plying for hire.

	Cases referred for legal action	Number of which successful (to date)	Number of which for Ply for Hire
Jan – Dec 2015	26	24	18
Qtr 4 15/16 (Jan – Mar 2016)	10	6	7
Qtr 1 16/17 (Apr – June 2016)	13	4	11
Total	49	34	36

It is planned for future reports that summary details of each individual successful prosecution, including whether the driver was a Hackney Carriage or Private Hire licence holder, will be included.

2.4 Operations

2.4.1 The Compliance Team participate in a number of joint agency operations targeting both the day and night time Hackney Carriage and Private Hire trades. The Committee will already be aware of Operation Aztec which takes place at least once a month with dedicated GMP Traffic Officers working alongside Compliance Officers. Vehicle Examiners from DVSA [Driver and Vehicle Standards Agency – formerly VOSA] also regularly attend these night time operations, and more recently enforcement officers from other authorities (including Rossendale) have been attending also.

2.4.2 Licensed vehicles are generally stopped at random at a chosen check site location. It is usual to work from different locations throughout the operation and the system is flexible so a check site can be shut down and moved very easily as necessary. Police patrol vehicles, both marked and un-marked are available and assigned to the operation and are used to carry out mobile working, targeting vehicles of interest. In addition to gathering evidence of criminal offences, vehicles and drivers found to have compliance issues are served relevant notices and follow up action is taken to ensure defects are rectified.

2.4.3 Compliance Officers work closely with GMP colleagues and therefore also organise and support GMP on ad hoc operations in key locations across the City, including the airport or in response to emerging issues.

The tables below set out the number of vehicles stopped and checked during the course of each operation.

Table 6 - Operation Aztec Outputs

Date	Vehicle Licence Type				Total	Outputs	
	Manchester HC	Manchester PH	Other working in Manchester	Other visiting Manchester		Suspension Notice	Compliance Notice
3 rd Jul 15	28	54	18	28	128	5	12
8 th Aug 15	37	37	8	21	103	2	7
12 th Sept 15	29	51	13	22	115	4	10
17 th Oct 15	24	40	12	4	80	2	9
21 st Nov 15	19	45	23	9	96	6	6
5 th Dec 15	24	38	10	8	80	1	11
12 th Dec 15	32	52	21	12	117	4	11
18 th Dec 15	39	47	26	12	124	5	7
30 th Jan 16	45	75	45	12	177	5	13
27 th Feb 16	21	12	11	7	51	3	7
5 th Mar 16	39	37	16	6	98	3	5
19 Mar 16	20	27	14	9	70	2	6
28 May 16	10	61	42	16	129	6	1
25 Jun 16	32	35	16	14	97	5	8
Total	399	611	275	180	1465	53	113

Table 7 - Other Operation Outputs (All daytime weekday operations with GMP)

Date	Location	Vehicle Licence Type				Total	Outputs	
		Manchester HC	Manchester PH	Other working in Manchester	Other visiting Manchester		Suspension Notice	Compliance Notice
17 th Jul 15	Airport	24	20	6	44	94	2	9
25 th Sep 15	Airport	1	48	65	14	128	2	11
18 th Nov 15	Hyde Road	6	24	8	10	48	2	6
19 th Nov 15	Sportcity	0	22	3	3	28	1	1
22 nd Jan 16	Belle Vue	10	21	2	3	36	0	2
8 th Feb 16	Airport	0	40	2	10	52	3	2
2 nd Mar 16	Oldham Rd	7	24	1	6	38	1	3
8 th Mar 16	Airport	3	10	4	15	32	0	2
18 th Mar 16	Airport	6	22	6	21	55	1	5
20 th May 16	Alan Turing Way	9	37	6	3	55	2	6
15 th Jun 16	Hough End	8	36	6	6	56	2	4
16 th Jun 16	Airport	9	23	45	68	145	3	7
28 th Jun 16	Oldham Rd	5	35	7	5	52	2	6
	Total	88	362	161	208	819	21	64

3. Other Service updates

3.1 GMP Seconded Officer

The recruitment process has begun for a specialist officer from GMP to join the Licensing Unit to support enforcement activity. This will be a two phase process, with the second phase to include the provision of dedicated special constables which will enable delivery of increased enforcement targeting illegal plying for hire activity. At phase one the seconded officer will support all compliance and enforcement activity, including the work of the Licensing and Appeals Sub-Committee by providing statements from Police records. It is anticipated that interviews will take place towards the end of October 2016.

3.2 The compliance team are going through a full training refresh at present, following a review of all investigatory and safeguarding procedures.

4. Legal implications

4.1 There are no other legal implications to consider.

5 Contributing to the Community Strategy

5.1 (a) Performance of the economy of the region and sub region

Demands and encourages compliance with legal requirements, therefore raises standards and public confidence in licensed vehicles with the potential to increase the public use of these services which benefits the local economy.

Supports a safer night time economy in the City for visitors and residents as part of the overall transport offer.

5.2 (b) Reaching full potential in education and employment

5.3 (c) Individual and collective self-esteem – mutual respect

5.4 (d) Neighbourhoods of Choice

Organised Multi Agency operations are designed to provide a visible and reassuring presence to the public. It also serves to deter bogus taxi activity. The operations focus on driver eligibility and vehicle standards and seek to identify defective/illegal vehicles and illegal/non conforming drivers. All these factors affect public safety.

6 Key Policies and Considerations

(a) Equal Opportunities

(b) Risk Management

(c) Legal Considerations

7 Conclusion

7.1 The report provides the Committee with an update on the Taxi Compliance Service, including activity and performance between 1 July 2015 and 30 June 2016.

7.2 Future quarterly reports will be provided and work will be done by the Unit to provide:

- Outcome data from complaints investigations
- Case summaries for prosecutions
- A breakdown of HC and PH data for each type of output/activity
- Other data as requested (and able to be provided) by the Committee