

**Manchester City Council
Report for Information**

Report to: Licensing and Appeals Committee – 17 July 2017

Subject: Taxi Compliance Quarterly Report

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

Purpose of Report

To inform the Committee of the compliance work undertaken by the Licensing Unit for the following reporting period:

- October – December 2016 (Qtr 3 16/17)
- January – March 2017 (Qtr 4 16/17)

Recommendations

That members note the report.

Wards Affected: All

Manchester Strategy Outcomes	Summary of the contribution to the strategy
A thriving and sustainable City: supporting a diverse and distinctive economy that creates jobs and opportunities	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 City economy. Supports a safer night time economy in the City for visitors and residents as part of the overall transport offer.
A highly skilled city: world class and home grown talent sustaining the city's economic success	Effective regulation of Manchester licensed taxi and private hire drivers promotes a higher standard of individuals operating within this part of the public transport industry
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	Not applicable to the content of this report

A liveable and low carbon city: a destination of choice to live, visit and work.	Effective regulation of vehicle conditions ensures compliance with current emissions policies. Compliance activity provides a visible and reassuring presence to the public and serves to deter non-compliant and illegal taxi activity. All activity aims to ensure public safety and support Manchester as safe destination that people choose to live, visit and work in.
A connected city: world class infrastructure and connectivity to drive growth	Not applicable to the contents of this report.

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 which 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 compliance work undertaken by the Unit during Qtr 3 (Oct–Dec 16/17) and Qtr 4 (Jan–Mar 16-17).
- 1.2 Following the Compliance Update report presented to Committee on 24 October 2016, information from the Licensing & Appeals Sub-Committee and Senior Officer Panel has been included within this report.
- 1.3 Reporting on the outcome data from complaints investigations will be incorporated into future reports as this will become available by virtue of the new software (Uniform) system which went live in December 2016. The compliance case management module and linked reports are not yet available in the new system, and therefore only simple data is able to be reported at this time, as per section 2 below.

2. Investigating Complaints Performance

- 2.1 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.
- 2.2 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.
- 2.3 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
- 2.4 As explained above in 1.3, the outcome data of these investigations is not yet available. However, Table 1 below details the number received by category and provides quarterly comparisons:

Table 1 – Complaints received by Qtr and comparisons

Complaint Category	Qtr 4 (15- 16)	Qtr 1 (16-17)	Qtr 2 (16-17)	Qtr 3 (16-17)	Qtr 4 (16-17)	Last Qtr	Same Qtr last year
Fare, Route or Meter Issue	27	40	59	58	68	+10	+41

Traffic Incident (non passenger)	11	12	37	88	83	-5	+62
Driver Conduct	24	12	34	40	15	-25	-9
Driving Matter (from passenger)	23	9	7	6	5	-1	-18
Refusal Of Hire	5	6	10	13	9	-4	+4
Operator or Booking Issue	4	4	9	6	16	+10	+12
Illegal Ply	3	0	6	16	9	-7	+6
Licensed Driver Dispute	3	2	6	5	11	+6	+8
Driver Knowledge	5	6	1	6	1	-5	-4
Disability Issue	3	4	2	4	2	-2	-1
Other	18	8	26	44	36	-8	+18
Total	126	103	197	286	255	-31	+119

2.5 Table 1 shows a slight decrease in complaints received in Qtr 4 16/17 compared to the previous Qtr 3 16/17, but a significant increase compared to the same Qtr last year. Whilst our long term objective is to work with the trade to ensure higher standards of customer service and ultimately reduce the number of complaints from residents and visitors to the City, this rise was expected during this reporting period and is seen as a positive by the Licensing Unit. This is because service improvements have been aimed at generally increasing complaint numbers by:

- Ensuring the wider public are more aware of how to report issues and find it more accessible to do so – particularly with regards to disability related issues
- Improvements in response and investigation times and quality should generate more complaints as people see more value in doing so

3. Proactive Checks & Operations

3.1 Routine checks are carried out on both day & 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.

3.2 Table 2 - Proactive checks conducted by Qtr

Vehicle and Driver Type	Qtr 4 15/16	Qtr 1 16/17	Qtr 2 16/17	Qtr 3 16/17	Qtr 4 16/17	Total	% of total
Manchester Hackney	665	322	543	285	283	2098	29%
Manchester Private Hire	691	633	744	414	437	2919	40%
Other Vehicles (Working) in Manchester	231	275	304	196	236	1242	17%

Other Vehicles (Visiting) Manchester	193	170	262	203	229	1057	14%
Total	1780	1400	1853	1098	1185	7316	

3.3 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

3.4 Notices

Table 3a – Notices issued Qtr 3 2016/17 (Oct – Dec 2016)

Vehicle Notices Oct-Dec 2016 Defect Type	Compliance Notice		Suspension Notice		Total
	PH	HC	PH	HC	
Tyres	1	0	4	3	8
Bodywork / Interior	2	0	0	1	3
Electrical	0	1	1	0	2
Mechanical	0	0	0	0	0
Vehicle Other (Conditions e.t.c.)	13	0	11	1	25
Driver (Not in possession of badge e.t.c.)	1	0	3	0	4
Total	17	1	19	5	42

Table 3b – Notices issued Qtr 4 2016/17 (Jan – Mar 2017)

Vehicle Notices Jan-Mar 2017 Defect Type	Compliance Notice		Suspension Notice		Total
	PH	HC	PH	HC	
Tyres	0	0	2	4	6
Bodywork / Interior	0	0	3	1	4
Electrical	0	1	0	0	1
Mechanical	0	0	0	0	0
Vehicle Other (Conditions e.t.c.)	2	0	14	0	16
Driver (Not in possession of badge e.t.c.)	0	0	3	1	4
Total	2	1	22	6	31

3.5 Fixed Penalty Notices (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 4 – FPNs issued by Qtr

Smoking Fixed Penalty Notices	Q4 15/16	Q1 16/17	Q2 16/17	Q3 16/17	Q4 16/17	Total
Licensed Drivers (From All Authorities)	21	17	11	19	19	87

3.6 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.

Table 5 – Summary of prosecutions by Qtr

	Cases referred for legal action	Number of which for Ply for Hire	Number of which successful (to date)
Jan – Dec 2015	26	18	24
Total 2015	26	18	24

	Cases referred for legal action	Number of which were Ply for Hire	Pending Trial	Number of which successful (to date)
Qtr 4 15/16 (Jan – Mar 2016)	10	9	0	7
Q1 16/17 (Apr – Jun 2016)	13	11	0	13
Q2 16/17 (Jul – Sep 2016)	18	10	6	11
Q3 16/17	17	16	3	11

(Oct – Dec 2016)				
Q4 16/17 (Jan – Mar 2017)	19	14	9	8
Total	77	60	18	50

3.7 Operations

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 monthly at night 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.

- 3.8 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.
- 3.9 The 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 & 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		Compliance Notice	Suspension Notice	Prosecution
Qtr 1	5 th Mar 16	39	37	16	6	98	5	3	0
	19 Mar 16	20	27	14	9	70	6	2	0
	28 May 16	10	61	42	16	129	1	6	1
	25 Jun 16	32	35	16	14	97	8	5	1
Qtr 2	23 Jul 16	42	34	8	11	95	8	4	0
	13 Aug 16	27	60	19	13	119	6	2	1
	20 Aug 16	28	12	2	1	43	0	0	2

	24 Sept	42	18	23	19	102	9	2	1
Qtr 3	15 Oct 16	42	180	23	19	264	9	2	1
	12 Nov 16	14	28	6	12	60	0	3	2
	3 Dec 16	59	163	60	36	318	7	11	0
	17 Dec 16	43	172	68	19	302	11	9	1
	23 Dec 16	13	13	6	9	41	0	0	1
Qtr 4	21 Jan 17	15	55	15	17	102	0	3	0
	11 Feb 17	29	47	23	9	108	11	8	1
	25 Mar 17	13	51	29	47	140	0	5	0
	Total	468	993	370	257	2088	81	65	12

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		Compliance Notice	Suspension Notice	Prosecution
Qtr 1	2 Mar 16	Oldham Rd	7	24	1	6	38	3	1	0
	8 Mar 16	Airport	3	10	4	15	32	2	0	0
	18 Mar 16	Airport	6	22	6	21	55	5	1	0
	20 May 16	Alan Turing Way	9	37	6	3	55	6	2	0
	15 Jun 16	Hough End	8	36	6	6	56	4	2	0
	16 Jun 16	Airport	9	23	45	68	145	7	3	0
	28 Jun 16	Oldham Rd	5	35	7	5	52	6	2	0
Qtr 2	14 July 16	Airport	7	40	9	58	114	4	2	0
Qtr 3	6 Oct 16	Airport	7	36	13	88	144	0	2	1
	23 Nov 16	Hough End	23	39	14	2	78	5	7	0
Qtr 4	17 Mar 17	Airport	3	31	0	46	80	0	5	0
	Total		87	333	111	318	849	52	27	1

4. Senior Officer Panels & Licensing & Appeals Sub-Committees

- 4.1 Where on a new or renewal application (or during the currency of a licence) an individual has any convictions, cautions or other matters that require further consideration, these are, under the delegated authority of the Council, referred to either The Panel or Sub-Committee.
- 4.2 The Panel consists of a Senior Officer (normally a Principal Licensing Officer or the Licensing Unit Manager) accompanied by a legal adviser from City Solicitor's office. Applicants are invited to a Panel hearing, where a solicitor, trade union representative or friend, may accompany them or speak on their behalf.

4.3 The Sub-Committee consists of three Councillors selected from the full Licensing and Appeals Committee accompanied by a legal adviser from City Solicitor's office and a Governance Officer. Applicants are invited to a Sub-Committee Hearing, and may be accompanied by a solicitor, trade union representative or friend, to accompany them or speak on their behalf.

4.4 Where applicants are aggrieved by the decision of the Panel, or Sub-Committee to refuse, revoke or suspend a licence they have the right of appeal to the Magistrates' Court.

4.5 Performance

4.5.1 The tables below show the number of cases referred to either Panel or Sub-Committee within Qtr 3 16/17 (July – Sept 2016), broken down by offence category and detailing the outcomes:

Table 8 – Summary of cases referred to Panel & outcomes Qtr 3 16/17

Panel											
Offence Category	New Application			Current Licence Holder				Renewal			Total
	Granted	Granted with Warning	Refused to Grant	No Further Action Taken	Warning Given	Revoked	Suspended	Granted	Granted with Warning	Refused	
Dishonesty	0	0	0	0	0	0	1	0	0	0	1
Major Motor Offence	1	0	3	0	1	1	0	0	0	1	7
Intermediate Motor Offence	0	0	0	0	3	0	0	0	0	0	3
Totting Up	0	0	0	0	0	0	0	0	0	0	
Total	1	0	3	0	4	1	1	0	0	1	11

Table 9 - Summary of cases referred to Licensing and Appeals Sub-Committee and outcomes Qtr 3 16/17

Sub Committee											
Offence Category	New Application			Current Licence Holder				Renewal			Total
	Granted	Granted with Warning	Refused to Grant	No Further Action Taken	Warning Given	Revoked	Suspended	Granted	Granted with Warning	Refused	
Drugs	0	0	3	0	0	1	0	0	0	0	4
Sex Offence	0	0	0	0	0	0	0	0	0	1	1
Violence	0	1	1	0	0	1	0	0	0	0	3
DBS Info	0	0	0	0	0	0	0	0	0	0	0

Dishonesty	0	0	1	0	0	0	0	0	0	0	1
Totting Up	0	0	0	0	0	0	0	0	0	0	0
IN10 /Ply for Hire & Complaints	0	0	0	0	0	2	3	0	0	0	5
Miscellaneous	0	0	0	0	0	0	0	0	0	0	0
Major Motoring	0	2	0	1	0	0	0	0	0	0	3
Total	0	3	5	1	0	4	3	0	0	1	17

4.6 Case Summaries

4.6.1 The following paragraphs provide a brief overview of cases and decisions taken by the Panel or Sub-Committee that were made outside of the Council's Statement of Policy and Guidelines in relation to the relevance of convictions, formal cautions, complaints and/or other matters.

With each case, the Panel or Sub-Committee take into consideration the content of the report, any additional evidence presented at the hearing and statements made by all representatives.

The 'Reason' stated in each case is the presenting issue that prompted the referral to either Panel or Sub-Committee. The explanation provides as much information as possible, without providing specific details.

4.6.2 Dishonesty – (0) Senior Officer Licensing Panel

4.6.3 Major Motoring Offence (1) – Senior Officer Licensing Panel

(1) Application for a new Hackney Carriage driver's licence.

Reason: TT99 (Totting up) with 6 months disqualification.

Decision: New application Granted.

Explanation: The applicant stated that while driving his own vehicle he was caught by a camera speeding, but this offence resulted in him receiving 3 penalty points which caused him to exceed the maximum of 12 points. The applicant deeply regretted the incident and realised it could affect him being granted a licence.

4.6.4 Intermediate Motoring Offence (3) – Senior Officer Licensing Panel

(1) Review of a Private Hire Drivers Licence.

Reason: Four SP30 (exceeding statutory speed limit on a public road) received in a short period of time resulting in the driver having 12 penalty points.

Decision: Warning Issued

Explanation: The driver stated that he understood the seriousness of having 12 points on his licence, and that he was an experienced driver. He explained that on each occasion he was caught by speed camera and was unaware until fixed penalty notices arrived at his house. He deeply regrets the speeding and realises that one more motoring offence could result in a disqualification.

- (2) Review of a Private Hire Drivers Licence.

Reason: SP30 (exceeding statutory speed limit on a public road) endorsed with 6 penalty points.

Decision: Warning Issued as to future manner of driving.

Explanation: The driver stated that while travelling home after work he was caught by a speed camera, he was not carrying passengers at the time and it was his first offence. The driver contested the fixed penalty at court but the decision was allowed and fine and points increased.

- (3) Review of a Private Hire Drivers Licence and a Hackney Carriage Drivers Licence.

Reason: SP50 (speeding on a motorway) and SP30 (speeding on a public road) both of which were committed within a 13 day period.

Decision: Warning Issued as to future manner of driving

Explanation: The driver stated that while travelling on the M60, with no passengers he was caught by the 'average speed limit camera' travelling at over 50mph. On a separate occasion he was late for an appointment and was caught by speed camera. The driver regretted both incidents and had no previous offences.

4.6.5 **Major Motoring Offence (1) – Senior Officer Licensing Panel**

- (1) Review of a Private Hire Drivers Licence.

Reason: IN10 (using a vehicle uninsured against third party risks)

Decision: Warning Issued as to future manner of driving.

Explanation: The driver stated that whilst working as a take away delivery driver, he had just made a delivery when he was stopped by police. The driver thought his insurance covered him but he didn't have business insurance, the police issued a fixed penalty notice.

4.6.6 **Major Motoring Convictions – Sub-Committee (3)**

- (1) Review of a Private Hire Drivers Licence

Reason: IN10 (using a vehicle uninsured against third party risks)

Decision: Warning Issued

Explanation: The driver stated that his vehicle had failed a test at the test centre, the driver drove the vehicle not realising he was not insured. He was stopped by police and charged with IN10. At court the magistrate found him guilty but accepted that the circumstances in which the offence was committed was of a technical nature, consequently he was given an absolute discharge with no points.

(2) Application for a new Hackney Carriage driver's licence.

Reason: Ply for Hire and IN10 (using a vehicle uninsured against third party risks)

Decision: Application Granted with a Warning

Explanation: The applicant stated that he was a private hire driver and made a stupid mistake and was caught, he has learned his lesson and this is the reason he is applying for hackney carriage. He states he was waiting to pick up a friend, when a woman got into the rear of his vehicle. The conviction is almost outside the guidelines.

(3) Application for a new Hackney Carriage driver's licence.

Reason: Three major motoring offences, CD10 (driving without due care and attention) CU80 (breach of requirements as to control of the vehicle) IN10 (using a vehicle uninsured against third party risks) with 6 months disqualification.

Decision: Application Granted with a Warning.

Explanation: The applicant stated that he thought his wife had insured his vehicle, when travelling to a friend's he signalled to turn right but then carried on, a CSO stopped him as he was using his mobile. Police arrived and he was charged with the offences. The convictions are almost outside the guidelines.

4.6.7 **Violent Offences – Licensing and Appeals Sub-Committee (1)**

(1) Application for a new Private Hire driver's licence

Reason: Historical Convictions on DBS certificate

Decision: Application Granted with a Warning

Explanation: The applicant stated that the offences occurred when he was younger and naive and got involved with the wrong crowd. The applicant deeply regrets the offence of soliciting a woman for prostitution, and an allegation of assault occasioning actual bodily harm. The applicant states he is

now a happily married man with a young family, and trying to get his life back on track.

4.6.8 **Disclosure and Barring Service Enhanced Certificate – Sub-Committee (0)**

4.6.7 **Compliance Complaints – Sub Committee (0)**

The tables below show the number of cases referred to either Panel or Sub-Committee within Qtr 4 16/17 (Jan –Mar 2017), broken down by offence category and detailing the outcomes:

Table 10 – Summary of cases referred to Panel & outcomes Qtr 4 16/17

Offence Category	Panel										Total
	New Application			Current Licence Holder				Renewal			
	Granted	Granted with Warning	Refused to Grant	No Further Action Taken	Warning Given	Revoked	Suspended	Granted	Granted with Warning	Refused	
Dishonesty	0	0	0	0	0	0	1	0	0	0	1
Major Motor Offence	1	0	3	0	1	1	0	0	0	1	7
Intermediate Motor Offence	0	0	0	0	3	0	0	0	0	0	3
Totting Up	0	0	0	0	0	0	0	0	0	0	
Total	1	0	3	0	4	1	1	0	0	1	11

Table 11 - Summary of cases referred to Licensing and Appeals Sub-Committee and outcomes Qtr 4 16/17

Offence Category	Sub Committee										Total
	New Application			Current Licence Holder				Renewal			
	Granted	Granted with Warning	Refused to Grant	No Further Action Taken	Warning Given	Revoked	Suspended	Granted	Granted with Warning	Refused	
Drugs	0	0	3	0	0	1	0	0	0	0	4
Sex Offence	0	0	0	0	0	0	0	0	0	1	1
Violence	0	1	1	0	0	1	0	0	0	0	3
DBS Info	0	0	0	0	0	0	0	0	0	0	0
Dishonesty	0	0	1	0	0	0	0	0	0	0	1
Totting Up	0	0	0	0	0	0	0	0	0	0	0
IN10 /Ply for Hire & Complaints	0	0	0	0	0	2	3	0	0	0	5

Miscellaneous	0	0	0	0	0	0	0	0	0	0	0	0
Major Motoring	0	2	0	1	0	0	0	0	0	0	0	3
Total	0	3	5	1	0	4	3	0	0	0	1	17

10 Case Summaries

- 10.1 The following paragraphs provide a brief overview of cases and decisions taken by the Panel or Sub-Committee that were made outside of the Council's Statement of Policy and Guidelines in relation to the relevance of convictions, formal cautions, complaints and/or other matters.

With each case, the Panel or Sub-Committee take into consideration the content of the report, any additional evidence presented at the hearing and statements made by all representatives.

The 'Reason' stated in each case is the presenting issue that prompted the referral to either Panel or Sub-Committee. The explanation provides as much information as possible, without providing specific details.

10.2 Dishonesty – (0) Senior Officer Licensing Panel

10.3 Major Motoring Offence (1) – Senior Officer Licensing Panel

- (1) Application for a new Hackney Carriage driver's licence.

Reason: TT99 (Totting up) with 6 months disqualification.

Decision: New application Granted.

Explanation: The applicant stated that while driving his own vehicle he was caught by a camera speeding, but this offence resulted in him receiving 3 penalty points which caused him to exceed the maximum of 12 points. The applicant deeply regretted the incident and realised it could affect him being granted a licence.

10.4 Intermediate Motoring Offence (3) – Senior Officer Licensing Panel

- (1) Review of a Private Hire Drivers Licence.

Reason: Four SP30 (exceeding statutory speed limit on a public road) received in a short period of time resulting in the driver having 12 penalty points.

Decision: Warning Issued

Explanation: The driver stated that he understood the seriousness of having 12 points on his licence, and that he was an experienced driver. He explained that on each occasion he was caught by speed camera and was unaware until fixed penalty notices arrived at his house. He deeply regrets the

speeding and realises that one more motoring offence could result in a disqualification.

- (2) Review of a Private Hire Drivers Licence.

Reason: SP30 (exceeding statutory speed limit on a public road) endorsed with 6 penalty points.

Decision: Warning Issued as to future manner of driving.

Explanation: The driver stated that while travelling home after work he was caught by speed camera, he was not carrying passengers at the time and it was his first offence. The driver contested the fixed penalty at court but the decision was allowed and fine and points increased.

- (3) Review of a Private Hire Drivers Licence and a Hackney Carriage Drivers Licence.

Reason: SP50 (speeding on a motorway) and SP30 (speeding on a public road) both of which were committed within a 13 day period.

Decision: Warning Issued as to future manner of driving

Explanation: The driver stated that while travelling on the M60, with no passengers he was caught by the 'average speed limit camera' travelling at over 50mph. On a separate occasion he was late for an appointment and was caught by speed camera. The driver regretted both incidents and had no previous offences.

10.5 **Major Motoring Offence (1) – Senior Officer Licensing Panel**

- (1) Review of a Private Hire Drivers Licence.

Reason: IN10 (using a vehicle uninsured against third party risks)

Decision: Warning Issued as to future manner of driving.

Explanation: The driver stated that whilst working as a take away delivery driver, he had just made a delivery when he was stopped by police. The driver thought his insurance covered him but he didn't have business insurance, the police issued a fixed penalty notice.

10.6 **Major Motoring Convictions – Sub-Committee (3)**

- (1) Review of a Private Hire Drivers Licence

Reason: IN10 (using a vehicle uninsured against third party risks)

Decision: Warning Issued

Explanation: The driver stated that his vehicle had failed a test at the test centre, the driver drove the vehicle not realising he was not insured. He was stopped by police and charged with IN10. At court the magistrate found him guilty but accepted that the circumstances in which the offence was committed was of a technical nature, consequently he was given an absolute discharge with no points.

- (2) Application for a new Hackney Carriage driver's licence.

Reason: Ply for Hire and IN10 (using a vehicle uninsured against third party risks)

Decision: Application Granted with a Warning

Explanation: The applicant stated that he was a private hire driver and made a stupid mistake and was caught, he has learned his lesson and this is the reason he is applying for hackney carriage. He states he was waiting to pick up a friend, when a woman got into the rear of his vehicle. The conviction is almost outside the guidelines.

- (3) Application for a new Hackney Carriage driver's licence.

Reason: Three major motoring offences, CD10 (driving without due care and attention) CU80 (breach of requirements as to control of the vehicle) IN10 (using a vehicle uninsured against third party risks) with 6 months disqualification.

Decision: Application Granted with a Warning.

Explanation: The applicant stated that he thought his wife had insured his vehicle, when travelling to a friends he signalled to turn right but then carried on, a CSO stopped him as he was using his mobile. Police arrived and he was charged with the offences. The convictions are almost outside the guidelines.

10.7 **Violent Offences – Licensing and Appeals Sub-Committee (1)**

- (1) Application for a new Private Hire drivers licence

Reason: Historical Convictions on DBS certificate

Decision: Application Granted with a Warning

Explanation: The applicant stated that the offences occurred when he was younger and naive and got involved with the wrong crowd. The applicant deeply regrets the offence of soliciting a woman for prostitution, and an allegation of assault occasioning actual bodily harm. The applicant states he is now a happily married man with a young family, and trying to get his life back on track.

10.8 **Disclosure and Barring Service Enhanced Certificate – Sub-Committee (0)**

10.9 **Compliance Complaints – Sub Committee (0)**

6.0 Legal implications

There are no other legal implications to consider.

7.0 Contributing to the Community Strategy

7.1 (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.

7.2 (b) Reaching full potential in education and employment

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

7.4 (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.

8.0 Key Policies and Considerations

(a) Equal Opportunities

(b) Risk Management

(c) Legal Considerations

9.0 Conclusion

9.1 The report provides the Committee with an update on the Compliance Service activity and performance between 1 October 2016 and 31 March 2017.