

**Manchester City Council
Report for Information**

Report to: Licensing and Appeals Committee – 15 January 2018

Subject: Taxi Compliance Quarterly Report

Report of: Head of Planning, Building Control and 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:

- April – June 2017 [Quarter 1, 17/18]
- July – September 2017 [Quarter 2, 17/18]

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 raises the standards of those operating within this part of the public transport industry, and promotes a world class fleet.
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	Manchester strives to have a world class taxi fleet that promotes equality and confidence to those living in, working in and visiting our City.

A liveable and low carbon city: a destination of choice to live, visit and work.	<p>Effective regulation of vehicle conditions ensures compliance with current emissions policies.</p> <p>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.</p>
A connected city: world class infrastructure and connectivity to drive growth	An effective compliance regime supports the ambition for a world class fleet and one that will assist economic growth.

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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1.0 Introduction

- 1.1 This report provides the committee with information in respect of compliance work undertaken by the Unit during April – June 2017 [Q1-17/18] and July - September 2017, [Q2- 17/18].
- 1.2 More detailed reporting on the outcome data from complaints investigations will be incorporated into future reports, once the compliance case management module and linked reports are live within the Uniform system, therefore only simple data is able to be reported at this time, as per section 2 below.

2.0 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 1.2, 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 2 (16-17)	Qtr 3 (16- 17)	Qtr 4 (16-17)	Qtr 1 (17-18)	Qtr 2 (17-18)	Last Qtr	Same Qtr last year
Fare, Route or Meter Issue	59	58	68	63	80	+17	+21
Traffic Incident (non passenger)	37	88	83	82	96	+14	+59
Driver Conduct	34	40	15	23	20	+7	-14
Driving Matter (from passenger)	7	6	5	8	5	-3	-2

Refusal Of Hire	10	13	9	12	3	-9	-7
Operator or Booking Issue	9	6	16	10	12	-2	+3
Illegal Ply	6	16	9	10	17	+7	+11
Licensed Driver Dispute	6	5	11	6	8	+2	+2
Driver Knowledge	1	6	1	6	3	-3	+2
Disability Issue	2	4	2	1	2	+1	0
Other	26	44	36	21	39	+18	+13
Total	197	286	255	241	285	+44	+88

2.5 Table 1 shows a moderate increase in complaints received in Qtr 2 17/18 compared to Qtr 1 17/18 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, the general increase seen over the past 12 months was anticipated and is viewed as a positive result of service improvements aimed at:

- 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

3.0 Proactive Checks and Operations

3.1 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 by Qtr

Vehicle and Driver Type	Qtr 3 16/17	Qtr 4 16/17	Qtr 1 17/18	Qtr 2 17/18	Total	% of total
Manchester Hackney	285	283	465	461	1494	29%
Manchester Private Hire	414	437	575	487	1913	37%

Other licensed drivers checked in Manchester	399	465	498	432	1794	34%
Total	1098	1185	1538	1380	5201	

3.2 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

3.3 When vehicles from other authorities are suspected of illegally plying for hire or committing offences outside of Manchester's jurisdiction, information is passed to relevant authorities. Officers from neighbouring GM authorities and Rossendale do work in Manchester on occasion, targeting their drivers. Whilst some information is fed back, there is currently no formal process for reporting what action (if any) has been taken.

3.4 Notices

Table 3a – Notices issued

Vehicle Notices Apr-Jun 17	Compliance		Suspension		Total
	Notice		Notice		
Defect Type	PH	HC	PH	HC	
Tyres	0	0	2	0	2
Bodywork / Interior	3	0	3	0	6
Electrical	1	0	0	1	2
Mechanical	0	0	0	1	1
Vehicle Other (Conditions e.t.c.)	2	0	11	0	13
Driver (Not in possession of badge e.t.c.)	0	0	2	0	2
Total	6	0	18	2	26

Table 3b – Notices issued

Vehicle Notices Jul-Sep 2017	Compliance		Suspension		Total
	Notice		Notice		
Defect Type	PH	HC	PH	HC	
Tyres	0	0	2	0	2
Bodywork / Interior	0	0	2	2	4
Electrical	0	1	2	0	3
Mechanical	0	0	0	0	0
Vehicle Other (Conditions e.t.c.)	6	0	17	0	23
Driver (Not in possession of badge e.t.c.)	0	0	4	0	4
Total	6	1	27	2	36

3.5 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	Q3 16/17	Q4 16/17	Q1 17/18	Q2 17/18	Total
Licensed Drivers (From All Authorities)	19	19	18	22	78

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 were Ply for Hire	Pending Trial	Number of which successful (to date)
Q3 16/17 (Oct – Dec 2016)	17	16	0	14
Q4 16/17 (Jan – Mar 2017)	18	14	0	11
Q1 17/18 (Apr – Jun 2017)	7	6	2	5
Q2 17/18 (Jul – Sep 2017)	7	7	6	0
Annual Totals	49	43	8	30

3.7 Operations

3.7.1 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 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.

3.7.2 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.

3.7.3 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	Total	Outputs					
		Manchester HC	Manchester PH	Other licensed checked in Manchester	Total	Compliance Notice	Suspension Notice	Prosecution
Qtr 3	15 Oct 16	42	180	42	264	9	2	1
	12 Nov 16	14	28	18	60	0	3	2
	3 Dec 16	59	163	96	318	7	11	0
	17 Dec 16	43	172	87	302	11	9	1
	23 Dec 16	13	13	15	41	0	0	1
Qtr 4	21 Jan 17	15	55	32	102	0	3	0
	11 Feb 17	29	47	32	108	11	8	1
	25 Mar 17	13	51	76	140	0	5	0
Qtr 1	None							
	None							
Qtr 2	19 th Aug 17	36	6	31	73	4	5	2
	9 th Sep 17	47	93	56	196	11	4	0
	Total	468	993	370	1195	53	50	8

4.0 Senior Officer Panels and Licensing and 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

The tables below show the number of cases referred to either Panel or Sub-Committee within Qtr1 April-June and Qtr2 July – September 2017, broken down by offence category and detailing the outcomes:

Table 8 – Summary of cases referred to the Panel and outcomes **Qtr 1 April – June**

Senior Officer Licensing Panel Qtr 1 April – June 2017											
	New Application			Current Licence Holder				Renewal			Total
Offence Category	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	0	0	0	0	0
Major Motor Offence	0	3	0	0	1	0	0	0	0	0	4
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	0
Total	0	3	0	0	4	0	0	0	0	0	7
Appeal	0	0	0	0	0	0	0	0	0	0	0

Table 9 - Summary of cases referred to Licensing and Appeals Sub-Committee and outcomes Qtr 1 April – June

Sub-Committee Qtr 1 April –June 2017											
	New Application			Current Licence Holder				Renewal			Total
Offence Category	Granted	Granted with Warning	Refused to Grant	No Further Action Taken	Warning Given	Revoked	Suspended	Granted	Granted with Warning	Refused	
Drugs	0	1	0	0	0	0	0	0	0	0	1
Sex Offence	0	0	0	0	0	1	2	0	0	0	3
Violence	0	0	2	0	0	1	1	0	0	0	4
DBS Info	0	0	0	0	0	0	0	0	0	0	0
Dishonesty	0	0	0	0	0	1	0	0	0	0	1
Totting Up	0	0	0	0	0	0	0	0	0	0	0
IN10 /Ply for Hire and Complaints	0	0	0	0	0	3	0	0	0	0	3
Major Traffic Offence	0	0	1	0	0	1	1	0	0	0	3
Miscellaneous	0	1	0	1	0	0	0	0	0	0	2
Total	0	2	3	1	0	7	4	0	0	0	17
Appeal	0	0	0	0	0	2	0	0	0	0	2

5.0 Panel and Sub-Committees

- 5.1 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.

5.2 **Dishonesty – (0) Senior Officer Licensing Panel**

5.3 **Major Motoring Offence (4) – Senior Officer Licensing Panel**

- (1) Application for a New Private Hire driver's licence.

Reason: Motoring convictions IN10 (no insurance) and BA10 (driving whilst disqualified)

Decision: New application Granted with a Warning.

Explanation: The applicant explained that he was travelling to his friend's house when he was stopped by police the applicant thought that his driving disqualification had expired, but it had not. Isolated incident with no other convictions.

- (2) Application for a New Private Hire driver's licence.

Reason: Motoring conviction MS90 (failure to give information as to identity of driver).

Decision: New application Granted with a Warning.

Explanation: The applicant stated that he had a motoring offence for speeding, but mislaid the fixed penalty notice. The next think he realised he was summonsed for a MS90. The applicant pleaded guilty at court, he explained that he forgot to declare conviction on application. The Senior Officer considered the explanation of full admission of circumstances and it was an isolated conviction, decided to depart from the guidelines.

- (3) Review of a Private Hire and a Hackney Carriage drivers licences.

Reason: Motoring conviction IN10 (no insurance).

Decision: Warning Issued.

Explanation: The driver borrowed his cousin's car but was stopped by police as the vehicle had no MOT, enquiries by police revealed the driver was not insured. On checking his insurance policy the driver discovered he wasn't insured to driver other vehicles. He has since amended his policy. The Senior Officer considered convictions as an isolated incident which had been declared with mitigating circumstances.

- (4) Review of a hackney carriage driver licence and a private hire driver's licence.

Reason: Motoring conviction SP30 (speeding) which resulted in 6 penalty points being issued making this a major traffic offence.

Decision: Warning Issued

Explanation: The driver stated that he was travelling home after work, but made the mistake of putting his foot down, police car stopped him doing 50 in a 40 zone, pleaded guilty and received 6 penalty points. The driver was remorseful and regretted the speeding he has learned his lesson and keeps within the limits. The Senior Officer treated this as an isolated incident as the driver as no previous convictions.

5.4 **Intermediate Motoring Offence (3) – Senior Officer Licensing Panel**

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

Reason: Motoring conviction CD10 (driving without due care and attention)

Decision: New application Granted with a Warning.

Explanation: The applicant explained that whilst turning right a cyclist hit the middle of his vehicle, applicant declared conviction on application. The applicant attended court where he pleaded guilty to driving without due care and attention, he was offered a course but could not attend. Accident took place 18 months ago, no injuries to cyclist and no other convictions.

- (2) Review of a Private Hire drivers licence

Reason: DVLA drivers licence disqualified 28 days regards speeding offence SP50 (speeding on a motorway).

Decision: Warning Issued.

Explanation: The driver stated that while travelling on a motorway he received a call that his father was ill. He came off at the next junction to turn round and headed to his fathers. And was stopped by police and charged with speeding, the driver was not in his private hire vehicle, pleaded guilty at court. The Licensing Unit made enquiries with the Private Hire Operator that the driver works for and during the period he was disqualified from driving they had not allocated any private hire bookings to him. Isolated conviction, with a previously good record.

- (3) Review of a hackney carriage drivers licence.

Reason: Two SP30s received within a five week period.

Decision: Warning Issued

Explanation: The driver states he was on the East Lancs road and over took a vehicle not realising the speed limit was 40mph, on the other occasion the driver states he was just keeping up with traffic. The Senior Officer considered the drivers explanation and convictions history, and concluded that the two SP30s were dealt with by way of fixed penalties which indicates that the driver was not much over the limit. The Officer made the driver aware that he is now on 6 points and any if he appears before Panel again the outcome may be

different.

5.5 **Totting Up – Senior Officer Licensing Panel (0)**

5.6 **Violent Offences – Licensing and Appeals Sub-Committee (0)**

5.7 **Sex offences – Sub-Committee (0)**

5.8 **Drugs – Sub-Committee (1)**

- (1) Application for a New Private Hire driver's licence.

Reason: Possession of controlled drug.

Decision: New Application Granted with a Warning.

Explanation: The applicant explained that he was involved with the wrong crowd at the time and he no longer takes any drugs. He stated that he was starting a family and his priorities were his wife and children and that he wanted to earn an honest living. The sub- committee took into account the applicants submissions and the fact that more than 5 years had elapsed since the last reported conviction. This appeared to confirm that the applicant had made a fresh start.

5.9 **Miscellaneous Sub-Committee (2)**

- (1) Application for a New Private Hire driver's licence.

Reason: Failure to comply with Environmental Protection Act and Fire Safety Acts.

Decision: Application Granted with a Warning.

Explanation: The applicant explained that he had been a manager of a restaurant in 2013/14, when the Fire Service arrived to conduct a routine inspection. The applicant was charged with a number of breaches of Fire and Environmental issues. The Committee after hearing the explanation decided to issue a warning as the incident was isolated, with no other convictions.

- (2) Review of a Private Hire and Hackney Carriage drivers licences.

Reason: Breach of the Health and Safety At Work Act

Decision: No further action.

Explanation: The driver stated that he had been overseeing some building work when an accident occurred, as he was deemed to be in control of the

work activity he was prosecuted and convicted. The driver explained that he had never tried to hide anything from the Licensing Unit and had fully declared the conviction. The Committee noted that he had at all times been open and honest, also he had been acting on behalf of a friend for no financial gain.

6.0 Appeals (2)

There were 2 appeals lodged against Sub-Committee decisions during April – June 2017.

- (1) Review of a private hire driver licence – revoked at Sub-Committee April 2017
The driver appeared before the Sub-Committee in respect of him having been prosecuted for an offence of Ply for Hire and IN10 (using a vehicle uninsured against third party risks).

Appeal lodged at Manchester and Salford Magistrates Court against the revocation of a private hire driver licence listed for, 7 August 2017, re listed 23 October.

Decision: Appeal Dismissed

- (2) Review of a private hire driver licence – revoked at Sub-Committee April 2017
The driver appeared before the Sub-Committee in respect of him having a conviction for Actual Bodily Harm [ABH].

Appeal lodged at Manchester and Salford Magistrates Court against the revocation of a private hire driver licence listed for, 21 August 2017.

Decision: Appeal Dismissed

7.0 Table 10 – Summary of cases referred to the Panel and outcomes **Qtr 2 July – September 2017**

Senior Officer Licensing Panel Qtr 2 July – September 2017											
	New Application			Current Licence Holder				Renewal			Total
Offence Category	Granted	Granted with Warning	Refused to Grant	No Further Action Taken	Warning Given	Revoked	Suspend	Granted	Granted with Warning	Refused	
Dishonesty	0	0	0	0	0	0	0	0	0	0	0
Major Motor Offence	0	2	1	0	3	0	1	0	0	0	7
Intermediate Motor Offence	0	1	0	0	3	0	1	0	0	0	5

Totting Up	0	0	0	0	0	0	0	0	0	0	0
Total	0	3	1	0	6	0	2	0	0	0	12
Appeal	0	0	1	0	0	0	0	0	0	0	1

7.1 Table 11 - Summary of cases referred to Licensing and Appeals Sub-Committee and outcomes Qtr 2 July - September

Sub-Committee Qtr 2 July – September 2017											
	New Application			Current Licence Holder				Renewal			Total
Offence Category	Granted	Granted with Warning	Refused to Grant	No Further Action Taken	Warning Given	Revoked	Suspend	Granted	Granted with Warning	Refused	
Drugs	0	0	1	0	0	0	1	0	0	0	2
Sex Offence	0	0	2	0	0	2	1	0	0	0	5
Violence	0	0	2	0	0	0	1	0	0	0	3
DBS Info	0	0	0	0	0	0	0	0	0	0	0
Dishonesty	0	0	0	0	0	0	0	0	0	0	0
Totting Up	0	0	0	0	0	0	0	0	0	0	0
IN10 /Ply for Hire and Complaints	0	0	0	0	0	6	0	0	0	0	6
Major Traffic Offence	0	0	0	0	0	0	0	0	0	0	0
Miscellaneous	0	0	1	0	0	1	0	0	0	1	3
Total	0	0	6	0	0	9	3	0	0	1	19
Appeal	0	0	1	0	0	6	1	0	0	1	9

8.0 Panel and Sub-Committees Qtr 2 July-September 2017

8.1 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.

8.2 **Dishonesty – (0) Senior Officer Licensing Panel**

8.3 **Major Motoring Offence (5) – Senior Officer Licensing Panel**

- (1) Review of a Private Hire driver's licence.

Reason: Motoring convictions MS90 (Failure to give information as to identity of driver)

Decision: Warning Issued.

Explanation: The driver stated that his brother was driving his personal vehicle and was flashed by a speed camera. The driver then received a summons from court, the driver attended court stating that he did not receive the first letter. Court found the driver guilty.

- (2) Application for a New Private Hire driver's licence.

Reason: Motoring conviction MS90 (failure to give information as to identity of driver).

Decision: New application Granted with a Warning.

Explanation: The applicant received notification of motoring offence SP30 and stated that he had returned the form. The applicant states that he then heard nothing until a summons arrived. The applicant pleaded guilty and received the penalty of MS90.

- (3) Review of a Private Hire drivers licences.

Reason: Motoring conviction MS90 (failure to give information as to identity of driver).

Decision: Warning Issued.

Explanation: The driver stated that he was the proprietor of 6 private hire vehicles, one of the vehicles was recorded speeding. The driver states he found out who was driving, but by the time he informed the courts the 28 days to reply had elapsed. The owner was charged with MS90.

- (4) Application for a New Hackney Carriage driver's licence.

Reason: Motoring conviction MS90 (failure to give information as to identity of driver).

Decision: New application Granted with a Warning.

Explanation: The applicant stated his friend had borrowed his car, he was insured to do so, as he sometimes did. Sometime later he received a notification requesting the identity of the driver. The applicant thought he had responded to the request for information. He then received a court letter to which he replied saying he was not the driver. The applicant was charged with the offence of MS90.

- (5) Review of a Hackney Carriage driver licence.

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

Decision: Warning Issued.

Explanation: The driver stated that the court had issued an absolute discharge, due to circumstances that the driver had been misled without any negligence on his part into believing he was insured.

8.4 **Intermediate Motoring Offence (4) – Senior Officer Licensing Panel**

- (1) Application for a New Private Hire driver's licence.

Reason: Motoring conviction CD10 (driving without due care and attention)

Decision: New application Granted with a Warning.

Explanation: The applicant stated that whilst driving his vehicle, he approached a junction and stopped to turn right, as he did he hit another vehicle approaching from his left. Little damage was done and no one injured, however police arrived and charged him with driving without due care and attention.

- (2) Review of a Private Hire drivers licence

Reason: Motoring conviction CD10 (driving without due care and attention)

Decision: Warning Issued.

Explanation: The driver stated that whilst driving his own vehicle he was distracted by his children who were sat in the rear. The traffic in front of him slowed and he drove into the rear of another vehicle. No injuries but someone called police, and he was charged with driving without due care and attention.

- (3) Review of a hackney carriage driver licence.

Reason: Two motoring convictions SP30 (speeding) received on the same

day.

Decision: Warning Issued

Explanation: The driver stated that he had been careless and regrets the offences, he didn't know at the time that he had been caught speeding twice in the same day. He has been a licensed driver for a number of years and understands the consequences.

- (4) Review of a private hire driver's licence.

Reason: Two SP30s received within 6 months.

Decision: Warning Issued

Explanation: The driver states he had been to see sick relatives in Yorkshire, and had been caught by speed camera, unfortunately he was caught again on a second visit. The driver realises that he now has 9 points on his driving licence and any more could result in a disqualification.

8.5 **Totting Up – Senior Officer Licensing Panel (0)**

8.6 **Violent Offences – Licensing and Appeals Sub-Committee (0)**

8.7 **Sex offences – Sub-Committee (0)**

8.8 **Drugs – Sub-Committee (0)**

8.9 **Miscellaneous Sub-Committee (0)**

9.0 **Appeals (10)**

There were 9 appeals lodged against Sub-Committee, and 1 appeal lodged against Senior Officer Panel, decisions during July – September.

- (1) **Review of a private hire driver licence – revoked at Sub-Committee July 2017**

The driver appeared before the Sub-Committee in respect of him having been prosecuted for 'false imprisonment'.

Appeal lodged at Manchester and Salford Magistrates Court against the revocation of a private hire driver licence.

Outcome: Appeal Dismissed 16 October 2017.

- (2) **Review of a private hire driver licence – revoked at Sub-Committee July 2017**

The driver appeared before the Sub-Committee in respect of him having a conviction for Ply for Hire and no insurance.

Appeal lodged at Manchester and Salford Magistrates Court against the

revocation of a private hire driver licence.

Outcome: Appeal Dismissed 27 September 2017.

(3) Review of a private hire driver licence – Suspended at Sub-Committee July 2017

The driver appeared before the Sub-Committee in respect of him having a pending matter regards a sexual assault.

Appeal lodged at Manchester and Salford Magistrates Court against the revocation of a private hire driver licence.

Outcome: Appeal Allowed 18 October 2017.

(4) Application to renew a hackney carriage drivers licence – Refused at Sub-Committee July 2017

The driver appeared before the Sub-Committee in respect of him having his DVLA drivers licence revoked, on medical grounds.

Appeal lodged at Manchester and Salford Magistrates Court against the revocation of a hackney carriage driver's licence.

Outcome: Appeal Allowed 18 December 2017

(5) Review of a hackney carriage driver's licence –Revoked at Sub-Committee July 2017.

The driver appeared before the Sub-Committee in respect of him having a conviction for sexual assault.

Appeal lodged at Manchester and Salford Magistrates Court against the revocation of a hackney carriage driver's licence.

Appeal listed for 12 January 2018.

(6) Review of a private hire driver licence – revoked at Sub-Committee August 2017

The driver appeared before the Sub-Committee in respect of him having a conviction for Ply for Hire and no insurance.

Appeal lodged at Manchester and Salford Magistrates Court against the revocation of a private hire driver licence.

Outcome: Appeal listed for full court hearing 5 February 2018.

(7) Review of a private hire driver licence – revoked at Sub-Committee September 2017

The driver appeared before the Sub-Committee in respect of him having a

conviction for Ply for Hire and no insurance.

Appeal lodged at Manchester and Salford Magistrates Court against the revocation of a private hire driver licence.

Outcome: Full Hearing date unknown.

(8) Application to renew a hackney carriage drivers licence – Refused at Sub-Committee September 2017

The driver appeared before the Sub-Committee in respect of him having a conviction for battery.

Appeal lodged at Manchester and Salford Magistrates Court against the revocation of a private hire driver licence.

Outcome: Appeal dismissed on 11 December 2017 at Magistrates Court.

(9) Review of a private hire driver licence – revoked at Sub-Committee September 2017

The driver appeared before the Sub-Committee in respect of him having a conviction for Ply for Hire and no insurance.

Appeal lodged at Manchester and Salford Magistrates Court against the revocation of a private hire driver licence.

Hearing Date not known.

(10) Application for a new hackney carriage driver's licence – Refused at Senior Officer Panel August 2017.

The applicant appeared before Senior Officer in respect of him having a motoring conviction MS90 (failure to give information as to identity of driver).

Appeal lodged at Manchester and Salford Magistrates Court against the refusal of a hackney carriage driver licence.

Outcome: Appeal Withdrawn.

10.0 Conclusion

10.1 The report has provided a summary of the activity of the Taxi Compliance Team in Quarter 1 April – June and Quarter 2 July - September 2017. The information provides Members with an update and overview of the types of complaints received, proactive investigations, activity and legal applications to uphold high driver and proprietor standards in Manchester.

10.2 Members are asked to note the report.