



Licensing and Appeals Committee

Date: Monday, 8 March 2021

Time: 10.10 am (or at the rise of the Licensing Committee)

Venue: Virtual Meeting - <https://vimeo.com/517131115>

Everyone is welcome to attend this committee meeting.

**The Local Authorities and Police and Crime Panels (Coronavirus)
(Flexibility of Local Authority and Police and Crime Panel Meetings)
(England and Wales) Regulations 2020.**

Under the provisions of these regulations the location where a meeting is held can include reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers.

To attend this meeting it can be watched live as a webcast. The recording of the meeting will also be available for viewing after the meeting has closed.

Membership of the Licensing and Appeals Committee

Councillors - Ludford (Chair), Grimshaw (Deputy Chair), Andrews, Chohan, Evans, Flanagan, Hassan, Hewitson, Hughes, Jeavons, Lynch, Lyons, Madeleine Monaghan and Reid

Agenda

1. Urgent Business

To consider any items which the Chair has agreed to have submitted as urgent.

2. Appeals

To consider any appeals from the public against refusal to allow inspection of background documents and/or the inclusion of items in the confidential part of the agenda.

3. Interests

To allow Members an opportunity to [a] declare any personal, prejudicial or disclosable pecuniary interests they might have in any items which appear on this agenda; and [b] record any items from which they are precluded from voting as a result of Council Tax/Council rent arrears; [c] the existence and nature of party whipping arrangements in respect of any item to be considered at this meeting. Members with a personal interest should declare that at the start of the item under consideration. If Members also have a prejudicial or disclosable pecuniary interest they must withdraw from the meeting during the consideration of the item.

4. Minutes

To approve as a correct record the minutes of the meeting held on 30 November 2020.

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5. Review of Temporary Amendments to Vehicle Age and Testing Policies

To follow.

Information about the Committee

The Licensing and Appeals Committee discharges the duties of the Council in relation to a range of licensing and registration functions.

In general, decisions are made by the Committee under powers delegated to it under the Council Constitution and will not require to be referred to the Council for approval. Meetings are controlled by the chair, who is responsible for seeing that the business on the agenda is dealt with properly.

The Committee has previously agreed detailed procedures for dealing with certain types of applications. The role of officers at meetings is to present reports and to give procedural or legal guidance to the Committee

Copies of the agenda are available beforehand from the reception area at the main entrance of the Town Hall in Albert Square. Some additional copies are available at the meeting from the Governance Support Officer.

The Council is concerned to ensure that its meetings are as open as possible and confidential business is kept to the strict minimum. When confidential items are involved these are considered at the end of the meeting at which point members of the public are asked to leave.

Smoking is not allowed in Council buildings.

Joanne Roney OBE
Chief Executive
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Manchester, M60 2LA

Further Information

For help, advice and information about this meeting please contact the Committee Officer:

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This agenda was issued on **Friday, 26 February 2021** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Mount Street Elevation), Manchester M60 2LA

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Licensing and Appeals Committee

Minutes of the meeting held on Monday, 30 November 2020

Present: Councillor Grimshaw – in the Chair

Councillors: Andrews, Chohan, Hassan, Hewitson, Hughes, Jeavons, Lyons, Madeleine Monaghan and Reid

Apologies: Councillor Evans, Ludford and Lynch

LAP/20/5 Minutes

The minutes of the meeting held on 27 October 2020 were submitted for approval.

Decision

To approve as a correct record the Minutes of the meeting held on 27 October 2020.

LAP/20/6 Amendment to the Hackney Carriage Fare Tariff

The Committee were provided with information from the Licensing Unit Manager with information in relation to a recent increase in charges levied by Manchester Airport.

The Licensing Unit Manager informed the Committee that these charges related to all vehicles dropping off passengers on the forecourts directly in front of the three terminals and that the current Fare Card requires amending in order to allow Hackney Carriage drivers and proprietors to be able to recover these additional costs levied upon them by the Airport (if they are dropping off passengers on a forecourt). The Licensing Unit Manager's report recommended that the Committee agree to make a recommendation to the Executive to amend the Hackney Carriage Fare Tariff Extra - 'Manchester Airport Charge - Drop off at any terminal' from £1.80 to £3.

Decision

To approve the recommendation within the report.

LAP/20/7 Impact of Covid on Vehicle Testing and Age Policies

The Licensing Unit Manager informed the Committee that the report was to set out relevant information, considerations and risks for the Committee following approaches by both the taxi and private hire trades to consider temporary relaxation of vehicle testing and age policies arising from the impacts of the Covid-19 pandemic.

The following recommendations to the Committee could be accepted in full, amended or rejected in full:

1. To extend the age limit of both HCVs and PHVs by an additional year, until the conclusion of the Clean Air and Minimum Licensing Standards work,

when both policies will be fully revised

2. To reduce vehicle testing requirements to 2 tests per year for all vehicles except brand new vehicles, which will continue to be subject to 1 test within the first 12 months. To continue to require vehicles beyond the set age limit to 3 tests per year.
3. For the changes to take effect immediately and be reviewed by the Committee in March 2021.

Decision

To accept in full the recommendations within the report.

LAP/20/8 Exclusion of the Public

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/20/9 Application relating to the renewal of HV602

The Committee considered the content of the report, the representations of the applicant and the Licensing officer.

The Licensing Unit Manager informed the Committee that this licence had not been renewed by the expiry date. From speaking to the licence holder, the Licensing Unit Manager relayed information to the Committee that the licence holder had been unwell and that the email regarding the renewal had been diverted to the licence holder's junk mail folder and had, therefore, not been seen by them.

The licence holder addressed the Committee and explained that they are now elderly with many decades service in the trade and that they had not knowingly made any mistake. The licence holder reported that they had attempted to visit the Town Hall offices to deal with the matter and found the building closed to the public due to the Coronavirus pandemic.

The Committee accepted the licence holder's version of events and, in light of exceptional circumstances brought about by the Coronavirus pandemic, felt that the renewal should be granted out of time.

Decision

To allow the applicant to renew the licence for vehicle HV602 out of time.

LAP/20/10 Application relating to the renewal of HV493

The Committee considered the content of the report, the representations of the applicant and the Licensing officer.

The Licensing Unit Manager informed the Committee that this licence had not been renewed by the expiry date. From speaking to the licence holder, the Licensing Unit Manager relayed information to the Committee that the licence holder had been visiting a sick relative at the time of the renewal date.

The licence holder addressed the Committee and explained that there had been multiple illnesses in the family resulting in two deaths from COVID-19. The licence holder confirmed that when they went to renew the licence they had discovered it had already lapsed.

The Committee accepted the licence holder's version of events and, in light of exceptional circumstances brought about by the Coronavirus pandemic, felt that the renewal should be granted out of time.

Decision

To allow the applicant to renew the licence for vehicle HV493 out of time.

LAP/20/11 Application relating to the renewal of HV685

The Committee considered the content of the report, the representations of the applicant and the Licensing officer.

The Licensing Unit Manager informed the Committee that this licence had not been renewed by the expiry date. From speaking to the licence holder, the Licensing Unit Manager relayed information to the Committee that the reminder email to the licence holder had gone to their son-in-law's email address and the licence holder had not been made aware of it but had made attempts to resolve the matter when the Licensing Unit telephoned them on 15 October 2020.

The licence holder's grandson addressed the Committee on their behalf and explained that there had been two drivers on the licence who had both left the trade due to a lack of work arising from the effects of the Coronavirus pandemic. The licence holder's grandson also confirmed that the licence holder was not aware of the renewal date as this information had not been provided to him via his son-in-law.

The Committee accepted the licence holder's version of events and, in light of exceptional circumstances brought about by the Coronavirus pandemic, felt that the renewal should be granted out of time.

Decision

To allow the applicant to renew the licence for vehicle HV685 out of time.

LAP/20/12 Hackney Carriage vehicle renewal – temporary delegated powers

This matter was presented as an item of Urgent Business by the Chair.

The Committee noted the existing established practice of out of time Hackney Carriage vehicle renewal applications being referred for consideration by the Committee. It considered that due to the current difficulties being faced by Hackney Carriage Proprietors due to the impact of the pandemic on the Hackney Carriage Trade this practice should be departed from as follows:

Applications received which are 7 days or less out of time can be granted under delegated authority by an officer, Applications received between 7-14 days out of time can be granted under delegated authority by an officer in consultation with the Chair of Licensing. All other out of time applications to continue to be referred to Committee. The Committee will review these arrangements in March 2021.