

Licensing and Appeals Committee

Minutes of the meeting held on Monday, 4 March 2024

Present: Councillor Grimshaw (Chair) – in the Chair

Councillors: Connolly, Andrews, Evans, Flanagan, Hewitson, T Judge and Ludford

Apologies: Councillor Hilal, Hughes, Reid and Riasat

LAP/24/1 Minutes

The minutes of the meeting held on 23 October 2023 were submitted for consideration as a correct record.

Decision

To approve the minutes of the meeting held on 23 October 2023 as a correct record.

LAP/24/2 Greater Manchester Clean Air Plan and Clean Taxi Fund Update

The Committee considered the report of the Director of Planning, Building Control and Licensing, which provided an update on the revised Greater Manchester Clean Air Plan (GM CAP) following its recent submission to the Joint Air Quality Unit (JAQU) (December 2023) in light of the implications for licensing policy.

The Principal Licensing officer (Compliance) introduced the report and outlined the key points for consideration. The Committee was invited to note the latest position on the development of an investment-led Clean Air Plan for Greater Manchester and approve the amendment to the current compliance date for the emissions standard on licensed vehicles from 1 April 2026 to 31 December 2025, in support of the GM CAP.

A member of the Manchester Hackney Carriage Association attended the meeting and addressed the Committee about the amended compliance date for the emissions standard. He asked the Committee to note that the Secretary of State's decision to bring forward the date had only recently been communicated to the Trade by TfGM. He indicated that the Trade were concerned at TfGM's approach in respect of the removal of grant funding for conversion kits for Euro 5 vehicles, kits which he said was in contrast to other authority areas such as Birmingham and Sheffield. He added that there was no current data to suggest that those kits would fail the emissions standard on taxi vehicles and asked that that is taken into consideration in respect of grant funding. He also asked the Committee to recommend that Transport for Greater Manchester (TfGM) consults with the Trade on the issue to discuss these matters.

In response the Chair gave assurance that it had already been agreed that the measures relating to taxi and private hire vehicles would be cascaded down to the Trade at their regular meetings, adding that the amended compliance date and the intention to cascade further information as it arises had been communicated through

those meetings some time ago. He thanked the representative for his comments. The Principal Licensing Officer (Compliance) added that whilst those comments would be taken into consideration, it was important that the Trade notes that the Council itself had no control over either the level of grant funding or what it is to be spent on.

Decision

1. To note the latest position on the development of an investment-led Clean Air Plan for Greater Manchester.
2. To approve the amendment to the current compliance date for the emissions standard on licensed vehicles from 1 April 2026 to 31 December 2025, in support of the GM CAP

LAP/24/3 Taxi and Private Hire Service and Policy Update

The Committee considered the report of the Director of Planning, Building Control and Licensing, which summarised the key points in the recently published non-statutory DfT Taxi and Private Hire Vehicle Licensing Best Practice Guidance for Licensing Authorities In England. The report included a summary of officer's concerns about the Guidance, sought views with regards to feeding back those concerns to the DfT, as well as responding to the current Wolverhampton consultation on Taxi and Private Hire Policy revisions. In addition, the report proposed several initial policy revisions for Manchester alongside other areas that the Committee may wish to instruct officers to consult further upon.

The Principal Licensing Officer (Compliance) introduced the report highlighting key points for consideration. The Committee was invited to note the report and consider the following recommendations:

- To instruct officers to consult on updating the Private Hire Operator Conditions to include:
 - The disability awareness training requirement
 - The accessibility requirement of booking platforms
- To instruct officers to consult with the trade on
 - Vehicle Age Policy; and
 - NCAP ratings
- To remove the current tint requirement for rear passenger windows in the private hire vehicles policy with immediate effect and replace it with the following:
 - a) Front windscreen – min. 75% light transmission
 - b) Front side door glass – min. 70% light transmission
 - c) Rear door glass - min. 30% light transmission
 - d) Rear window – manufacturer's tint
- To approve the Private Hire door sticker design to replace the bonnet sticker requirement
- To approve the removal of the requirement for licensed vehicles to carry fire extinguishers and first aid kits

- To request Officers to respond to the City of Wolverhampton public consultation on behalf of the Licensing Authority subject to comments by the Committee
- To request officers to provide a written response to the DfT on the following areas of the Guidance:
 - Driving Proficiency
 - Joint Authorisation
 - Incentivising vehicle choices and accessibility provision
 - Pedicabs and rickshaws
 - Mandating CCTV in vehicles
 - The risks associated with the testing requirements and frequency
 - The continued negative impacts of licence shopping on the authority's ability to devise local best practice
- To approve the move to daily DBS checks on all our licensed drivers in the interests of public safety.
- To approve the removal of the forward facing VPIS application requirement and fee.

A coloured example of the proposed door sticker for display on Private Hire Vehicles was provided to members during their consideration of the report.

There was a discussion about the proposal to remove the requirement for licensed vehicles to carry fire extinguishers and first aid kits. A member suggested that the proposal be reviewed in consultation with the Trade. It was subsequently clarified that the Authority was not seeking to prevent drivers from carrying the items should they choose to do so and instead was a removal of the requirement that they should do so. Having taken the advice from the Fire Service, it was explained that in the circumstances of a vehicle fire the safest course of action for drivers and passengers was to remove themselves from the vehicle as quickly as possible and move to a safe distance and allow the Fire Service to deal with the fire. It was also explained that were the Authority to continue to require drivers to carry an extinguisher and a driver subsequently became injured as a result of fighting a fire, the Authority could in theory be deemed liable as a result of requiring them to carry the items and take those measures. Adopting this proposal would therefore facilitate the Authority aligning with the approach taken with other Greater Manchester Authorities.

After careful consideration, the Committee agreed the proposals, with the exception of recommendation 5 regarding the requirement to carry fire extinguishers and first aid kits and agree that officers should consult with the trade on next steps before taking any further action.

Decision

1. To instruct officers to consult on updating the Private Hire Operator Conditions to include:
 - The disability awareness training requirement
 - The accessibility requirement of booking platforms
2. To instruct officers to consult with the trade on
 - Vehicle Age Policy; and
 - NCAP ratings

3. To remove the current tint requirement for rear passenger windows in the private hire vehicles policy with immediate effect and replace it with the following:
 - a) Front windscreen – min. 75% light transmission
 - b) Front side door glass – min. 70% light transmission
 - c) Rear door glass - min. 30% light transmission
 - d) Rear window – manufacturer's tint
4. To approve the Private Hire door sticker design to replace the bonnet sticker requirement
5. To request that officers consult with the trade regarding the proposal to remove the requirement for licensed vehicles to carry fire extinguishers and first aid kits
6. To request Officers to respond to the City of Wolverhampton public consultation on behalf of the Licensing Authority .
7. To request officers to provide a written response to the DfT on the following areas of the Guidance:
 - Driving Proficiency
 - Joint Authorisation
 - Incentivising vehicle choices and accessibility provision
 - Pedicabs and rickshaws
 - Mandating CCTV in vehicles
 - The risks associated with the testing requirements and frequency
 - The continued negative impacts of licence shopping on the authority's ability to devise local best practice
8. To approve the move to daily DBS checks on all our licensed drivers in the interests of public safety.
9. To approve the removal of the forward facing VPIS application requirement and fee.