



## **Licensing and Appeals Committee**

Date: Monday, 21 October 2024

Time: 10.30 am (or at the rise of the Licensing Committee)

Venue: Council Antechamber, Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

### **Access to the Council Antechamber**

Public access to the Council Antechamber is on Level 2 of the Town Hall Extension, using the lift or stairs in the lobby of the Mount Street entrance to the Extension.

**There is no public access from any other entrances of the Extension.**

### **Filming and broadcast of the meeting**

Meetings of the Licensing and Appeals Committee are 'webcast'. These meetings are filmed and broadcast live on the Internet. If you attend this meeting you should be aware that you might be filmed and included in that transmission.

## **Membership of the Licensing and Appeals Committee**

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**Councillors** - Grimshaw (Chair), Connolly (Deputy Chair), Bano, Douglas, Evans, Flanagan, Glover, Hewitson, Hilal, Hughes, Judge and Riasat

## Agenda

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- 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** 5 - 8  
To approve as a correct record the minutes of the meeting held on 4 March 2024.
- 5. Exclusion of the Public**  
The officers consider that the following item contains exempt information as provided for in the Local Government Access to Information Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. The Committee is recommended to agree the necessary resolutions excluding the public from the meeting during consideration of this item. At the time this agenda is published no representations have been that this part of the meeting should be open to the public.
- 6. Appeal against the decision to revoke a Street Trading Consent - Back A Yard** 9 - 56  
The report of the Director of Planning, Building Control and Licensing is enclosed.

## Information about the Committee

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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.

Eamonn Boylan OBE  
Chief Executive  
Level 3, Town Hall Extension,  
Albert Square,  
Manchester, M60 2LA

## Further Information

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

Ian Smith  
Tel: 0161 234 3043  
Email: [ian.hinton-smith@manchester.gov.uk](mailto:ian.hinton-smith@manchester.gov.uk)

This agenda was issued on **Friday, 11 October 2024** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 2, Town Hall Extension (Library Walk Elevation), Manchester M60 2LA

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## **Licensing and Appeals Committee**

### **Minutes of the meeting held on Monday, 4 March 2024**

**Present:** Councillor Grimshaw – in the Chair

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

**Apologies:** Councillors Hilal, Hughes, Reid and Riasat

#### **LAC/23/05 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.

#### **LAC/24/01 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

### **LAC/24/02 Taxi & 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.



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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