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TRAFFORD COUNCIL

AGENDA PAPERS FOR PUBLIC PROTECTION SUB-COMMITTEE MEETING

Date: Thursday, 18 February 2016

Time: 6.30 pm

Place: Committee Rooms 2 & 3 Trafford Town Hall, Talbot Road, Stretford,
Manchester, M32 0TH

A G E N D A	PART I	Pages
1.	ATTENDANCES To note attendances, including Officers and any apologies for absence.	
2.	MINUTES To receive and if so determined, to approve as a correct record the Minutes of the meeting held on 21 st January 2016.	1 - 2
3.	ALLOCATION OF HACKNEY CARRIAGE VEHICLE LICENCE To consider a report of the Head of Regulatory Services.	3 - 8
4.	URGENT BUSINESS (IF ANY) Any other item or items (not likely to disclose "exempt information") which, by reason of special circumstances (to be specified), the Chairman of the meeting is of the opinion should be considered at this meeting as a matter of urgency.	
5.	EXCLUSION RESOLUTION (REMAINING ITEMS) Motion (Which may be amended as Members think fit): That the public be excluded from this meeting during consideration of the remaining items on the agenda, because of the likelihood of disclosure of "exempt information" which falls within one or more descriptive category or categories of the Local Government Act 1972, Schedule 12A, as amended by	

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The Local Government (Access to Information) (Variation) Order 2006, and specified on the agenda item or report relating to each such item respectively.

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|----|--|----------------|--------|
| 6. | PRIVATE HIRE DRIVER - CONVICTION WHICH EXCEEDS THE SCHEME OF DELEGATION | Part II | |
| | To consider a report of the Head of Regulatory Services. | Para. 1 | 9 - 14 |
| 7. | ALLOCATION OF HACKNEY CARRIAGE VEHICLE LICENCE | | |
| | To note a verbal report of the Licensing Team Leader | Para. 1 | |
| 8. | URGENT BUSINESS (IF ANY) | | |

THERESA GRANT

Chief Executive

Membership of the Committee

Councillors M. Whetton (Chairman), B. Sharp (Vice-Chairman), S.K. Anstee, J. Coupe, A. Duffield, M. Freeman, D. Jarman, M. Sephton and J. Smith

Further Information

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

Natalie Owen, Democratic & Scrutiny Officer

Tel: 0161 912 4221

Email: natalie.owen@trafford.gov.uk

This agenda was issued on **Tuesday, 9 February 2016** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford M32 0TH.

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PUBLIC PROTECTION SUB-COMMITTEE

21 JANUARY 2016

PRESENT

Councillor M. Whetton (in the Chair).

Councillors B. Sharp (Vice-Chairman), S.K. Anstee, J. Coupe, A. Duffield, M. Freeman, D. Jarman, M. Sephton and J. Smith

In attendance

D. Goldstein	- Solicitor
J. Boyle	- Licensing Team Leader
N. Owen	- Democratic and Scrutiny Officer

39. MINUTES

RESOLVED: That the minutes of the Public Protection Sub-Committee meeting held on 17th December 2015 be agreed as a correct record and signed by the Chairman.

40. EXCLUSION RESOLUTION (REMAINING ITEMS)

RESOLVED: That the public be excluded from this meeting during consideration of the following items on the agenda because of the likelihood of disclosure of "exempt information" which falls within one or more descriptive category or categories of the Local Government Act 1972, Schedule 12A, as specified.

41. APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE DRIVER'S LICENCE

The Head of Regulatory Services submitted a report requesting Members to consider an application for the renewal of a Private Hire driver's licence.

The driver attended the meeting to enable Members to give the matter their full consideration.

The driver provided the Sub-Committee with a brief outline of what he said were the circumstances of the offence.

The driver also answered questions directed to him from Sub-Committee Members.

RESOLVED: That Mr. N. W's Private Hire driver's licence be renewed.

42. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE

The Head of Regulatory Services submitted a report requesting Members to consider an application for the grant of a Private Hire driver's licence.

Public Protection Sub-Committee
21 January 2016

The applicant attended the meeting to enable Members to give the matter their full consideration.

The applicant provided the Sub-Committee with a brief outline of what he said were the circumstances of the offence.

The applicant also answered questions directed to him from Sub-Committee Members.

RESOLVED: That Mr. A. S's application for a Private Hire driver's licence be granted.

43. PRIVATE HIRE DRIVER - SERIOUS ALLEGATION

The Sub-Committee were informed of an urgent decision which had been taken by the Chairman, Vice-Chairman and Opposition Spokesperson under emergency powers.

RESOLVED: That the decision be noted.

44. URGENT BUSINESS (IF ANY)

The Sub-Committee were informed of a telephone call from Greater Manchester Police which had been received today by the Licensing Section in relation to a taxi driver.

The Sub-Committee were also informed that an emergency meeting had been organised for the following week where the Chairman, Vice-Chairman and Opposition Spokesperson would make a decision under emergency powers if necessary.

The meeting commenced at 6.35 pm and finished at 7.48 pm

TRAFFORD COUNCIL

Report to: Public Protection Sub-Committee
Date: 18th February 2016
Report for: Decision
Report of: Head of Regulatory Services

Report Title

ALLOCATION OF HACKNEY CARRIAGE VEHICLE LICENCE

Summary

The Council has previously determined that 143 vehicle licences is the appropriate number to meet the identified demand for hackney carriages in Trafford. A vehicle licence has now become available and in order to comply with its current policy the Council must now allocate a new hackney carriage vehicle licence.

Recommendation(s)

The Sub-Committee is asked to agree the following:

- (1) to invite expressions of interest by way of a public notice from persons wishing to apply for a new hackney carriage vehicle licence - see Appendix A;
- (2) that the licence will be allocated by way of a draw;
- (3) that the successful person must present a suitable vehicle within 90 days of the receipt of the decision letter, and that there will be no extension to this deadline; and
- (4) that if the vehicle licence is transferred within the first three years, it may only be transferred to a vehicle which is less than two years old.

Contact person for access to background papers and further information:

Name: Joanne Boyle
Extension: 4129

Iain Veitch
Head of Regulatory Services

1.0 Background

- 1.1 Under the Transport Act 1985, the Council may limit the number of hackney carriage vehicle licences it issues for Trafford, provided there is no 'significant unmet demand'. The issue of whether or not there is significant unmet demand is determined through a statistical analysis of the results of a survey.
- 1.2 The Council currently restricts the number of Hackney Carriage Vehicle Licences it issues to 143, which is based on previous surveys.
- 1.3 A vehicle licence returns to the Council on the death of the holder or if the holder fails to renew the licence. In November 2015 a hackney carriage vehicle proprietor failed to renew the vehicle licence before the expiry date. (Further detail on the background to this report will be offered in Part II of the Agenda).
- 1.4 It was decided that the Council would consider renewing the licence if the vehicle passed the vehicle compliance test and a formal application was submitted by the 4th January 2016. The vehicle proprietor was advised of this decision; and that there would be no extension to the deadline.
- 1.5 The Council did not receive a renewal application nor was the vehicle presented for testing by the due date; therefore, the hackney carriage vehicle licence expired on the 4th January 2016.
- 1.6 The Council has previously determined that 143 vehicle licences is the appropriate number to meet the identified demand for hackney carriages in Trafford. In order to comply with its current policy the Council must now allocate a new hackney carriage vehicle licence.
- 1.7 The Licensing Section does not maintain a register of interest or waiting list for hackney carriage vehicle licences. Therefore, it is proposed to ask for expressions of interest by way of a public notice in a local newspaper; by advertising on the Council's website and Twitter; and through liaison with operators and trade representatives.
- 1.8 It is proposed that the successful applicant will be chosen by way of a draw.
- 1.9 It is also proposed that any successful applicant must meet the following criteria:
 - The vehicle must be either an LTi, Mercedes Vito Taxi or Peugeot E7 Taxi which is less than 2 years old;
 - The vehicle must be presented for licensing within 90 days of the date the licence is allocated. There will be no extension to this deadline.
 - Within the first three years the vehicle licence may only be transferred to a vehicle which is less than 2 years old.

2.0 Recommendations

2.1 The Sub-Committee is asked to agree the following policy and procedure for the allocation of a new hackney proprietor's licence:

2.1.1. to invite expressions of interest from persons wishing to apply for a new hackney carriage vehicle licence by way of a public notice see Appendix A;

2.1.2 that the licence will be allocated by way of a draw;

2.1.3 that the successful person must present a suitable vehicle within 90 days of the receipt of the decision letter, and that there will be no extension to this deadline; and

2.1.4 that if the vehicle licence is transferred within the first three years, it may only be transferred to a vehicle which is less than two years old.

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APPENDIX A

TRAFFORD COUNCIL

ALLOCATION OF HACKNEY CARRIAGE PROPRIETOR'S LICENCE

The Council currently limits the number of hackney carriage vehicle licences it issues to 143. A vehicle licence returns to the Council on the death of the holder or if the holder fails to renew the licence.

Notice is hereby given that a hackney carriage vehicle licence has become available and the Council intends to allocate a new licence by way of a ballot. The ballot will consist of any person who has expressed an interest.

The person allocated a licence will be required to comply with the following:

- the vehicle must be either a London Taxi, Mercedes Vito Taxi or Peugeot E7 Taxi which is less than 2 years old;
- the application and vehicle must be presented within 90 days of the date the licence is allocated;
- the vehicle licence may only be transferred to a vehicle which is less than 2 years old (applicable within the first three years)

If you are interested in being considered for the grant of a hackney carriage vehicle licence please email licensing@trafford.gov.uk confirming your agreement to the above criteria and giving your name, address and telephone number. You may also write the same to the Licensing Section, Trafford Council, Talbot Road, Stretford, M32 0TH. Expressions of interest must be received by 5.00 pm on (28 days' notice period)

Iain Veitch
Head of Regulatory Services

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

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