

Public Document Pack



TRAFFORD COUNCIL

Tuesday, 5 October 2021

Trafford Town Hall
Talbot Road
Stretford
M32 0TH

Dear Councillor,

Your attendance is requested at a meeting of the Council of the Borough of Trafford on **WEDNESDAY, 13 OCTOBER 2021**, at **7.00 P.M.** at a **venue to be confirmed**, for the transaction of the business set out below:

Note: As the Council continues to manage the risk of Covid-19, public attendance at this meeting will be limited and anyone wishing to attend is asked to contact democratic.services@trafford.gov.uk to register in advance. The Council has a duty to protect the health, safety and welfare of staff and others from Covid transmission risks so far as is reasonably practicable and all attendees are reminded of the need for self-isolation where positive cases and contacts have been identified.

Please note that the meeting will also be streamed live via the following link: <https://www.youtube.com/channel/UCjwbIOW5x0NSe38sgFU8bKg> in line with the principles of openness and transparency in local government.

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|--|--------------|
| 1. Minutes | |
| To approve as a correct record the Minutes of the Meeting of the Council held on 28 July 2021 for signature by the Mayor as Chair of the Council. | 1 - 16 |
| 2. Announcements | |
| To receive any announcements from the Mayor, Leader of the Council, Members of the Executive, Chairs of Scrutiny Committees and the Head of Paid Service. | |
| 3. Questions By Members | |
| This is an opportunity for Members of Council to ask the Mayor, Members of the Executive or the Chairs of any Committee or Sub-Committee a question on notice under Procedure Rule 10.2. | |

4. Green Party Group Leadership and Membership of Committees

To note the following membership changes to Committees, as agreed by the Chief Executive under delegated authority and changes to the leadership of the Green Party Group:

(a) Green Party Group Leadership

With effect from 6 September 2021, Councillor Coggins stood down as Leader of the Green Party Group with Councillor Jerrome becoming Group Leader and Councillor Welton Deputy Leader.

(b) Accounts and Audit Committee

Councillor Jerrome replaced Councillor Coggins as a member of the Accounts and Audit Committee, with effect from 6 September 2021.

(b) Planning and Development Management Committee

With effect from 6 September 2021, Councillor Welton replaced Councillor Jerrome as a member of the Planning and Development Management Committee and consequently, Councillor Jerrome was appointed to the Substitute member position previously held by Councillor Welton.

(c) Standards Committee

Councillor Jerrome replaced Councillor Coggins as a member of the Standards Committee, with effect from 6 September 2021.

(d) Licensing Committee and Public Protection Sub-Committee

Councillor Coggins replaced Councillor Welton on the Licensing Committee and as a member of the Public Protection Sub-Committee, with effect from 6 September 2021.

5. Petition - No Roads Across Carrington Moss

To consider the following petition requiring debate:

We, the undersigned (1632 signatories), respectfully request that Trafford Council DO NOT agree to build any new roads across or through Carrington Moss. The proposal to build a bridge across the Manchester Ship Canal, as set out in Trafford's 2012 Core Strategy, should be fully explored. We believe this would be a much more effective solution to alleviate the existing traffic problems in the area, without impacting the health and wellbeing of the local populations of both humans and wildlife.

Note: In accordance with the Council's Petition Scheme, a petition containing more than 500 signatures will be debated by the Council. The petition organiser will be given five minutes to present the petition and then it will be discussed by the Council for a maximum of 15 minutes.

6. **Salary and Benefits Package in Excess of £100,000**

To consider a report of the Deputy Chief Executive. 17 - 20

7. **Greater Manchester Minimum Licensing Standards for Taxi and Private Hire Stage 1**

To consider a report of the Executive Member for Environmental and Regulatory Services recommended by the Executive on 27 September 2021. 21 - 132

8. **Motions**

To consider the following motions submitted in accordance with Procedure Rule 11:

(a) **Motion Submitted by the Green Party Group - Universal Basic Income Trial (Deferred from Council on 28 July 2021)**

This Council notes:

Many argue a Universal Basic Income (UBI) is the fairest, most effective way to mitigate the effects of coronavirus on people's incomes. A network of Universal Basic Income Labs has been set up and works with local authorities across the UK developing UBI proposals to address problems such as poverty, inequality, discrimination and environmental damage, long-term and immediately, in relation to coronavirus.

GM Poverty Action: "The rise of in-work poverty in the UK has been a growing trend over the last decade and suggests that employment alone is often not an effective means of escaping poverty."

UBI is a non-means-tested sum paid by the state to cover the basic cost of living, which is paid to all citizens individually, regardless of employment status, wealth, or marital status, and which has been more widely debated in recent months than ever before. It replaces a complex panoply of means-tested benefits of which £10 billion remains unclaimed each year.

Trafford Council is ideally placed to pilot a UBI, given its economic and demographic diversity.

This Council believes:

That with UBI so many other benefits exist:

- More flexible workforce and greater freedom to change jobs
- Supporting a caring economy to value unpaid work

continued ...

- Removing the negative impacts of benefit sanctions and conditionality
- Breaking the link between work and consumption, thus helping reduce strain on the environment
- Enabling greater opportunities for people to work in community and cultural activities or to train or reskill in areas that will be needed to transition to a lower carbon economy

That Andy Burnham, GM Mayor, is right when he says:

- UBI should be 'seriously considered'
- Essential workers and those on insecure contracts need this vital support
- "All people should be paid enough at work so they have a decent amount to live on"

This Council resolves to:

- Write to the Government calling for a fully evaluated basic income trial in Trafford with reference to the benefits listed

(b) **Motion Submitted by the Liberal Democrats Group - Hongkongers in Trafford**

As a result of the Chinese government's imposition of new 'national security' laws and the British government's policy shift on British National (Overseas) [BN(O)] visas, many people are choosing to emigrate to the UK from Hong Kong. The Home Office predicts that as many as 300,000 Hongkongers may choose to relocate to Britain with many choosing to settle in Trafford and elsewhere across Greater Manchester. This Council recognises and welcomes the enormous contribution that immigrants of all nationalities and backgrounds have made to British life. The historical, political and economic factors currently surrounding democratic freedoms in Hong Kong make the decision to emigrate particularly stressful for many Hongkongers. There are several considerations and measures that local authorities can take to extend the warmest possible welcome to everyone who decides to make the journey to the UK.

This Council notes:

- That the Home Office figure of 300,000 migrants from Hong Kong is an estimation for the next 5 years and that – with around 70% of the population of Hong Kong being eligible for BN(O) status – that number may rise considerably.
- The 'Coming for Hope' report published by 'Hongkongers in Britain', which indicates the following:
 - That the mean age of applicants is 37 and that 71% of applicants hold a university degree.

continued ...

- That 16% of those surveyed say they cannot afford the cost of living for the first 6 months after arriving in the UK.
- That, of those surveyed, 73% expect to have difficulty finding accommodation, 57% are concerned about living costs and 48% are anxious about finding employment.
- That 96% of respondents felt that Hong Kong was no longer a 'safe and free home'.
- That Home Office estimates suggest a net benefit to government finances of between £2.4 and £2.9 billion over five years as a result of the arrival of highly skilled migrants from Hong Kong.

This Council also notes the advice and guidance that is available through the governments 'Hong Kong UK Welcome Programme'.

This Council welcomes:

- The provision of up to £2,720 per BN(O) household for destitution support.
- The government's commitment to set up 12 new 'Welcome Hubs' across the UK, to support the settlement of BN(O) holders.

This Council resolves to:

- Monitor the intake of Hong Kong children into Trafford's schools and allocate additional resources for 'English as a Second Language' and Personal, Social, Health and Economic education to aid with integration.
- Assist parents of children with special educational needs by providing information on the 'SEN Local Offer' and Educational Health Care Plans in Cantonese through the council website.
- Write to the Minister for Housing, Communities and Local Government to express Trafford's interest in contributing to and forming part of the UK's new Hong Kong 'Welcome Hubs'.
- Ensure progress on the resolutions of this motion are regularly reported back to this council and are incorporated into the Executive Member for Communities and Partnerships brief.

(c) Motion Submitted by the Green Party Group - Empowering Trafford to take Climate Action

This Council acknowledges that in order to tackle the climate crisis we must empower residents and council officers to take action. In order to enable everyone to act with sufficient urgency, the Council's procedures must be better aligned with its priorities.

The Council has also learned about dealing with crises from the pandemic and lessons learnt from Covid can give examples of how council systems can treat the climate emergency as an emergency.

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This Council resolves to:

- Emphasise urgency in the language we use around the climate. Where possible the Council, its Councillors and officers should choose the language of 'climate crisis' or 'climate emergency' – not the more passive 'climate change' or 'global warming'.
- Carry out a case study on the way that the community hubs were created, in a nimble and effective way at a crucial stage in the pandemic. See what lessons can be learnt for the climate crisis response in terms of how the Council can act quickly and with impact. Report back on what lessons can be learnt in terms of creating an urgent and nimble response to a crisis.
- Events and buildings: ensure that alongside accessibility information, council building and events highlight how to access them by walking / cycling / using public transport. Currently the Town Hall part of the website only talks about parking options, despite being on National Cycle Network route 55, and extremely near to Old Trafford tram and several bus stops.
- Highlight the Council's climate emergency web pages on the front page of the Council's website. This will enable residents to easily find information on what the Council is doing. It will also raise awareness the urgency of the crisis by highlighting it to everyone who comes to the council's home page.
- To review our HR policy in respect of dress codes. These need to explicitly support staff and officers who chose to commute or travel for work by active or public transport. Too often spoken or unspoken assumptions about what looks professional stop people using active or public transport when they would otherwise like to.
- In advance of COP26 to add our voice to calls for a joint local and national government task force on reaching 'net zero' emissions. This partnership could set regulations, benchmarks and targets and create long-term funding mechanisms to enable local communities to decarbonise whilst remaining resilient and sustainable.
- Write to Alok Sharma MP, President for COP26, the Prime Minister and the Leadership Board of the LGA informing them of our support for a joint Local/National Government Climate Change Partnership Taskforce and asking for one to be established as soon as possible.

(d) Motion Submitted by the Labour Group - Tackling Health Inequalities in Trafford

This Council notes:

- From the beginning of the 20th century, England experienced continuous improvements in life expectancy but from 2011 these improvements slowed dramatically, almost grinding to a halt. For part of the decade 2010-2020 life expectancy actually fell in the most deprived communities outside London for women and in some regions for men. For men and women everywhere the time spent in poor health is increasing.
- The health of the population is not just a matter of how well the health service is funded and functions, important as that is: health is closely linked to the conditions in which people are born, grow, live, work and age and inequities in power, money and resources – the social determinants of health.
- Government spending has decreased most in the most deprived places and cuts in services outside health and social care have hit more deprived communities hardest.
- Approximately 11.6% of children aged 0-16 in Trafford (an estimated 5,085 children) live in poverty, with this percentage rising to almost 40% in some of the most deprived wards: well above the regional or national averages. Poverty and deprivation can damage the health and wellbeing of children and young people and have severe impacts on 'life chances'.
- Life expectancy is 9.3 years lower for men and 7.4 years lower for women in the most deprived areas of Trafford than in the least deprived areas.
- The Marmot review into health inequalities of 2020 found that Covid 19 death rates were a quarter higher in Greater Manchester than the rest of England. The more impoverished a local authority, the higher its mortality rate.

This Council believes:

- As a local authority we have a crucial role to play in tackling some of the widest and most entrenched health inequalities across our Borough.
- Tackling health inequalities should be a priority across all the local authority's areas of responsibility.

continued ...

- All councillors, whether members of the Executive or Scrutiny and in our community and casework roles, can play a positive role in championing the work we do to reduce health inequalities and tackle the wider determinants of health.
- Levelling up will only succeed if there is investment across all local government.

This Council resolves to:

Consider how Trafford meet the six policy objectives of the Marmot review 2020 as part of Scrutiny, Health & Wellbeing Board and sub board work plans.

Give every child the best start in life.

Enable all children, young people and adults to maximise their capabilities and have control over their lives.

Create fair employment and good work for all.

Ensure a healthy standard of living for all.

Create and develop healthy and sustainable places and communities.

Develop a health and social care system that prioritises not just the treatment of ill health but also focuses on how it can be prevented in the first place.

Consider the health inequality impact on all our decision making.

Write to Ministers to request an urgent reversal of cuts to public health budgets in order that Councils can truly work to reduce the health inequalities that Covid 19 has so starkly highlighted.

(e) Motion Submitted by the Labour Group - Social Care Funding

Council notes that on 7 September this year the Prime Minister announced plans to reform how people pay for adult social care in England and the introduction of a new Health and Social Care Levy.

Council recognises that plans for adult social care reform are long overdue and that the financial sustainability of the sector is at risk. However this Council is deeply concerned that the Prime Minister's announcement does not amount to reform; does not appear to improve the current funding position, and will have a significant financial impact on working people.

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In particular, Council notes:

- That the provision of social care is one of our most important duties as a local authority.
- That the current situation in adult and children's social care is an emergency after 11 years of austerity and that the funding of adult and children's social care in England is in crisis.
- That the overwhelming majority of funding arising from the new Health and Social Care Levy will be spent on dealing with the current NHS backlog rather than on social care.
- That the Conservatives went into the 2019 election claiming they had a plan for social care which did not involve increasing income tax or National Insurance.
- That a National Insurance increase impacts working people and struggling businesses without taxing income from unearned wealth.
- That this proposal considers the future of adult social care funding only, and does nothing to address the issues in the funding of children's social care.

Council, therefore, calls on the Government to review their proposed changes, to properly fund social care, and to look at a mechanism to do so that asks those with the broadest shoulders to pay their fair share of the burden.

Council resolves that the Leader of the Council write to the Prime Minister outlining these concerns.

(f) **Motion Submitted by the Labour Group - Voter ID**

Council notes Government plans to legislate to require people to show an approved form of identification in order to vote.

Council believes that this is an expensive and unnecessary change that will cost the taxpayer millions of pounds. In particular, Council recognises that:

- Public confidence in the running of elections is at its highest since 2012.
- Research for the Cabinet Office found that more than 2 million people do not have recognisable photographic ID.
- Women are considerably less likely than men - and black people considerably less likely than white people - to have a driving licence; whilst certain ethnic groups are much less likely than the average to have a passport.
- The cost of requiring photo ID at elections will be circa £40 million over the next decade.
- At the last General Election there were 47 million registered electors and just one conviction for electoral personation.

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This Council, therefore, opposes these changes which could lead to widespread disenfranchisement and voter suppression, with marginalised communities and those with protected characteristics the most likely to be impacted by this change.

Yours sincerely,



SARA SALEH

Deputy Chief Executive

Membership of the Council

Councillors L. Walsh (Mayor), C. Boyes (Deputy Mayor), D. Acton, S. Adshead, A. Akinola, J.M. Axford, Dr. K. Barclay, J. Bennett, Miss L. Blackburn, J. E. Brophy, B. Brotherton, D. Bunting, D. Butt, T. Carey, Dr. S. Carr, G. Carter, K.G. Carter, D.N. Chalkin, R. Chilton, G. Coggins, M. Cordingley, L. Dagnall, J. Dillon, N. Evans, M. Freeman, S.J. Gilbert, J. Harding, B. Hartley, W. Hassan, S. J. Haughey, J. Holden, C. Hynes, D. Jarman, D. Jerrome, J. Lamb, J. Lloyd, S. Longden, S. Maitland, M. Minnis, M. Mirza, A. Mitchell, D. Morgan, P. Myers, A. New, J.D. Newgrosh, D.C. O'Sullivan, E. Patel, K. Procter, T. Ross, J. Slater, S. Taylor, S. Thomas, R. Thompson, M.J. Welton, A. Western, D. Western, M.P. Whetton, G. Whitham, A.M. Whyte, A.J. Williams, B.G. Winstanley, J.A. Wright and Mrs. P. Young.

Further Information

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

Ian Cockill, Governance Officer
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Email: ian.cockill@trafford.gov.uk

This Summons was issued on **Tuesday, 5 October 2021** by the Governance Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford M32 0TH.

1.

TRAFFORD BOROUGH COUNCIL

28 JULY 2021

PRESENT

The Worshipful the Mayor (Councillor Laurence Walsh), in the Chair.

C. Boyes (Deputy Mayor)	L. Dagnall	A. New
D. Acton	J. Dillon	J.D. Newgrosh
S. Adshead	N. Evans	D.C. O'Sullivan
A. Akinola	M. Freeman	E. Patel
Dr. K. Barclay	J. Harding	K. Procter
J. Bennett	B. Hartley	T. Ross
Miss L. Blackburn	W. Hassan	J. Slater
J. E. Brophy	S. J. Haughey	S. Taylor
B. Brotherton	J. Holden	S. Thomas
D. Bunting	C. Hynes	R. Thompson
D. Butt	J. Lamb	M.J. Welton
T. Carey	J. Lloyd	D. Western
Dr. S. Carr	S. Longden	M.P. Whetton
G. Carter	S. Maitland	A.M. Whyte
K.G. Carter	M. Minnis	A.J. Williams
D.N. Chalkin	M. Mirza	B.G. Winstanley
G. Coggins	A. Mitchell	J.A. Wright
M. Cordingley	D. Morgan	Mrs. P. Young

In attendance

Deputy Chief Executive	S. Saleh
Corporate Director of Governance and Community Strategy	J. Le Fevre
Governance Manager	J. Addison
Business Support Officer	E. Gorman
Senior Governance Officer	I. Cockill

APOLOGIES

Apologies for absence were received from Councillors J.M. Axford, R. Chilton, S.J. Gilbert, D. Jarman, D. Jerrome, P. Myers, A. Western and G. Whitham.

14. MINUTES

That the Minutes of the Annual Meeting of the Council held on 26 May 2021, be approved as a correct record and signed by the Chair.

**Meeting of the Council
28 July 2021**

15. ANNOUNCEMENTS

(a) Her Majesty the Queen's Birthday Honours

The Mayor took the opportunity to recognise those citizens and persons connected with Trafford who had been named in Her Majesty the Queen's Birthday Honours List, namely:

Jackie Driver of Stretford, awarded the citation of Officer of the Most Excellent Order of the British Empire (OBE) for services to Hearing Impaired People, Equality, Diversity and Inclusion;

Francis McCarron of Altrincham, awarded the OBE for services to Education;

Syed Naeem Pasha Shah of Stretford, awarded the OBE for services to Faith Communities;

Abdul Hafeez of Warburton, awarded the citation of Member of the Most Excellent Order of the British Empire (MBE) for services to the NHS particularly during Covid-19;

John Shiels of Sale, awarded the MBE for services to Young People through Football;

Tony Lloyd, Member of Parliament and a former Member of Council, awarded a Knight Bachelor of the Most Excellent Order of the British Empire for public service; and

Theresa Grant, former Chief Executive, awarded the OBE for services to Local Government and Public Sector.

The Mayor conveyed the Council's congratulations for their achievements and richly deserved recognition.

(b) Incident at Trafford General Hospital

The Deputy Leader of the Council referred to an earlier incident that day at Trafford General Hospital and advised that the Council was supporting the NHS and emergency services and that the Council's thoughts were with those affected.

16. QUESTIONS BY MEMBERS

The Mayor reported that 7 questions had been received under Procedure Rule 10.2 and that in accordance with the procedure rules, full written answers were to be provided to the questioners at a later date and in addition the responses would be published on the Council's website.

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28 July 2021**

17. PETITION - A 20MPH ZONE FOR SAFER STREETS IN NORTH ALTRINCHAM

(Note: Councillor Welton declared a personal interest in the matter as a resident in the area of the petition.)

Petition organiser, Mrs. Stanker introduced the following petition containing 513 signatures, which had been presented to the Council:

“We the undersigned petition the Council to create a 20mph zone, comprising all the residential streets north of Altrincham Town Centre, between the Bridgewater Canal, A56 and the railway (including Bridgewater Road, Brunswick Road, Navigation Road, Grosvenor Road, Gaskell Road, Hazel Road and Sandiway Road, and the roads off them). Install warning signs asking vehicles to slow down, where children are likely to be crossing or playing.”

Addressing the Council, the lead petitioner explained that her decision to put forward a petition for a 20mph zones was to improve the safety for children walking around and playing in the streets. Mrs. Stanker identified dangerous blind spots in the area and poor visibility in the area was exacerbated in winter months due to the lower reduced street lighting in the area. New developments locally and the increased entries to schools were adding to the volume of traffic.

Councillor Adshead the Executive Member for Environment and Regulatory Services and Councillors Morgan, Brophy and Welton responded to the petition on behalf of the political parties and made the following points:

Councillor Adshead: As had been acknowledged by Mrs. Stanker, the Executive in June 2021 had approved a process and criteria for considering requests for 20mph zones and streets. Any schemes or proposals would be assessed as part of future capital bids and importantly issues of safety, particularly around schools, were to be prioritised.

Councillor Morgan: Supported implementation of the petition proposals as soon as feasible and considered it an example of where 20mph zones should be introduced as it has defined boundaries, an entirely residential area and additionally a popular primary school where large numbers of children walk to school each day.

Councillor Brophy: Welcomed the petition and expressed support for 20mph zones in general on the grounds of safety and environmental benefits.

Councillor Welton: Supported the petition and spoke in favour of 20mph zones for all residential roads.

Following the discussion the Deputy Leader of the Council, Councillor Hynes thanked Mrs. Stanker and the residents for bringing the petition to Council and summarised the action the Council planned to take.

**Meeting of the Council
28 July 2021**

The Deputy Leader welcomed the suggestions made and considered that with the introduction of a policy the Council was now being bold in its approach to 20mph zones. The petitions proposals would now be considered in line with the Council's agreed policy and any proposals put forward for inclusion in the capital programme.

18. PETITION - STOP SIGNAGE ON WOODBOURNE ROAD, SALE

Petition organiser, Mrs. de Latour introduced the following petition containing 597 signatures, which had been presented to the Council:

"We the undersigned petition the Council to place clear and prominent STOP signage on Woodbourne Road, at the junction with Framingham Road."

The lead petitioner addressed the Council and explained that the petition arose as a result of an accident that occurred at the junction in April 2021 which was the third accident of such nature that she could recall over the past few years, two of which happened in daylight with good visibility. Markings had been refreshed but irrespective of markings or signage it would appear that drivers were not aware that it was a junction. Over 350 houses had to use the junction as their only access point and Brooklands Primary School was located close to the junction generating a lot of pedestrian and vehicle traffic. In addition a sports field at the end of Woodbourne Road draws traffic from outside of the area which might not be familiar with the junction. Despite Greater Manchester Police not supporting STOP signage, it was clear from the strength of support that action was needed to improve the safety of the junction and to limit traffic and speed.

Councillor Adshead the Executive Member for Environment and Regulatory Services, Councillor Boyes the Deputy Mayor and Councillors Newgrosh and Welton responded to the petition on behalf of the political parties and made the following points:

Councillor Adshead: As Mrs. de Latour was aware, extensive discussions had been held with the police and highways engineers but unfortunately the junction did not conform to Department of Transport regulations. Whilst the location did not meet the national criteria, all parties believed that the safety of the junction needed to be improved and the enhancement of existing road signs and road markings had been actioned. Furthermore a review of local waiting restrictions would be undertaken and as part of the consultation, the Council would welcome any additional proposals to improve the safety of the area.

Councillor Boyes: Supportive of the petition and commented on the recent accidents and the concerns for safety. Being aware of STOP signage at another comparative location, could not understand why the same signage could not be placed at a potentially very dangerous junction.

Councillor Newgrosh: Supported the petition and all the safety measures subsequently proposed for such a dangerous junction.

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Councillor Welton: Supported the petition and further to the Executive Member's appeal for suggestions, advocated a 20mph zone and a School Street scheme stating that the area around should be a low traffic neighbourhood and that Framingham Road needed to be filtered and not a through road.

Following the discussion the Deputy Leader of the Council, Councillor Hynes thanked Mrs. de Latour and the residents for bringing the petition to Council and summarised the action the Council planned to take.

Acknowledging the response from Greater Manchester Police, the Department of Transport's regulations and that the Council was unable to implement the petition's proposal, the Deputy Leader affirmed that there were a number of supplemental measures that the Council wanted to introduce and that the Council would also engage with Mrs. de Latour around alternative suggestions in an effort to work towards a solution.

19. PLACES FOR EVERYONE PLAN (2021): APPROVAL OF PLACES FOR EVERYONE 2021 FOR SUBMISSION TO THE SECRETARY OF STATE

The Executive Member for Housing and Regeneration submitted a report summarising the content of the final draft Places for Everyone Plan (PfE) 2021 and its relationship to the Greater Manchester Spatial Framework (GMSF). The report detailed the Trafford allocations and land supply position in the PfE and sought approval to submit the PfE to the Secretary of State for Examination in Public, following consultation on the Plan in Summer 2021.

In moving the report's recommendations a recorded vote was called for, in accordance with Procedure Rule 16.5. The recommendations were seconded and then debated.

(Note: During the debate, the time being 8:01 p.m., the Mayor indicated that speeches on this matter would now be limited to a maximum of two minutes per speaker.)

Following the debate on the matter, the Motion was put to the vote and this resulted as follows:

Those in favour of the Motion: Councillors Acton, Adshead, Akinola, Bennett, Brophy, Brotherton, Dr. Carr, G. Carter, K. Carter, Coggins, Cordingley, Dagnall, Dillon, Freeman, Harding, Hartley, Hassan, Haughey, Hynes, Lloyd, Longden, Maitland, Minnis, New, Newgrosh, O'Sullivan, Patel, Procter, Ross, Slater, Taylor, Thomas, Thompson, Walsh, Welton, D. Western, Whyte, Williams, Winstanley and Wright.

Those against the Motion: Councillors Dr. Barclay, Miss Blackburn, Boyes, Bunting, Butt, Carey, Chalkin, Evans, Holden, Lamb, Mirza, Mitchell, Morgan, Whetton and Mrs. P. Young.

Those choosing to abstain: None.

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With the result of the vote being 40 in favour and 15 against, with no abstentions, the Motion was declared carried.

RESOLVED: That the Council approves submission of the Places for Everyone Publication Plan 2021 to the Secretary of State for examination following the period for representations.

20. GREATER MANCHESTER CLEAN AIR FINAL PLAN

The Council considered a report of the Leader of the Council setting out the proposed Greater Manchester Final Clean Air Plan and policy following a review of all of the information gathered through the consultation and wider data, evidence and modelling work. The report advised that the proposed plan required agreement by the ten Greater Manchester local authorities and sought the Council's approval.

The report's recommendations were moved and seconded and during the debate a recorded vote was called for, in accordance with Procedure Rule 16.5. Following the debate on the matter, the Motion was put to the vote and this resulted as follows:

Those in favour of the Motion: Councillors Acton, Adshead, Akinola, Bennett, Brophy, Brotherton, Dr. Carr, G. Carter, K. Carter, Coggins, Cordingley, Dagnall, Dillon, Freeman, Harding, Hartley, Hassan, Haughey, Hynes, Lloyd, Longden, Maitland, Minnis, New, Newgrosh, O'Sullivan, Patel, Procter, Ross, Slater, Taylor, Thomas, Thompson, Walsh, Welton, D. Western, Whyte, Williams, Winstanley and Wright.

Those against the Motion: None.

Those choosing to abstain: Councillors Dr. Barclay, Miss Blackburn, Boyes, Bunting, Butt, Carey, Chalkin, Evans, Holden, Lamb, Mirza, Mitchell, Morgan, Whetton and Mrs. P. Young.

With the result of the vote being 40 in favour and none against, with 15 abstentions, the Motion was declared carried.

RESOLVED: That the Council:

- (1) Notes the progress of the Greater Manchester Clean Air Plan.
- (2) Notes the progress in the distribution of Bus Retrofit funding.
- (3) Notes Ministers' agreement to include the sections of the A628/A57 in Tameside which form part of the Strategic Road Network within the Greater Manchester's Clean Air Zone (CAZ) and their request for Tameside MBC, Transport for Greater Manchester (TfGM) and Highways England to establish the most appropriate solution for the charging mechanism to be applied on this section of the Strategic Road Network (SRN).

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- (4) Approves the Greater Manchester Clean Air Plan Policy, as set out at Appendix 1 to the report, noting that the policy outlines the boundary, discounts, exemptions, daily charges of the Clean Air Zone as well as the financial support packages offered towards upgrading to a compliant vehicle, including the eligibility criteria to be applied, as recommended by the Executive.
- (5) Notes the Equalities Impact Assessment as agreed by the Executive, as set out at Appendix 2 to the report.
- (6) Notes the AECOM Consultation Report as agreed by the Executive, as set out at Appendix 3 to the report.
- (7) Notes the proposed Response to the Consultation at Appendix 4 to the report which has been prepared by TfGM on behalf of the ten Greater Manchester local authorities.
- (8) Notes the Impacts of the COVID-19 Report as agreed by the Executive, as set out at Appendix 5 to the report.
- (9) Notes the Modelling report of the final Clean Air Plan (CAP) package as agreed by the Executive, as set out at Appendix 6 to the report, and in particular that the modelling outputs of the final plan scheme show the achievement of compliance with the legal limits for Nitrogen Dioxide in the shortest possible time and by 2024 at the latest, as required by the Ministerial Direction.
- (10) Notes the economic implications of the CAP Report as approved by the Executive, as set out at Appendix 7 to the report.
- (11) Notes the update on the Greater Manchester Minimum Licensing Standards, set out in section 3.1 of the report, and in particular that licensing conditions will not be used to support delivery of the Greater Manchester Clean Air Plan.
- (12) Notes that the Executive has approved a 6-week public consultation on the inclusion of motorhomes classified as MSP1 in the Greater Manchester Clean Air Zone and on the inclusion of the A575 and A580 at Worsley, commencing on 1 September 2021 and delegated authority to the Corporate Director of Place, in consultation with the Director of Public Health, to approve the consultation materials.
- (13) Notes that the Greater Manchester Clean Air Charging Authorities Committee has the authority to make the Charging Scheme Order which establishes the Greater Manchester Charging Scheme in line with the agreed Greater Manchester Clean Air Plan Policy.
- (14) Notes that the Greater Manchester Charging Authorities Committee has the authority to vary the Charging Scheme Order if this is established as the

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most appropriate charging mechanism to be applied on sections of the A628/A57 part of the Strategic Road Network (SRN) in Tameside.

- (15) Notes that the Air Quality Administration Committee has the authority to agree the final form of the Operational Agreement for the Central Clean Air Service, and to authorise the making of the Agreement, on behalf of the ten Greater Manchester local authorities.
- (16) Notes that the Air Quality Administration Committee has the authority to:
- a. establish and distribute the funds set out in the agreed Greater Manchester Clean Air Plan policy;
 - b. approve the assessment mechanism agreed with the Joint Air Quality Unit to ensure that Clean Air Funds can be adapted if necessary;
 - c. keep the use of the funds under review and to determine any changes in the amounts allocated to each and their use; and
 - d. Monitor and evaluate the joint local charging scheme.
- (17) Notes that the Executive have approved the reallocation of funding from the Try Before You Buy scheme to provide additional electric vehicle charging points dedicated for use by taxis.
- (18) Notes that the Executive has delegated to the Greater Manchester Charging Authorities Committee the authority to determine the outcome of the consultation on both the inclusion of motorhomes classified as MSP1 within the scope of Clean Air Zone charges and on the inclusion in the Greater Manchester Clean Air Zone of the A575 and A580 at Worsley following the conclusion of that consultation.
- (19) Notes that the Executive has agreed the Clean Air Zone automatic number plate recognition (ANPR) and signage locations, as set out at Appendix 10 to the report.
- (20) Notes the delegation to the Corporate Director of Place, in consultation with the Director of Public Health, to approve the submission of the Interim Full Business Case if required and the Full Business Case to the Government's Joint Air Quality Unit to support the Greater Manchester Clean Air Plan and any supplementary information to that Unit.

21. REVENUE BUDGET INCREASE

Further to a recommendation set out in the Period 2 (April to May 2021) Budget Monitoring 2021/22 report to the Executive on 26 July 2021, the Council was requested to approve an increase to the net Revenue Budget as a result of a minor late change in the financial settlement relating to resources to support the Public Health budget.

RESOLVED: That an increase to the net Revenue Budget of £168,000 to £179,472,000, be approved.

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22. TREASURY MANAGEMENT ANNUAL PERFORMANCE 2020/21 REPORT

Further to meetings of the Accounts and Audit Committee on 22 July 2021 and the Executive on 26 July 2021, the Executive Member for Finance and Governance and the Director of Finance and Systems submitted a joint report outlining the key treasury management activities undertaken during 2020/21.

RESOLVED: That the report be noted.

23. YEAR END CORPORATE REPORT ON HEALTH, SAFETY AND WELLBEING 1 APRIL 2020 - 31 MARCH 2021

The Executive Member for Finance and Governance submitted a report providing information on council wide health and safety performance and trends in workplace accidents. The report also provided a summary of other key developments in health and safety for the period 1 April 2020 to 31 March 2021.

RESOLVED: That the report be noted.

24. ACCOUNTS AND AUDIT COMMITTEE ANNUAL REPORT TO COUNCIL 2020/21

The Chair and Vice-Chair of the Accounts and Audit Committee submitted to the Council a report setting out the Committee's Annual Report for 2020/21. The Annual Report which had been presented to the Accounts and Audit Committee on 22 July 2021 summarised the work undertaken by the Committee during the year and its impact and also provided assurance to the Council on the fulfilment of the Committee's responsibilities.

RESOLVED: That the report be noted.

25. MOTION SUBMITTED BY THE LABOUR GROUP - PROPOSED CUT TO UNIVERSAL CREDIT

It was moved and seconded that:

"To maintain the income of low and middle income households and single people, the Council notes that:

From the end of September the UK Government plans to cut benefits for millions of in-work and out- of-work claimants by cutting the basic rate of Universal Credit by £20 per week.

This will reverse the £20 a week increase to Universal Credit made in March 2020. This increase reflected the reality that the level of benefits in the UK does not sufficiently support low and middle income households. The increase was a very significant and welcome move to bolster low and middle-income living standards, and cutting it will be a huge loss to the many people who have already suffered hardship during the pandemic.

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The £20 increase was welcome given the backdrop of ten years' worth of cuts to working age benefits that have driven up child and working age poverty.

The cut will significantly damage local efforts to tackle poverty, undermining the work of Trafford council and partners being delivered through our local poverty strategy.

The £20 increase in Universal Credit has had a positive effect on the lives of thousands of local claimants who are better able to pay for life's essentials such as food, clothing and utilities. The financial pressures facing these households will still be there after September.

The cut will hit the local economy in Trafford, taking £1000s out of the pockets of residents. This is money that will no longer be spent in local shops and businesses.

There has been no such increase in Carers Allowance, with many unpaid carers facing extreme financial hardship. Rather than cutting Universal Credit, the government should be focussed on boosting disability and legacy benefits to ensure that the basic needs of households can be met.

The Council resolves to:

Write to the Chancellor, Rishi Sunak, and to the Prime Minister, Boris Johnson, demanding that the £20 increase to Universal Credit is made permanent and extended to claimants on all legacy benefits including Carers Allowance."

Following a debate on the matter, the Motion was put to the vote and declared carried.

RESOLVED: That to maintain the income of low and middle income households and single people, the Council notes that:

From the end of September the UK Government plans to cut benefits for millions of in-work and out- of-work claimants by cutting the basic rate of Universal Credit by £20 per week.

This will reverse the £20 a week increase to Universal Credit made in March 2020. This increase reflected the reality that the level of benefits in the UK does not sufficiently support low and middle income households. The increase was a very significant and welcome move to bolster low and middle-income living standards, and cutting it will be a huge loss to the many people who have already suffered hardship during the pandemic.

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The Council resolves to:

Write to the Chancellor, Rishi Sunak, and to the Prime Minister, Boris Johnson, demanding that the £20 increase to Universal Credit is made permanent and extended to claimants on all legacy benefits including Carers Allowance.

26. MOTION SUBMITTED BY THE LABOUR GROUP - LABOUR'S CHILDREN'S RECOVERY PLAN

It was moved and seconded that:

“The impact of the pandemic on children and young people has been significant and far-reaching.

Ofsted reported that children hardest hit by school closures and restrictions have regressed in some basic skills and learning. Whilst a survey conducted earlier this year by Young Minds revealed that many young people are anxious the pandemic will have a long term negative effect on their mental health.

Although concerns are widespread, the impact of the pandemic has not been the same for all children. Nationally, professionals have reported apprehension about the impact of the virus on the lives of children who were already vulnerable. Additionally, children in Greater Manchester and the North West have been further impacted by higher rates of coronavirus, leading to increased periods of missed education as children have been required to self-isolate.

The Government support package for children and young people has been widely criticized, with the Government appointed UK Education Tsar resigning over the lack of sufficient catch- up funding, stating on his

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resignation that “without a comprehensive and urgent response”, the Government “risk failing hundreds of thousands of pupils”.

This Council is proud of the hard work and dedication of our Social Workers, teachers and all those working in services that support children and young people in Trafford. The Council will continue to provide a high level of support to children, young people and their families but also calls upon the Government to provide a properly funded, comprehensive package of support that will meet the needs of those impacted by the pandemic.

The Council welcomes the measures announced by the Shadow Education Secretary, Kate Green MP as part of the Labour’s Children’s Recovery Plan.

The Council calls upon the Government to implement the measures below, as outlined in the plan;

- Breakfast clubs and new activities for every child: from breakfast clubs to sport, drama, book clubs and debating societies, a fully funded expanded range of extracurricular clubs and activities to boost time for children to play and socialise after months away from their friends;
- Quality mental health support in every school: give every child the support they need to transition back to school and manage personal challenges, with access to qualified in-school counselling staff alongside boosting wellbeing through extra activities;
- Small group tutoring for all who need it, not just 1%: make small group teaching available to all children who need it not just 1%, by reforming the Government’s failing tutoring programme to make sure no child falls behind because of pandemic disruption;
- Continued development for teachers: Teachers have had one of the toughest years of their careers – it is only by supporting them with training to stay on top of the latest knowledge and techniques that we can give every child a brilliant classroom experience;
- An Education Recovery Premium: support every child to reach their potential by investing in children who have faced the greatest disruption during the pandemic.”

Following a debate on the matter, the Motion was put to the vote and declared carried.

RESOLVED: That the impact of the pandemic on children and young people has been significant and far-reaching.

Ofsted reported that children hardest hit by school closures and restrictions have regressed in some basic skills and learning. Whilst a survey conducted earlier this year by Young Minds revealed that many young people are

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anxious the pandemic will have a long term negative effect on their mental health.

Although concerns are widespread, the impact of the pandemic has not been the same for all children. Nationally, professionals have reported apprehension about the impact of the virus on the lives of children who were already vulnerable. Additionally, children in Greater Manchester and the North West have been further impacted by higher rates of coronavirus, leading to increased periods of missed education as children have been required to self-isolate.

The Government support package for children and young people has been widely criticized, with the Government appointed UK Education Tsar resigning over the lack of sufficient catch-up funding, stating on his resignation that “without a comprehensive and urgent response”, the Government “risk failing hundreds of thousands of pupils”.

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- Continued development for teachers: Teachers have had one of the toughest years of their careers – it is only by supporting them with training to stay on top of the latest knowledge and techniques that we can give every child a brilliant classroom experience;

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- An Education Recovery Premium: support every child to reach their potential by investing in children who have faced the greatest disruption during the pandemic.

27. MOTION SUBMITTED BY THE LABOUR GROUP - SEWELL REPORT

It was moved and seconded that:

“This Council notes the publication in March this year of the Report of the Commission on Race and Ethnic Disparities, chaired by Dr. Tony Sewell.

Council is concerned by the analysis provided within the Report and rejects several of its key findings.

Trafford Council believes that:

- This Report is add odds with almost every other report ever completed looking at issues of race in the UK.
- That much of the evidence submitted by key contributors to the Report has been ignored or in some cases manipulated to drive the eventual conclusion of the Report to a specific predetermined outcome.
- That socio-economic status is a critical driver in life chances, but that addressing class inequalities must not mean denying structural racism exists.
- That structural racism in and of itself is a key barrier to life chances.
- That some communities faring well in parts of the education system is not evidence that structural racism cannot exist.
- That selective use of evidence has led to demonstrably incorrect conclusions in findings, for example in suggesting inequalities in the labour market have narrowed.

Trafford Council calls upon Government to:

- Reject the findings of the Sewell Report.
- Legislate for a Race Equality Act at the earliest opportunity.
- Publish the ethnicity pay gap of all government departments.
- Require organisations and businesses to publish their ethnicity pay gap as they do their gender pay gap.”

Following a debate on the matter, the Motion was put to the vote and declared carried.

RESOLVED: That this Council notes the publication in March this year of the Report of the Commission on Race and Ethnic Disparities, chaired by Dr. Tony Sewell.

Council is concerned by the analysis provided within the Report and rejects several of its key findings.

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- That much of the evidence submitted by key contributors to the Report has been ignored or in some cases manipulated to drive the eventual conclusion of the Report to a specific predetermined outcome.
- That socio-economic status is a critical driver in life chances, but that addressing class inequalities must not mean denying structural racism exists.
- That structural racism in and of itself is a key barrier to life chances.
- That some communities faring well in parts of the education system is not evidence that structural racism cannot exist.
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- Reject the findings of the Sewell Report.
- Legislate for a Race Equality Act at the earliest opportunity.
- Publish the ethnicity pay gap of all government departments.
- Require organisations and businesses to publish their ethnicity pay gap as they do their gender pay gap.

28. MOTION SUBMITTED BY THE GREEN PARTY GROUP - UNIVERSAL BASIC INCOME TRIAL

RESOLVED: That consideration of this Motion be deferred to the next meeting of the Council.

The meeting commenced at 7.03 p.m. and finished at 9.30 p.m.

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TRAFFORD COUNCIL

Report to: Council
Date: 13th October 2021
Report for: Approval
Report of: Sara Saleh, Deputy Chief Executive

Report Title

Salary and benefits package in excess of £100,000

Summary

This report details a Director salary and benefits package that is going to exceed £100,000 for a temporary period. This is vital to ensure that the Council continues to have a robust approach to the pandemic response and recovery planning.

Recommendations

To recommend to Council that it approves the salary and benefits package for the Director of Public Health as set out in the report.

Contact person for access to background papers and further information:

Name: Sara Saleh
Extension: 4009

Background Papers:

Employment Committee paper 'Salary and benefits package in excess of £100k – 28th June 2021.

Relationship to Policy Framework/Corporate Priorities	This supports 'Health and Wellbeing' but also impacts on the other Corporate Priorities.
Financial	Covered in the body of the report.
Legal Implications:	Under the Constitution pay and benefits packages in excess of £100,000 must be considered by the Employment Committee and approved by Council.
Equality/Diversity Implications	Not applicable.
Sustainability Implications	The additional commitment from this Officer is

	pivotal in the Council discharging it's duties during the pandemic.
Carbon Reduction	Not applicable.
Staffing/E-Government/Asset Management Implications	Not applicable.
Risk Management Implications	The additional commitment from this Officer is pivotal in the Council discharging it's duties during the pandemic.
Health & Wellbeing Implications	The additional commitment from this Officer is pivotal in the Council discharging it's duties during the pandemic.

1.0 BACKGROUND

- 1.1 The Council has been responding to the Covid-19 pandemic since March 2020 and front and centre of our response has been the Public Health Team led by the Director of Public Health.
- 1.2 There has been a huge amount of pressure on the Public Health team – this has led to changes to the service's resourcing model to ensure that they have been able to meet the challenges, whilst also preventing overworking and the risk of burn-out, as the demands have continued for an unexpected and unprecedented period of time.

2.0 ROLE OF THE DIRECTOR OF PUBLIC HEALTH

- 2.1 Our Director of Public Health has taken on additional work, including responsibility for an expanded team and also ensuring that there is senior expertise, to be delivered over extended hours to ensure 7 day support is in place.
- 2.2 In order to recompense for the additional responsibilities and providing 7 day cover, an honorarium payment was put in place initially from 1st September to 31st December 2020. As the pandemic pressures continued this has been extended for successive 3 month periods; it ended at the end of September 2021 as we moved into recovery phase.

3.0 STATUTORY POSITION IN RELATION TO SALARY PACKAGES OVER £100,000

- 3.1 Under the terms of the Localism Act 2011 all councils are obliged to approve and publish a Pay Policy Statement on an annual basis and to comply with Government Guidance in relation to pay and benefits. The guidance supporting the Pay Policy provisions requires that councils seek approval of payments of

salary and benefit packages or termination payments in excess of £100,000. This guidance is reflected in the Council's constitution which requires that all pay and benefits packages in excess of £100,000 are approved by Council, with a referral to Employment Committee in the first instance.

- 3.2 The Director of Public Health is currently on a salary of £97,612.50, and in addition to this, has been in receipt of an honorarium payment of £250 per month since 1st September 2020 in recognition of the additional duties and responsibilities she had been obliged to undertake. This means that if the honorarium payment is extended for a further period (full period - 1st September 2020 to 31st August 2021), over the 12 month period, the salary package will be £100,612.50.
- 3.3 It should also be highlighted that the national pay bargaining process is currently taking place between the relevant employer's organisation and the Trade Unions for each staff group's Joint Negotiating Committee (JNC). Ideally annual pay settlements are implemented in the April of each year, but often, and as is the case this year, it takes longer to reach agreement and so they are effected later in the year. Once agreed, pay increases are back-dated to the 1st April. Presuming there is a pay increase in 2021/22, and this is applied to the role in question, it is likely to take the salary package further over the £100,000 level.
- 3.4 Due to the unprecedented circumstances the Council had been in over the last 19 months, it has been vital that our Public Health Service has been shored up in order to enable the Council to discharge its statutory duties and deliver on its Corporate Priorities.
- 3.5 To be in a position to do this, the salary package of our Director of Public Health has been temporarily enhanced to recognise the essential advice and guidance they provide the Council with, and for working extended hours, often late into the night and at weekends, so that essential services can continue to be delivered safely to our residents.
- 3.6 Now that we are back in the recovery phase in a more stable position in relation to the pandemic, the salary package has reverted back to the normal annual salary. However, the honorarium pay extension, will take the pay and benefits package they receive to just in excess of the £100,000 level. It should also be noted that the salary may rise about the £100,000 level in the event that there is a pay award due to the application of national pay awards as described in para 3.3.
- 3.7 A paper was taken to Employment Committee on 28th June 2021 and the recommendation was approved for the matter to be taken to Council to ratify the decision.

4.0 RECOMMENDATION

- 4.1 Council are asked to note the contents of this report and to approve the salary and benefits package for the Director of Public Health as set out in the report.

TRAFFORD COUNCIL

Report to: Executive

Date: 27 September 2021

Report for: Decision

Report of: Executive Member for Environmental and Regulatory Services

Report Title

Greater Manchester Minimum Licensing Standards for Taxi and Private Hire Stage 1

Summary

To set out the proposed Greater Manchester Minimum Licensing Standards for Taxi and Private Hire. This report represents Stage One of the Standards which relate to Drivers, Operators and Local Authorities. Stage Two relates to Vehicles and these proposals will be reported to Executive in October. This report sets out the responses to the recent public and trade consultation for Stage One, and outlines the proposed standards, policies and procedures which will be considered by Council on 13th October 2021.

Recommendations

It is recommended that the Executive:

1. Note the feedback from the recent public and trade consultation on the proposed Greater Manchester Minimum Licensing Standards for Taxi and Private Hire
2. Recommend to Council that Enhanced Criminal Record checks are undertaken as per Driver Standard 1 in table A of this report.
3. Recommend to Council that Medical Checks are undertaken as per Driver Standard 2 in table A of this report

4. Recommend to Council that assessments of English proficiency are undertaken as per Driver Standard 4 in table A of this report.
5. Recommend to Council that driver proficiency tests are implemented as per Driver Standard 5 in table A of this report
6. Recommend to Council that driver training is undertaken as per Driver Standard 6 in table A of this report.
7. Recommend to Council that it approves the Licensed Drivers Dress Code, at Appendix 1.
8. Recommend to Council that it approves the Private Hire Driver Conditions Policy at Appendix 2.
9. Note that a further report on alcohol and drug testing for taxi drivers will be forthcoming in 2022.
10. Recommend to Council that it approves the Private Hire Operator Conditions Policy at Appendix 3 and notes the Appendix 4 proposed amendments to Operator Conditions
11. Recommend to Council that Enhanced Criminal Record checks for Operators and their staff are undertaken as per Operator Standard 2 in table B of this report.
12. Recommend to Council to adopt the timescales for applications as per Local Authority Standard 1 in Table C of this report.
13. Recommend to Council to approve the development of a common enforcement approach as per Local Authority Standard 2 in Table C of this report.
14. Recommend to Council to agree to adopt a common methodology for setting the costs and calculating the taxi and private hire fees as per Local Authority Standard 3 in Table C of this report.
15. Recommend to Council to delegate decision making powers as per Local Authority Standard 5 in Table C of this report.
16. Recommend to Council that the implementation dates, for standards, policies and procedures contained within this report, be delegated to the Corporate Director of Place in consultation with the Executive Member for Environment and Regulatory Services with consideration of the need to communicate

changes to the trade and ensure that processes are in place to ensure the robust implementation of the standards.

17. Note the Equalities Impact Assessment, as set out at Appendix 8.

Contact person for access to background papers and further information:

Name: Adrian Fisher
Director of Growth & Regulatory Services
Email: Adrian.fisher@trafford.gov.uk

Background Papers: None

Relationship to Policy Framework/Corporate Priorities	The Greater Manchester Minimum Licensing Standards for Taxi and Private Hire aligns closely with our priorities on Health & Well-being and Green & Connected Places.
Relationship to GM Policy or Strategy Framework	The Greater Manchester Minimum Licensing Standards for Taxi and Private Hire is a GM wide initiative, led by the Greater Manchester Licensing Managers Network on behalf of the ten districts.
Financial	Revenue and Capital: The Licensing Regime is a self-funded service. Any additional resource implications will be addressed through the annual fee review.
Legal Implications:	The policy changes recommended, if agreed by the Council, will be implemented and form the basis on which decisions are made on applications received by the Council.
Equality/Diversity Implications	Equality Impact Assessment is given as Appendix 8. The impacts identified in the assessment are addressed in section 6.3 of this report.

Sustainability Implications	None as a consequence of this report
Carbon Reduction	The Greater Manchester Minimum Licensing Standards will improve vehicle emission standards in the context of the Clean Air and the decarbonisation agendas; and encourage the shift to electric vehicles.
Resource Implications e.g., Staffing / ICT / Assets	There are no implications for ICT and Assets as a consequence of this report. The staff time implications have been identified and processes will be amended. If additional resources are required then the costs will be recouped from the license fees.
Risk Management Implications	Risk to delivery of the interventions detailed within the new policies and procedures will be monitored and updated as required.
Health & Wellbeing Implications	The basic rationale of the MLS is that it will improve standards of safety for the travelling public
Health and Safety Implications	As set out above the new standards have public safety as a core objective.

1. Background

- 1.1 There are over 1440 licenced private hire and hackney carriage drivers, over 840 private vehicle licenses, 117 hackney carriage licenses and 25 operators in Trafford. An efficient and safe taxi service has a significant contribution to the well-being and economy of Trafford. Minimum Licensing Standards for Greater Manchester (MLS) raises the profile of the service across the region and aims to encourage the trust and appreciation of GM registered taxis.
- 1.2 This report outlines the final recommendations for the Standards for Drivers, Operators and Local Authorities at Stage 1 of the project. These same standards will be considered by all ten of the Greater Manchester Authorities. The standards have been subject to extensive public and trade consultation in 2020.
- 1.3 The recommendations were finalised following GM Licensing Managers considering all the consultation feedback both at a GM and district level and further to additional discussions held during consultation summary briefings presented at district level to Members and trade representatives at the end of June 2021. Additional detailed discussions also took place with Members of

District Licensing Committees to help officers finalise a set of recommended Standards at Stage 1.

2 Introduction

- 2.1 Around 2,000 hackney vehicles, approximately 11,500 private hire vehicles and upwards of 18,600 drivers are currently licensed across the ten Greater Manchester Authorities. Whilst there are many similarities in terms of policy standards and licence conditions, there are also significant differences, particularly when it comes to policies relating to the licensing of vehicles, the calculation of licensing fees and the approach to proactive compliance.
- 2.2 In 2018, Greater Manchester's ten local authorities agreed to collectively develop, approve and implement a common set of minimum licensing standards (MLS) for taxi and private hire services.
- 2.3 At that time, the primary driver for this work was to ensure public safety and protection, but vehicle age and emission standards in the context of the Clean Air and the decarbonisation agendas are now also major considerations. In addition, by establishing standards around common livery and colour, MLS is an important mechanism that permits the systematic improvements to taxi and private hire service across Greater Manchester and their visibility.
- 2.4 This approach stands to benefit drivers and the trade more widely as public confidence in a well-regulated and locally licensed taxi and private hire services grows and will contribute directly to better air quality and lower carbon emissions. By establishing and implementing Greater Manchester-wide minimum licensing standards, we can help to ensure that all residents and visitors see these services as safe and reliable, and preferable to those not licensed by Greater Manchester local authorities.
- 2.5 Ultimately the collaborative approach that the MLS represents will help achieve the vision of a strong, professional and healthy taxi and private hire sector providing safe and high quality services to residents and visitors across the whole of Greater Manchester. This vision sees Taxis and Private Hire as a crucial part of the overall transport offer that can consistently deliver safe and high-quality services for the public. The proposed MLS, together with funding from the GM Clean Air Plan, will help deliver improved safety, customer focus, higher environmental standards and accessibility.
- 2.6 This collaborative approach seeks to establish a basic and common minimum in key areas, whilst allowing Districts to exceed these minimums where they consider this to be appropriate. As licensing is a local authority regulatory function, the Standards have been devised by the GM Licensing Managers Network who work in partnership across Greater Manchester to drive innovation, partnership and change agendas.

- 2.7 MLS is also related to other key Greater Manchester priorities, most notably the GM Clean Air Plan and decarbonisation strategies, hence TfGM has been supporting the development of MLS ensuring it complements wider objectives.
- 2.8 Local reform through MLS can deliver real improvements across Greater Manchester, but the growth of out-of-area operation undermines local licensing, and causes real concern that vehicles and drivers licensed outside our conurbation (but carrying Greater Manchester residents and visitors) may not be regulated to the high standards we expect. In this regard, it is important to recognise that Government reform of taxi and private hire legislation and regulation is urgently required. Further work to press the case to Ministers for reform is a key part of the overall approach.

3.0 **Minimum Licensing Standards**

- 3.1 The GM MLS were ready to be consulted on when the Department for Transport published statutory guidance for taxi and private hire licensing authorities in July 2020. The MLS project has had regard to that guidance, which largely mirrors what is already proposed across GM, and reference is made in the report where appropriate.
- 3.2 It should be noted however that the statutory guidance firmly highlights the past failings of licensing regimes in putting public safety at the forefront of their policies and procedures.
- 3.3 Taxis and Private Hire services are unique in the potential opportunity and risks they present to the travelling public. In no other mode of public transport are passengers as vulnerable or at risk to those who have mal-intent; risks that are increased for children and vulnerable adults. The sector itself is vulnerable to being used for criminal activity such as child sexual exploitation, county lines and other drug dealing/money laundering activity.
- 3.4 The Casey Report (2015) made it clear that weak and ineffective arrangements for taxi and private hire licensing had left children and the public at risk. The statutory guidance asks authorities to have due regard to reviewing its policies thoroughly and considering good practice in the implementation of robust standards that address the safeguarding of the public and the potential impact of failings in this area. It is with public safety in mind as our primary duty as Licensing Authorities that the MLS are proposed.

3.5 Overall, the GM approach looks to provide:

- the public with safe, visible, accessible and high-quality hackney and private hire services
- the hackney and private hire trades with clarity over what the required standards will be over the long term, and through the GM Clean Air Plan, with unprecedented investment to help renew the fleet
- local authorities with the continued regulatory role in relation to driver, vehicle and operator licensing whilst retaining scope to exceed the MLS as agreed locally by elected members

3.6 The MLS are divided into four distinct sections as follows:

Licensed Drivers; including criminal records checks, medical examinations, local knowledge test, English language requirements, driver training including driving proficiency and common licence conditions.

Licensed vehicles; including vehicle emissions, vehicle ages, common vehicle colour and livery, vehicle testing, CCTV, Executive Hire and vehicle design common licence conditions (this is subject to a separate report on this agenda)

Licensed private hire operators; including common licence conditions, DBS checks for operators and staff every year, fit and proper criteria for operator applications and common licence conditions.

Local Authority Standards: including application deadlines and targets, GM Enforcement Policy, Licensing Fee Framework, annual councillor training requirements and Officer delegations.

3.7 Due to the breadth of proposals to be considered by Members, this report seeks to provide Members with detailed consultation feedback and recommendations on the Drivers, Operator and Local Authority Standard elements at Stage 1. A Stage 2 report outlining the proposed Vehicle Standard recommendations will be provided to the Executive in the October.

4 The Consultation

4.1 A GM wide public consultation took place between 8 October and 3 December 2020. The consultation yielded a total of 1683 responses broken down as follows:

- 1552 via online questionnaire
- 84 paper questionnaires
- 47 via email

The split of respondents was as follows:¹

Respondent Category	Questionnaire *	Letter / email	Total	%
General public	974	25	999	59%
Hackney drivers	221	11	232	14%
Private hire vehicle drivers	350	3	353	21%
Private hire operators	30	2	32	2%
Vehicle leasing companies	10	0	10	1%
Businesses	18	1	19	1%
Representatives	31	5	36	2%
Base	1,634	47	1,681	100%

4.2 In addition, and concurrently, a qualitative phase of four online focus groups and 40 in-depth interviews took place to gain greater understanding of stakeholder views on the proposed changes

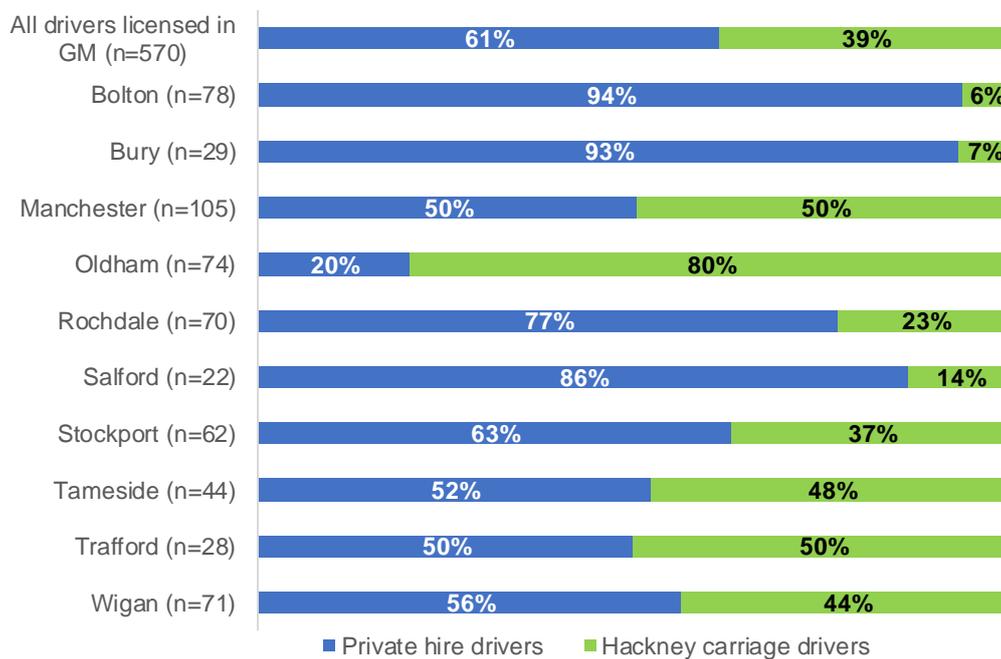
4.3 For a full breakdown of demographics and to view the complete GM consultation report please visit www.gmtaxistandards.com

4.4 The response breakdown for Trafford was as follows:

Respondent Category	Questionnaire *	Letter / email	Total	%
General public	83	0	83	70%
Hackney drivers	14	0	14	12%
Private hire vehicle drivers	14	0	14	12%
Private hire operators	5	0	5	4%
Vehicle leasing companies	1	0	1	1%
Businesses	1	0	1	1%
Representatives	0	0	0	0%
Base	118	0	118	100%

¹ Two respondents did not complete the 'respondent type' question.

4.5 The following table provides a comparison of driver trade response levels across each of the 10 districts (with numbers on the left column and split shown between Hackney and Private Hire):



4.6 As Members will see, the response rates were generally low across the board, particularly from members of the trades. This isn't uncommon compared to Officers reflections on previous engagement with the trade. At a GM level, there are enough responses to draw conclusions, however, the number of responses in some sub-groups at district level is small and as such, the data should be treated with caution.

4.7 Across GM there were monthly meetings with trade and union representatives to update and reflect on the work being undertaken. Twelve briefing sessions were held for representatives at GM level in MLS and clean air. There were also twenty five briefing sessions for all trade sectors affected by clean air and at local level a number of local briefings were held and various communication methods used to notify all affected that consultation was underway including emails, newsletters and contact via operator bases.

4.8 It should be noted that the findings of the in-depth interviews and focus groups have been included alongside the findings from the questionnaire, expanding on the findings to provide deeper insight and examples in commentary form. The in-depth interviews enabled those who may be specifically impacted to provide additional detail and specific examples e.g. from a specific business sector.

4.9 The Consultation questionnaire asked for views on each section of the standard proposals; Drivers; Vehicles; Operators and Local Authorities. Within each section, respondents were asked two questions:

1. To what extent do you agree or disagree with the proposed minimum licensing standards for [*Drivers/Vehicles/Operators/Local Authorities*] in Greater Manchester?
2. Please use this space to provide any comments relating to the proposals for the minimum licensed standards for [*Drivers/Vehicles/Operators/Local Authorities*]

For question 1 on each section, response options were:

- strongly agree
- agree
- neither agree or disagree
- disagree
- strongly disagree
- don't know

Respondents were then asked a series of other questions to gain further insight into their views on implementation and impact of the proposals, including free text responses to gain more qualitative feedback.

- 4.10 Copies of the Consultation Questionnaire and accompanying information booklet are available at www.gmtaxistandards.com

5 Summary of Findings

- 5.1 The following paragraphs provide summaries of the consultation responses at a GM level. District specific comments and feedback on individual standards are included with appendices 5, 6 and 7 to the report.

5.2 Driver Standards (Appendix 5)

- Extremely high levels of agreement from members of the public (94%) citing expectations that their safety and experience would improve from the proposals
- Overall agreement with proposals from Trade (Hackney 58% and PH 57%) but substantial proportion did not agree (Hackney 28% and PH 29%)
- Drivers saw the benefit in improving the customer experience but expressed concern at cost implications and felt the dress code was unnecessary.

5.3 Operator Standards (Appendix 6)

- Much broader agreement across both members of the public (94% agreed) and Trade (Hackney 67% and PH 65%)
- Main comments were in support of Disclosure and Barring Service (DBS) checks for Operator staff, whilst some concern was also raised about cost and frequency
- Members of the public felt proposals could help improve customer service

5.4 Local Authority Standards (Appendix 7)

- High level of agreement again from members of the public (90%) and the Hackney Trade (72%) but Private Hire trade responses were split with only 51% agreeing
- Many Hackney and PH respondents commented that the licensing fee should be more affordable
- Members of the public were more in support of the licensing award than drivers who did not feel it would be beneficial

6 Evaluation of proposals and reasons for recommendations

6.1 Appendices 5,6, and 7 provides further qualitative feedback and officer recommendations for each proposed standard. The detail of the proposals, current Trafford Standards, consultation feedback on the proposals at both a Greater Manchester and Trafford level and consideration of that feedback are given in the attached Appendices, Appendix 5 Driver Standards; Appendix 6 Operator Standards and Appendix 7 Local Authority Standards.

6.2 Each proposed standard is set out in individual tables below:

Any standard that is contained within the Department for Transport's Statutory Guidance is highlighted with an asterisk*. Some standards are already applied in Trafford, such as Councillor Training so they do not form part of the recommendations of this report.

Table A Driver Standards

Standard 1*	It is proposed that all drivers will be required to undertake an enhanced disclosure check through the DBS to
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<p>Enhanced Criminal Record Check</p>	<p>include barred lists (such as details of unspent convictions and police cautions). Drivers must also register to the DBS Update Service and maintain that registration to enable the licensing authority to routinely check for new information every 6 months as a minimum. NB. If a licence has not been issued within 6 months of a DBS certificate issue date, then a further enhanced DBS will be required (unless the applicant is registered with the Update Service)</p> <p>It is proposed that officers will reflect and engage with government further on the requirement for certificates of good conduct overseas and prepare a further report if necessary.</p>
<p>Standard 2 Medical Examinations</p>	<ul style="list-style-type: none"> • Group 2 medical examinations are used to check drivers are medically fit to drive [the same examinations as applied by the Driver and Vehicle Standards Agency (DVSA) for lorry and bus drivers] • That the medical assessment is conducted by a registered GP or registered Doctor who has reviewed the applicant and has access to their full medical history • That the medical certificate is no more than 4 months old on the date the licence is granted • Medical certificates are required minimally (unless otherwise directed by a medical professional) on first application; and every 5 years thereafter until the age of 65 when it is required annually
<p>Standard 3 Knowledge Test</p>	<p>To retain the existing Trafford knowledge test</p>
<p>Standard 4 English Language Test</p>	<p>It is proposed that new drivers undertake an assessment to ensure they are able to communicate in spoken English and in writing to a standard that is required to fulfil their duties, including in emergency and challenging situations.</p> <p>Whilst the standard is not specified further and will be for authorities to determine, the expectation is that that all authorities have a test requirement that can demonstrate the ability to communicate effectively to:</p> <ul style="list-style-type: none"> - Establish the passenger(s) destination and provide answers to common passenger queries or requests - Be able to provide customers with correct change

	<ul style="list-style-type: none"> - Be able to provide a legibly written receipt upon request - We currently require all drivers to achieve English Language Speaker of Other Languages, ESOL to level 3, so our current standard covers the proposed MLS standard.
Standard 5 Driving Proficiency Tests	<p>It is proposed that all new drivers will be required to pass a taxi/private hire on-road assessment with a GM approved supplier, and to require this standard to be met in respect of reviews of licences as appropriate.</p> <p>To consider the implementation for all existing drivers at a later date.</p>
Standard 6 Driving Training*	<p>It is proposed that all authorities require drivers to undertake training in the following areas as a minimum:</p> <ul style="list-style-type: none"> - Safeguarding - Child Sexual Exploitation - Human Trafficking and County Lines - Disability and dementia awareness - Licensing Law
Standard 7 Dress Code	<p>It is proposed that a dress code is introduced to promote an improved and positive image of the licensed trade across the region. The recommended code is attached as Appendix 1</p>
Standard 8 Drug and Alcohol Testing	<p>It is proposed that a policy is developed to introduce testing for drivers based on complaints or intelligence received.</p>
Standard 9 Private Hire Driver Licence Conditions	<p>A set of proposed licence conditions for Private Hire Drivers are set out at Appendix 2. The conditions cover a comprehensive set of expectations with regards to driver behaviour, including customer service and requirements on reporting.</p>

Table B Operator Standards

Standard 1 Private Hire Operator Licence Conditions	<p>A set of proposed licence conditions for Private Hire Operators are set out at Appendix 3. The conditions set out expectation and responsibilities with regards to how records should be kept in relation to booking, vehicle and drivers working for their company.</p>
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<p>Standard 2 Criminal Record Checks for Operators and Staff*</p>	<p>To introduce a condition on the Operator licence requiring operators and their staff (paid or unpaid) who have access to bookings to be DBS checked annually to ensure that only safe and suitable people have access to operator records</p>
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Table C Local Authorities

<p>Standard 1 Timescales for applications</p>	<p>It is proposed that authorities ensure processes are in place to allow customer licence holders to submit renewal applications up to 8 weeks prior to licence expiry; and to ensure that once any application has been determined, the licence will be issued to the customer within a maximum of 5 working days.</p>
<p>Standard 2 An agreed common enforcement approach</p>	<p>It is proposed that a common enforcement approach is developed and adopted to ensure that standards are adhered to in practice.</p>
<p>Standard 3 A Common Fee Setting Framework</p>	<p>It is proposed that a common methodology for setting the costs and calculating the taxi and private hire fees is agreed and adopted</p>
<p>Standard 4 Councillor Training*</p>	<p>We already provide training for Councillors.</p>
<p>Standard 5 Delegated powers for Licensing Managers</p>	<p>It is proposed that appropriate delegated decision making powers will be in place for the Regulatory Services Manager or Head of Regulatory Services to suspend or revoke licences on the grounds of</p>

	public safety when an urgent need arises.
Standard 6 Excellence in Licensing Award	It is proposed to reflect on how a scheme would be operated, funded and be seen to be fair and take direction from Members about developing a scheme further.

The Equality Impact Assessment (EIA) showed that there were both positive and negative impacts of the proposals. The main positives are that the standards provide for greater protection for vulnerable people from harm and should also increase the accessibility of the fleet for disabled persons. The contrary issues are that the higher standards may make access to becoming a driver more costly and therefore may reduce the fleet size and therefore mean that there are less taxis available and people may be more tempted to use non licensed vehicles. There are two ways that this impact can be lessened; namely by ensuring that the drivers have adequate time to adjust to the new standards and also that we publicise the benefits of taking a Trafford licensed vehicle.

7 Timescales for Implementation

- 7.1 It is recommended that the Executive recommend to Council that in regards to the implementation dates for standards, policies and procedures that these are delegated to the Corporate Director of Place in consultation with the Executive Member for Environment and Regulatory Services with consideration of the need to communicate changes to the trade and ensure that processes are in place to ensure the robust implementation of the standards.

8 Conclusion

- 8.1 The 'golden thread' of licensing is that of public protection. We have seen from the consultation that the public are overwhelmingly in support of the additional safeguards and protection this project can deliver. As well as the local policy strengthening that minimum licensing standards will bring across Greater Manchester, it delivers on the implementation of the statutory standards on safeguarding that the Government have introduced.
- 8.2 The vision of Greater Manchester is to continue to work closely together, influence policy change and support the licensed trade by delivering on its promise to provide financial support to move to greener vehicles. This is the start of a journey to continue to deliver excellence in licensing regulation in Greater Manchester. However, we cannot underestimate the challenges the trade continues to face and our continued support for them, and the public, in

delivering safe journeys in safe licensed vehicles, driven by safe licensed drivers is essential. We will continue to work with the hackney and private hire trade to provide that ever important support and guidance whilst ensuring that public protection is at the forefront of our considerations.

9 NEXT STEPS

- 9.1 That the Executive recommend that Council approves the standards as detailed within this report.

10 OPTIONS

- 10.1 The Council could decide to not implement the MLS. This would mean that the opportunities for a safer taxi service in Trafford, which are outlined in the report, are missed.

11 REASONS FOR RECOMMENDATIONS

- 11.1 The primary driver for this work was to ensure public safety and protection, and to improve vehicle emission standards in the context of the Clean Air and the decarbonisation agendas. In addition, by establishing standards around common vehicle specifications, MLS is an important mechanism that permits the systematic improvements to taxi and private hire service across Greater Manchester and their visibility.
- 11.2 The adoption of these policies stands to benefit drivers and the trade more widely as public confidence in a well-regulated and locally licensed taxi and private hire sector grows; they will also contribute directly to better air quality and lower carbon emissions. By establishing and implementing Greater Manchester-wide minimum licensing standards, we can help to ensure that all residents and visitors see these services as safe and reliable, and preferable to those not licensed by Greater Manchester local authorities.

Key Decision (as defined in the Constitution): Yes

If Key Decision, has 28-day notice been given? Yes

Finance Officer Clearance PC

Legal Officer Clearance SL

CORPORATEDIRECTOR'S SIGNATURE

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To confirm that the Financial and Legal Implications have been considered and the Executive Member has cleared the report.

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APPENDIX 1 – DRESS CODE

Licensed Drivers Dress Code

The purpose of the dress code is to set a standard that provides a positive image of the licensed hackney carriage and private hire trade in Greater Manchester, promoting public and driver safety.

Dress Standard

- All clothing worn by those working as private hire or hackney carriage drivers must be in good condition and the driver must keep good standards of personal hygiene.
- As a minimum standard whilst working a licensed driver, males should wear trousers and a shirt/t-shirt or polo shirt which has a full body and short/long sleeves. Knee length shorts are acceptable. Exceptions related to faith or disability are accepted.
- As a minimum standard whilst working as a licensed driver, females should wear trousers, or a knee length skirt or dress, and a shirt/blouse/t-shirt or polo shirt which have a full body and a short/long sleeve. Knee length shorts are also acceptable. Exceptions related to faith or disability are accepted.
- Footwear whilst working as a licensed driver shall fit (i.e. be secure) around the toe and heel.

Examples of unacceptable standard of dress

- Clothing that is not kept in a clean condition, free from holes, rips or other damage.
- Words or graphics on any clothing that is of an offensive or suggestive nature which might offend.
- Sportswear e.g. football/rugby kits including team shirts or beachwear (tracksuits are accepted)
- Sandals with no heel straps, flip flops or any other footwear not secure around the heel.
- The wearing of any hood or any other type of clothing that may obscure the driver's vision or their identity.

Uniforms

The Council recognises the positive image that uniforms can create. This dress code does not require a licensed driver to wear a distinct uniform. The Council acknowledges that many private hire and hackney carriage companies do require licensed drivers to wear appropriate corporate branded uniform and this is a practice that the Council would encourage licensed drivers to support.

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APPENDIX 2 - PRIVATE HIRE DRIVER CONDITIONS

The licensee shall at all times comply with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976 and the conditions hereinafter provided.

Definitions

In this licence:

"the Act" means the Local Government (Miscellaneous Provisions) Act 1976.

"the Council" means xxx Council

"the Operator" means a person holding a licence to operate private hire vehicles issued

pursuant to Section 55 of the Act.

"private hire vehicle" has the same meaning as in Section 80 of the Act.

"the proprietor" has the same meaning as in Section 80 of the Act.

"the meter" means any device for calculating the fare to be charged in respect of any journey in a private hire vehicle by reference to the distance travelled or time elapsed since the start of the journey or a combination of both.

"authorised officer" has the same meaning as in section 80 of the Act.

"licensee" means the person who holds the private hire drivers' licence.

"hirer" means the customer that has made the booking, who could also be the passenger

"passenger" means the person(s) travelling in the booked vehicle. For the avoidance of doubt, all children (including babies) count as individual passengers.

'Sexual Activity' includes but not limited to touching, kissing, inappropriate comments or conversation or propositioning.

"Owner" means a person to whom any lost property belongs to

"Drivers badge" has the same meaning as in Section 80 of the Act.

Words importing the masculine gender such as "he" and "him" shall include the feminine gender and be construed accordingly.

Where any condition below requires the Licensee to communicate with the Council, all communication must be to the Council's Licensing Department unless otherwise stated. Reference to the Council's email address means the email address of the Council's Licensing Department.

1. Licence Administration

- 1.1 The licensee shall notify the Council in writing of any change of their address and contact details during the period of the licence within 7 days of such change taking place.
- 1.2 The licensee shall notify the Council in writing within 7 days of commencing work with a private hire operator.
- 1.3 The licensee shall notify the Council in writing within 7 days of any subsequent change of operator.
- 1.4 The licensee shall provide a copy of his private hire driver's licence with the Operator through which the Private Hire Vehicle is being used.
- 1.5 The licensee shall ensure that relevant documentation (including DBS certificate/status, Medical Certificate, and right to work documentation) required by the Council to assess their fit and proper status, is kept up to date and remains 'valid' in line with the Council's policies.
- 1.6 For the duration of the licence, the licensee shall attend (as required) and pay the reasonable administration charge or fee attached to any requirement for training or to produce a relevant certificate (i.e. new medical certificate), assessment, validation check or other administration process.
- 1.7 The licensee will register and remain registered with the DBS Update Service to enable the Council to undertake regular checks of the DBS certificate status as necessary.

2. Convictions and Suitability Matters

- 2.1 The licensee shall notify the Council immediately in writing (or in any case within 24 hours) if they are subject to any of the following:
 - arrest or criminal investigation,
 - summons,
 - charge,
 - conviction,
 - formal/simple caution,
 - fixed penalty or speed awareness course,
 - criminal court order,
 - criminal behaviour order or anti-social behaviour injunction,
 - domestic violence related order,

- warning or bind over
- any matter of restorative justice

and shall provide such further information about the circumstances as the Council may require.

3 Notifications of Medical Conditions

- 3.1 The licensee shall notify the Council of any newly diagnosed or change to a current medical condition which may restrict their entitlement to a driver's licence requiring a DVSA Group 2 medical standard. Notification must be sent to the Council's email address immediately (or in any case within 48 hours) of the relevant diagnosis or change to medical condition.
- 3.2 The licensee shall at any time (or at such intervals as the Council may reasonably require) produce a certificate in the form prescribed by the Council signed by an appropriate Doctor/Consultant who has access to the driver's full medical records to the effect that he/she is or continues to be fit to be a driver of a private hire vehicle.

4 Driver Badge

- 4.1 The licensee shall at all times when driving a private hire vehicle wear the driver's badge issued to them by the Council so that it is plainly and distinctly visible and show it to any passenger(s) if requested.
- 4.2 The badge shall be returned to the Council immediately upon request by an Authorised Officer (i.e. the licence is suspended, revoked or becomes invalid for any reason).
- 4.3 The licensee must wear any lanyard, clip or holder issued to them by the Council.

5 Driver Conduct and Dealing with Passengers

- 5.1 The licensee shall behave and drive in a civil, professional and responsible manner to passengers, other road users, members of the public Council officers and other agencies.
- 5.2 The licensee shall comply with any reasonable request made by an Authorised Officer, Testing Mechanic or Police Officer. The licensee will also comply with any reasonable request of the passenger regarding their comfort during the journey (e.g. heating/ventilation).
- 5.3 The licensee shall, unless delayed or prevented by some sufficient cause, punctually attend with the private hire vehicle at the appointed time and place as required by the operator booking or as instructed by an Authorised Officer.
- 5.4 The licensee shall stop or park the private hire vehicle considerately and legally (not in contravention of any road traffic orders) and shall switch off the engine if required to wait (no idling).

- 5.5 The licensee shall not use the vehicle's horn to attract customer attention. The horn must only be used in an emergency.
- 5.6 The licensee shall comply with the Council's Licensed Drivers Dress Code.
- 5.7 The licensee shall provide reasonable assistance to passengers as required by the hirer (e.g. mobility assistance and loading/unloading luggage). The licensee shall not provide mobility assistance to passengers by physically touching without consent to do so.
- 5.8 The licensee shall ensure that luggage (including shopping and other large objects) are safely and properly secured in the vehicle.
- 5.9 The licensee and passengers are not permitted to smoke in the vehicle. The licensee also must not:
- a) vape or use an e-cigarette in the vehicle
 - b) drink or eat whilst driving
 - c) use any hand held device whilst driving or allow themselves to be distracted in any other way
 - d) display any moving images or have any form of visual display screen fitted to the licensed vehicle other than satellite navigation
 - e) conduct lengthy telephone conversations whilst driving passengers
 - f) play a radio or sound reproducing instrument or equipment in the vehicle (other than for communicating with the operator) without the express permission of the passenger(s)
 - g) cause or permit the noise emitted from any radio or sound reproducing instrument or equipment in the private hire vehicle to cause nuisance or annoyance to any person
- 5.10 The licensee when hired shall, (subject to any directions given by the passenger), take the shortest route bearing in mind likely traffic problems and known diversions and explain to the passenger any diversion from the most direct route. Alternative routes must be discussed with the passengers before being taken.
- 5.11 The licensee shall at all times when a vehicle is hired take all reasonable steps to ensure the safety of the passengers within, entering or alighting from the vehicle.
- 5.12 The licensee shall report immediately to the operator any incident of concern including accidents where hurt or distress has been caused, customer disputes or passenger conduct concerns.
- 5.13 The licensee shall be vigilant regarding vulnerable passengers and safeguarding concerns when carrying out his duties and shall report any concerns immediately or in any event within 24 hours in accordance with Council guidance.
- 5.14 The licensee shall report (on the conclusion of the booking) to the operator any complaints a passenger/member of the public has made to the licensee regarding their conduct or the conduct of other personnel/drivers.

- 5.15 The licensee shall not engage in any sexual related activity in a licensed vehicle, even if consensual.
- 5.16 The licensee shall not, except with the express consent of the hirer/passenger or approved ride share journey, carry any person (other than the hirer/passenger) in the private hire vehicle.
- 5.17 The licensee shall not carry a greater number of passengers than is prescribed on the vehicle licence and shall not allow any unaccompanied child to be carried in the front seat of the vehicle.
- 5.18 The licensee will ensure that the vehicle is clean for passengers and the plate clearly visible at all times he is on control of the vehicle.
- 5.19 The licensee will ensure that he is aware of all the workings and mechanics of the vehicles before undertaking bookings.
- 5.20 The licensee shall report any accidents involving a licensed vehicle they are driving within 72 hours to the Licensing Department and must comply with any requests thereafter by an Authorised Officer.
- 5.21 The licensee shall ensure that a daily vehicle check log has been completed (either by himself or the vehicle proprietor) at the beginning of each shift. The checks to be carried out are as follows:
- lights and indicators
 - tyre condition, pressures and tread
 - Wipers, washers and washer fluid levels
 - Cleanliness inside and out
 - Bodywork – no dents or sharp edges
 - Licence plates present and fixed in accordance with these conditions
 - Any internal discs on display and facing inwards so customers can see
 - Door and bonnet stickers on display
 - Tariff sheet on display
 - Horn in working order

The licensee shall ensure a record of the above information is kept in the vehicle at all times and will ensure the information is available to an Authorised Officer or Police Officer upon request.

6 Assistance Dogs

- 6.1 The Licensee shall carry a disabled passenger's assistance dog with the passenger. The licensee will follow the advice of the passenger as to the exact position and location for the assistance dog to travel, to best suit their needs.
- 6.2 Where the licensee has been granted a medical exemption so as to exempt them from any requirement under the Equality Act 2010; the notice of exemption must be displayed in the vehicle so that it is visible by fixing it in an easily

accessible place (for example on the dashboard) or as prescribed by the Council.

- 6.3 The licensee must notify their operator of any medical exemption they hold in relation to the requirements under the Equality Act 2010.

7 Fares

- 7.1 If the vehicle is fitted with a meter the licensee shall ensure it is always visible. The licensee shall ensure it is not cancelled or concealed until the passenger has paid the fare.
- 7.2 The licensee shall ensure a copy of the current fare table is always displayed and visible in the vehicle.
- 7.3 The licensee shall not demand from any passenger a fare in excess of that previously agreed, displayed on a fare card, or if the vehicle is fitted with a meter the fare shown on the face of the taximeter.
- 7.4 The licensee shall, if requested by the passenger, provide a written receipt for the fare paid.

8 Conduct relating to illegally plying or standing for hire

- 8.1 The licensee shall ensure that the passenger(s) entering the vehicle is/are the correct person(s) for whom the vehicle has been pre-booked.
- 8.2 The licensee must take precautions against behaviour that may be deemed to be standing or plying for hire, by not plotting or waiting without a booking:
- a) in high footfall /high visible locations
 - b) outside busy venues/businesses or in close proximity to events
 - c) at the front or back of designated hackney ranks
 - d) in groups or lines that present as a 'rank'
 - e) in contravention of road traffic orders
- 8.3 The licensee shall not while driving or in charge of a private hire vehicle:
- (a) Tout or solicit any person to hire or be carried for hire in any private hire vehicle.
 - (b) Cause or allow any other person to tout or solicit any person to hire or be carried for hire in any private hire vehicle.
 - (c) Offer any Private Hire vehicle for immediate public hire (whether the journey was undertaken or not)
 - (d) Accept, or consider accepting, an offer for the immediate hire of that vehicle, including any such hire that is then communicated to the Operator to be recorded on the Operator's booking system. For the avoidance of doubt, bookings can only be undertaken when first communicated to the licensee by the operator.

9. Responsibility for lost property

- 9.1 The driver must immediately after the end of every hiring or as soon as is practical thereafter, search the vehicle for any property which may have been accidentally left there.
- 9.2 If any property accidentally left in a private hire vehicle is found by or handed to the licensee then all reasonable steps must be taken to return the property to its rightful owner. If the property cannot be returned to the owner, then the property should be reported to the Operator through whom the passenger booked the vehicle at the earliest opportunity and handed to the Operator as soon as is practical and in any case within 24 hours of the property being found.

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APPENDIX 3 - PRIVATE HIRE OPERATOR CONDITIONS

The Operator shall at all times comply with the provisions of Part II of the local Government (Miscellaneous Provisions) Act 1976 and the conditions hereinafter provided.

1. Definitions

For a legal definition of these terms, see the Local Government (Miscellaneous Provisions) Act 1976. You can get a copy online.

"Authorised Officer" any Officer of the Council authorised in writing for the purposes of the Local Government (Miscellaneous Provisions) Act 1976

"The Council" means *(insert name of Council)*

"The Operator / PHO" a person who makes provisions for the invitation and acceptance of bookings/hiring for a Private Hire Vehicle.

"The Private Hire Vehicle" a motor vehicle constructed to seat fewer than nine passengers, other than a hackney carriage or public service vehicle which is provided for hire with the services of a driver for the purpose of carrying passengers

"District" means the area within the Licensing Authority boundary

Words importing the masculine or feminine gender such as 'his' and 'her' shall include a company and be construed accordingly.

Reference to the Council's email address means the email address for the Council's Licensing Department.

Where any condition below requires the Licensee to communicate with the Council, unless otherwise stipulated, all communication must be to the Council's Licensing Department.

2. Premises & Equipment

- 2.1 The Operator shall obtain any necessary planning permission required for his/her premises and shall comply with any conditions imposed.
- 2.2 The Operator shall provide adequate communication facilities and staff to provide an efficient service to the public using the operator's facilities.
- 2.3 The Operator's premises shall be kept clean and tidy, and adequately heated, ventilated and lit.
- 2.4 The Operator shall ensure that any waiting area for the use of prospective hirers shall be provided with adequate and comfortable seating.

- 2.5 The Operator's radio/electrical equipment where installed shall be regularly maintained in good working condition and any defects shall be repaired promptly.
- 2.6 The Operator shall at no time cause or permit any audio equipment to be a source of nuisance, annoyance or interference to any other person. In addition, all reasonable precautions are to be taken to ensure that activities within the Operator's office and from licensed vehicles do not create a nuisance to others.
- 2.7 The Operator shall obtain and maintain in force at all times a public liability insurance policy in respect of his/her premises and produce the same to an Authorised Officer or Constable on request.
- 2.8 The Operator must display the following at all times, at any premises that the general public have access to and/or on online booking sites and applications:
 - a) A copy of the current Operator licence
 - b) A schedule of fares
 - c) A notice which provides information on how to complain to the Licensing Authority including email and phone number
 - d) A copy of the public liability insurance policy certificate

The above shall be displayed in a prominent position within the relevant premises where it can be easily read; or clearly marked on the relevant online site/app where it can be easily accessed.

- 2.9 If the Operator has a website and/or uses Application based technology to attract bookings, the notices listed at 2.8 above must also be available to view on the relevant web pages or application menu.
- 2.10 The Operator shall not allow their Licensed Operator Premises to be used to conduct business relating to licensees of other non-Greater Manchester local authorities.

3. Booking Fares

- 3.1 When accepting the hiring, the Operator shall, unless prevented by some sufficient cause, ensure that a licensed private hire vehicle attends at the appointed time and place.
- 3.2 When accepting the hiring, the Operator shall, if requested by the person making the booking, specify the fare or the rate of the fare for the journey to be undertaken and, in every case, the Operator shall immediately enter all the details of the hiring legibly as required, by Condition 3.3.
- 3.3 The records of hiring accepted by the Operator as required under Section 56 of the Local Government (Miscellaneous Provisions) Act 1976, shall contain the following detail:

- Time and date booking received (using 24-hour clock)
 - Name and contact details (phone number or address) of person making the booking
 - How the booking was made e.g. Telephone/Online etc
 - Time and detailed pick up location
 - Specific destination (the use of the term 'as directed' or similar term should only be used exceptionally).
 - ID of dispatched driver (i.e. name and call sign)
 - ID of dispatched vehicle (Licence/fleet number)
 - ID of person taking booking (excludes electronic bookings)
 - Any special requirements e.g. wheelchair accessible or disability assistance
 - Details of any subcontracting to or from another PHO (Inc. any other Operator owned by the Operator subject to these conditions)
 - Any fare quoted at time of booking, if requested by the person making the booking.
- 3.4 The Operator shall not allow drivers to pass a booking on to the Operator on the passenger's behalf and will take all reasonable steps to ensure their drivers are aware that such practice is illegal.
- 3.5 Where a booking is sub-contracted the customer must be so advised and informed as to the sub-contracted Operator who will be undertaking the booking.
- 3.6 If a non - *(insert name of Council)* licensed driver and vehicle are being dispatched to fulfil the booking, the Operator must communicate the following message to the person making the booking (whether via telephone, automated booking or booking App) before the booking is made (allowing the requester the opportunity to confirm the booking or not):
- The driver and vehicle you are about to book are not licensed by (insert name of Council) to (insert name of Council) standards and (insert name of Council) Council are not empowered to take licensing action in the event of a complaint. Your driver and vehicles are licensed by {insert name of Council} and customers will have to deal with that authority in the event of a complaint.*
- 3.7 The despatch, by an Operator, of a passenger carrying vehicle (PCV) and the use of a public service vehicle (PSV), such as a minibus, is not permitted without the express consent of the hirer.
- 3.8 Where the hirer is being given the option of one of the above mentioned vehicles being despatched, they should be notified that the driver is subject to different checks than a private hire driver and are not required to have an enhanced DBS check.
- 3.9 The Operator must advise the authority of the booking system it uses, and advise in writing when the booking system is changed. The operator must demonstrate the operation of the system to an authorised officer upon request. Only the confirmed booking system (whether that be an electronic or manual system) can be used to record journeys taken for and carried out by vehicles licensed by

(insert name of Council) (or a Public Services Vehicle, operating under a licence from the Vehicle and Operator Services Agency).

4. Record Keeping & Responsibility

4.1 The Operator must keep detailed, up to date, records of every driver and vehicle operated by him (whether licensed as private hire or hackney carriage) and no matter which Council licensed the driver/vehicle. The records must include:

- a) Name and home address of the driver
- b) The dates the driver commenced fulfilling bookings from the PHO and the date the driver ceased taking bookings from the PHO (where applicable).
- c) A copy of the driver's current private hire or hackney carriage driver licence including the expiry date of that licence and that Licensing Authority that issued it.
- d) Name and home address of the proprietor of every vehicle
- e) A copy of the current vehicle licence including expiry date, the licensing authority that issued it.
- f) The date the vehicle was first used by the PHO to fulfil bookings and the date the PHO ceased using the vehicle to fulfil bookings (where applicable)
- g) The vehicle registration number
- h) A list of unique radio/call sign allocated to the driver and vehicle
- i) A copy of the valid insurance in place for the driver and vehicle

4.2 The Operator must ensure that booking records are:

- a) Kept electronically
- b) Are available for immediate inspection by an Authorised Officer or Police Officer
- c) Able to be printed onto paper or downloaded in an electronic format
- d) Continuous and chronological
- e) Not capable of retrospective alteration or amendment

- f) Kept as one set of records. Cash and credit account bookings can be separately identified but must not be in separate sets of records. The name of the person compiling the records must be detailed on the records.
 - g) Are clear, intelligible, kept in English and retained for a minimum of 12 months from the date of the last entry or for such other period as required by an Authorised Officer.
- 4.3 The Operator must retain records for a minimum period of 12 months and make available any GPS data and any voice recording system for inspection upon request by an Authorised Officer or Police Officer.
- 4.4 The Operator must implement a robust system to ensure that drivers and/or vehicles do not operate when their licence or insurance has expired. This must be documented and approved by an Authorised Officer.
- 4.5 The Operator must conduct a check of the Council's public register (where it exists) when contracting a driver to carry out bookings.
- 4.6 The Operator must take all reasonable steps to ensure that its drivers and vehicles, when plotting or waiting without bookings around the district, do not do so:
- a) in high footfall / high visible locations
 - b) outside busy venues/businesses or in close proximity to large events
 - c) at the front or back of designated hackney ranks
 - d) in groups or lines that present as a 'rank'
 - e) in contravention of road traffic orders

Operators will upon request by an Authorised Officer or Police Officer demonstrate how they monitor and control this behaviour.

- 4.7 The Operator must have an approved process in place to ensure that the individual carrying out a booking is the licensed driver they have contracted for this purpose.
- 4.8 The Operator will ensure registration with the Information Commissioner's Office for Data Controller, CCTV and other relevant purposes. Where the Operator is exempt from registration with the Information Commissioner's Office, they will notify the Council within 7 days of the commencement of these conditions.
- 4.9 Where the Operator agrees sub-contracting arrangements with other non-*(insert name of Council)* licensed Operators, it must have due regard for the comparative licensing policies and standards of the relevant licensing authority their partner Operator is subject to, and take steps not to undermine the Council's licensing standards which have been set in the interests of promoting high levels of public safety.

5. Complaints

- 5.1 The Operator must notify the Council immediately by email (or in any case within 24 hours) of receiving or otherwise becoming aware of any complaint/allegation, police enquiries, or notification of convictions involving any driver that is registered to carry out bookings for the operator, which relates to matters of a sexual nature, violence/threats of violence or substance misuse.

The Operator must notify the Council within 72hrs of any complaint/allegation, police enquiries, or notification of convictions involving any driver that is registered to carry out bookings for the operator, which relates to matters involving dishonesty or equality.

The Operator is required to provide at the time of notification to the council the identity of the driver involved and the nature of the complaint/enquiry including the complainant's details. This notification to the Council must take place regardless of whether the Operator ceases any contractual arrangement with the driver.

- 5.2 The Operator must record every complaint received against its service (against any driver operated by him, including those licensed by other authorities carrying out a sub-contracted booking on the Operator's behalf) and, if unable to resolve the complaint within 7 days (from the date of the complaint) the Operator must provide the complainant with the relevant Licensing Authority contact details within 10 days (from the date of complaint).

- 5.3 Where a complaint not covered by section 5.1 above is received against a driver and it remains unresolved after 7 days (from the date of complaint), the operator must notify the Council within 10 days (from the date of complaint). The Operator is required to provide at the time of notification, the identity of the driver involved, the nature of the complaint/enquiry including the complainant's details.

- 5.4 The Operator must keep all complaint records for at least 12 months (including against drivers carrying out sub-contracted bookings) and ensure these records are available for inspection at any time an authorised officer may request to review them.

6. Convictions and Staff Vetting

- 6.1 The licensee shall notify the Council immediately in writing (or in any case within 24 hours) if they are subject to any of the following:

- arrest or criminal investigation,
- summons,
- charge,

- conviction,
- formal/simple caution,
- fixed penalty,
- criminal court order,
- criminal behaviour order or anti-social behaviour injunction,
- domestic violence related order,
- warning or bind over
- any matter of restorative justice

and shall provide such further information about the circumstances as the Council may require.

6.2 The Operator must keep up to date records of all individuals working in any capacity (paid or unpaid) and who have access to booking records for the business as follows:

- Full Name
- Address
- Date of Birth
- Contact details (phone and email)
- DBS issue date and certificate number
- Start and finish dates of employment
- Job Title

6.3 The Operator must ensure that all individuals (non-drivers) working in any capacity and have access to booking records (paid or unpaid) have obtained a basic DBS Certificate from the Disclosure and Baring Service before commencing employment. The DBS certificate must be dated within one month before the commencement of employment.

6.4 The Operator must ensure that DBS checks are carried out for all existing relevant staff (as per condition 6.3) within one month of the commencement of these conditions.

6.5 The employee should be registered with the DBS Update Service to enable the Operator to conduct regular checks (six monthly as a minimum) of the individual's DBS status.

- 6.6 The Operator must have a policy compatible with the Council's suitability policy or adopt the Council's suitability policy and implement this policy in relation to the recruitment of all staff (paid or unpaid) and the recruitment of ex-offenders. This must be produced upon request.
- 6.7 The Operator must be able to evidence that they have had sight of a basic DBS by maintaining a register. The register should be a 'living document' that maintains records of all those employed for at least 12 months, being the duration of how long booking records are to be kept and allows cross referencing between the two records. A record that the operator has had sight of a basic DBS check certificate (although the certificate itself should not be retained) should be retained for the duration that the individual remains on the register. Should an employee cease to be on the register and later re-entered, a new basic DBS certificate should be requested and sight of this recorded.
- 6.8 Operators may outsource booking and dispatch functions, but they cannot pass on the obligation to protect children and vulnerable adults. Operators should be required to evidence that comparable protections are applied by the company to which they outsource these functions.

7. Advertisements

- 7.1 The Operator shall not cause or permit to be displayed in, on or from his/her premises or to be published in relation to the Operator's business any sign, notice or advertisement which consists of or includes the words "Taxi" whether in the singular or plural or the words "For Hire" or any other word or words of similar meaning or appearance whether alone or as part of another word or phrase or any other word or words likely to cause a person to believe that any vehicle operated by him/her is a hackney carriage.
- 7.2 All advertisements by the Operator should first be approved by the Council to ensure they comply with conditions and do not breach the Codes of Practice of the Advertising Standards Authority or those of the Portman Group relating to alcohol advertising.
- 7.3 The Operator must not dispatch any vehicle that has been licensed by another Authority, which uses, displays or exhibits any literature, documentation, advertising or which displays any signage associated to the Private Hire Operator or the Council which suggests, indicates, misleads or might lead to a misunderstanding that the vehicle is licensed by this Council.

8. Notifications and Licence Administration

- 8.1 For the duration of the licence, the licensee shall pay the reasonable administration charge or fee attached to any requirement to attend training, or produce a relevant certificate, assessment, validation check or other administration or notification process.

- 8.2 The Licensee shall notify the Council in writing within 14 days of any transfer of ownership of the vehicle. The notice will include the name, address and contact details of the new owner.
- 8.3 The Licensee shall give notice in writing to the Council of any change of his address or contact details (including email address) during the period of the licence within 7 days of such change taking place.

9. Duty to Co-operate

- 9.1 The Operator and his/her staff shall co-operate fully with any Local Authority Authorised Officer or Police Officer in respect of any enquiries or investigations carried out relating to drivers or vehicles currently connected to the business or formerly connected to the business.
- 9.2 The operator will provide the Council with details of appropriate members of staff (whether at the base or via telephone) to be contactable during the times of operation (day or night) in relation to compliance/enforcement related matters. Where the aforementioned contact details change, the Operator shall inform the Council of the new contact details within 24 hours.
- 9.3 The Operator shall grant access to the licensed premises to any Local Authority Authorised Officer or Police Officer upon request.

10. Lost Property

- 10.1 The Operator must keep a record of lost property that is handed to him by drivers or passengers. The record must include the date the item is handed to the Operator, details of where it was found and a description of the property. The log must always be available for inspection by an Authorised Officer or Police Officer and any information entered onto the record must be kept for a period of 12 months from the date of entry.
- 10.2 Any lost property held by the Operator must be stored securely by him for 6 months after it was found.

11. Operator Policies

- 11.1 Operators are required to adopt, implement, review, update as is necessary and submit to the Council the following policies:
- Safeguarding Policy
 - Customer Service and Complaints Policy which includes conduct of drivers and the timeframe for responding to complaints

- Equality Policy (Equality Act 2010) including disability awareness and the carrying of assistance animals.
- Data Protection Policy
- Recruitment / Suitability Policy

12 **Training**

- 12.1 Operators should ensure that they have attended any licensing training required by the Council within one month of a licence being granted or as otherwise directed by the Council.
- 12.2 The Operator must ensure that training is provided to relevant staff (paid or unpaid) on licensing law, Licensing policy, the policies listed at paragraph 11.1 and how and when to accept bookings. This training must be undertaken within one month of the commencement of these conditions or employment and thereafter, at least every two years. The Operator must keep a record of the aforementioned training which has been signed by the operator and the member of staff.

APPENDIX 4 – PROPOSED AMENDMENTS TO OPERATOR CONDITIONS

CONDITION	CURRENT WORDING	PROPOSED CHANGE	COMMENT
2.8	<p>The Operator must display the following at their premises at all times:</p> <ul style="list-style-type: none"> a) A copy of the current Operator licence b) A schedule of fares c) A notice which provides information on how to complain to the Licensing Authority including email and phone number d) A copy of the public liability insurance policy certificate <p>The above shall be displayed in a prominent position, where the public have access and, where it can be easily read.</p>	<p>The Operator must display the following at all times at any premises that the general public have access to and/or on online booking sites and apps:</p> <ul style="list-style-type: none"> a) A copy of the current Operator licence b) A schedule of fares c) A notice which provides information on how to complain to the Licensing Authority (including email and phone number) d) A copy of the public liability insurance policy certificate <p>The above shall be displayed in a prominent position within a premises, where it can be easily read; or clearly marked on the relevant online site/app where it can be easily accessed.</p>	<p>Made clear that this only applies if have a base that is used to deal with members of the public – and includes requirement to ensure displayed online.</p>
2.10	<p>The Operator shall now allow their Licensed Operator Premises to be</p>	<p>The Operator shall not allow their Licensed Operator Premises to be used to conduct</p>	

	used to conduct business relating to another non <i>(insert name of Council)</i> Licensed Operator.	business relating to licensees of other non-Greater Manchester local authorities.	<p>This condition is designed to prevent the undermining of the local licensing regime and public safety</p> <p>It is submitted that the Deregulation Act when drafted, worked to the assumption that all districts outside of London and Plymouth were 'governed by the same legislation' (Deregulation Act 2015 Guidance notes) – which they are, but this clearly ignores that there is a wide variance in public safety policies, procedures, practice and licence conditions between districts, and there remains a lack of mandatory minimum standards nationally with regards to important safeguarding matters. As such, it is proposed that the condition should remain to protect and uphold local licensing regimes, but has been amended to include all of GM in recognition that following the completion of this first phase of harmonisation by the MLS project, these regimes will not serve to undermine each other.</p>
4.5	The Operator must conduct a check of the Council's public register	The operator must conduct a check of the Council's public register (where it exists)	Makes the condition clearer that the requirement is only at the outset of

	before allowing a driver to carry out bookings.	when contracting a driver to carry out bookings.	the contractual relationship and acknowledges that this is only possible where the Council provides a public register.
4.6	<p>The Operator must take all reasonable steps to ensure that its drivers and vehicles, when plotting or waiting without bookings around the district, do not do so:</p> <ul style="list-style-type: none"> a) in high footfall / high visible locations b) outside busy venues/businesses or in close proximity to events c) at the front or back of designated hackney ranks d) in groups or lines that present as a 'rank' e) in contravention of road traffic orders <p>Operators will upon request by an Authorised Officer or Police Officer demonstrate how they monitor and control this behaviour.</p>	No change, save for adding the word 'large' before 'events' at point b)	Submission has been fully considered. It is thought that a common sense and practical approach has been taken with regards to defining locations and scenarios in which private hire vehicles are required not to wait when they don't have a booking so as not to give the impression that they are available for immediate hire; not to encourage illegal ply for hire; and not to create unnecessary congestion and unsafe conditions on the highway at busy times/locations. There is no expectation that PHVs should be available 'immediately' and the public should understand that when using a pre-booked vehicle there may reasonably be a wait time (however short) as vehicles cannot just be ready on the street (as Hackneys are) immediately – this would further

			<p>assist the public's understanding of the two regimes.</p> <p>There is no requirement within this condition for drivers/vehicles to go out of the district or drive a substantial distance away from a location/district centre – it is considered that there are sufficient places to wait close to key locations that are out of general view, or on the edge of district centres and this will prompt operators to consider their own business models and booking demand to determine how many vehicles they reasonably require to plot or wait close to specific locations.</p> <p>This condition is mirrored within the PH Driver conditions and aimed primarily at them to take responsibility for their own behaviour – here we reasonably expect PH Operators to assist in the prevention of such behaviour (which we know is within their gift using their relevant systems).</p>
4.7			<p>Changed employed to contracted</p>

	The Operator must have an approved process in place to ensure that the individual carrying out a booking is the licensed driver they have employed for this purpose.	The Operator must have an approved process in place to ensure that the individual carrying out a booking is the licensed driver they have contracted for this purpose.	
5.1	The Operator must notify the Council immediately by email (or in any case within 24 hours) of any complaints, police enquiries or notification of convictions involving any driver that is registered to carry out bookings for the operator which relates to matters of a sexual nature, dishonesty, indecency, violence or threats of violence, equality or drugs. The Operator is required to provide at the time of notification to the council the identity of the driver involved and the nature of the complaint/enquiry including the complainant's details. This notification to the Council must take place regardless of whether the Operator ceases any contractual arrangement with the driver.	<p>The Operator must notify the Council immediately by email (or in any case within 24 hours) of receiving or otherwise becoming aware of any complaint/allegation, police enquiries, or notification of convictions involving any driver that is registered to carry out bookings for the operator, which relates to matters of a sexual nature, violence/threats of violence or substance misuse</p> <p>The Operator must notify the Council within 72hrs of any complaint/allegation, police enquiries, or notification of conviction relating to matters involving dishonesty or equality.</p> <p>The Operator is required to provide at the time of notification to the council the identity of the driver involved and the nature of the complaint/enquiry including the complainant's details. For clarity, this</p>	<p>After further consideration – have amended to just include the most serious safeguarding matters that would be more likely to result in immediate suspension (following relevant investigation) for 24hr reporting to the Council.</p> <p>It is considered appropriate for Operators to notify the Council immediately and agree with the Council how the investigation will proceed from there.</p>

		notification to the Council must take place regardless of whether the Operator has been able to conduct further enquiries itself, or whether or not it ceases any contractual arrangement with the driver.	
5.4	The Operator must provide a report every six months to the council detailing all complaints received (including against drivers carrying out sub-contracted bookings) and action taken. The report should be provided no later than one month after the end of the reporting period. The Operator must keep all records for at least 12 months.	The Operator must keep all complaint records for at least 12 months (including against drivers carrying out sub-contracted bookings) and ensure these records are available for inspection at any time an authorised officer may request to review them.	Considered submission that as drafted the condition was overly burdensome – have amended so that the records have to be kept (already reflected in other conditions that all complaints should be recorded) and must be available to view – removing requirement for formal report to be provided.

APPENDIX 5 - DRIVER STANDARDS

Driver Proposed Standard 1	Trafford Current standard
<p>Enhanced Criminal Record Checks*</p> <p>It is proposed that all drivers will be required to undertake an enhanced disclosure check through the DBS to include barred lists (such as details of unspent convictions and police cautions). Drivers must also register to the DBS Update Service and maintain that registration to enable the licensing authority to routinely check for new information every 6 months as a minimum.</p> <p>NB. If a licence has not been issued within 6 months of a DBS certificate issue date, then a further enhanced DBS will be required (unless the applicant is registered with the Update Service)</p> <p>Licensing Authority to ensure sufficient background checks are conducted on applicants who have (from the age of 18) spent 3 continuous months or more living outside of the UK – this includes requiring a certificate of good conduct authenticated by the relevant embassy as necessary.</p>	<p>Drivers required to undertake an enhance DBS check every 3 years to include barred lists (such as details of unspent convictions and police cautions). Drivers NOT currently required to register with the DBS update service.</p> <p>Certificate of good conduct required from any new applicant who has resided in the UK for less than 5 years – certificate authenticated by the relevant embassy as necessary.</p>
<p>Reason for Proposal</p>	
<p>There is currently no legal requirement for licensing authorities to conduct an Enhanced DBS Check (including barred list) or to conduct interim checks on the Driver’s DBS status using the DBS Update Service.</p> <p>Whilst the GM authorities all currently require the enhanced check, not all require registration with the Update Service in order to facilitate interim checks during the currency of the licence. Without this requirement, the onus is on the driver to self-report any criminal matters to the licensing authority or the Police to advise the licensing authority if they are aware of the driver’s occupation.</p> <p>Further, in 2015, licensing authorities were required by law to issue Driver licences for a standard length of 3 years (unless the authority thinks it is appropriate to issue for a shorter period in the specific circumstances of the individual case). This change meant that drivers who usually had a DBS check at the point of annual renewal, were now not having their DBS status checked (unless the local authority put procedures in place to do so) during the currency of the 3 year licence.</p>	

Due to a number of different factors and scenarios (for example, an applicant could provide a certificate that was issued some months ago, or take a number of months to pass a knowledge test, or be referred to a hearing during their application process), and as all application processes vary by authority; it can sometimes be a number of months between the date of issue on the DBS certificate and the date the licence application is then determined. As such, the proposed policy is that the applicant must have a certificate that is less than 6 months old at the point the licence is issued (or be registered with the Update Service so that a check can be made prior to issue).

This standard was proposed to ensure that all GM licensed drivers were being checked proactively, regularly and consistently by the licensing authority; and that the regime was not reliant on third parties reporting matters of concern to the authority. By ensuring that all drivers must register (and remain registered) with the Update Service, those checks can be conducted by the authority at least every 6 months. This in turn provides a greater level of confidence to the travelling public that the driver is being regularly and continuously monitored to ensure they remain a 'fit and proper' person to be transporting members of the public.

The DBS cannot access criminal records held overseas (only foreign convictions that are held on the Police National Computer may, subject to disclosure rules, be disclosed). Therefore the DBS check may not provide a complete picture of an individual's criminal record where there have been periods living or working overseas.

Consultation Response

GM level summary:

96 comments were made from general public respondents

29 comments were made from trade respondents

Of the 9 Driver related standards, this standard received the second highest number of comments.

The following table shows a breakdown of the number of comments made for this standard by type of respondent:

STANDARD	General public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives
Enhanced Criminal Records Check (DBS)	96	6	12	1	0	1	9

This table provides more detail on the type of themes that came out in the comments made by respondent type:

Comment Theme	General Public	Hackney Drivers	PHV Drivers	PHV Operators	Businesses	Vehicle Leasing Company	Representatives
Enhanced DBS should be mandatory	74	6	7	1	0	1	6
DBS check would make passengers feel safer	12	0	0	0	0	0	1
All drivers should not have a criminal background / have enhanced DBS check	5	0	2	0	0	0	1
DBS check every six months is expensive	1	0	3	0	0	0	0
Concern checks don't cover convictions obtained abroad	9	0	1	0	0	0	2
Base	96	6	12	1	0	1	8

Comments made in relation to criminal record checks were very supportive: *"I feel it is appropriate for drivers to have an enhanced criminal record check – it would make me feel a lot safer allowing my disabled daughter (who also has a learning disability) to travel under their care. After all, all staff currently involved in her care have to have one. I feel it is appropriate."* (Public, age 45-54, Bury)

Very few comments were received from the trade, but those that did comment were also supportive of additional checks. All drivers spoken to in qualitative research felt that it was a positive standard which encouraged trust in drivers from users, especially if it is explicit to all users that this is a mandatory standard. The in-depth interviews with users, drivers and operators showed that most respondents assumed this standard was already in place and felt that if it wasn't mandatory then it should be.

Trafford Response:

STANDARD	General public	Hackney Drivers	PHV Drivers	PHV Operators	Businesses	Vehicle Leasing Company	Representatives
Enhanced Criminal	7	1	0	0	0	0	0

Records Check (DBS)

Seven members of the public commented on the criminal record check proposals with some feeling it would make them feel safer; but two raised concerns that foreign convictions wouldn't be picked up.

"In view of reports of cab drivers attacking women, stealing from clients, etc, all drivers should have an enhanced DBS check and if they are new to country I believe their records in their home country should also be checked. Many criminals run away from their past only to reoffend." (Public, age 55-64)

Comments and considerations

The Statutory guidance issued in July 2020 advises that authorities should carry out an Enhanced DBS check including barred lists and require drivers to evidence continuous registration with the Update Service to conduct checks at least every 6 months, and notes the particular high risks to passengers within this industry by the private nature of the mode of travel. The guidance advises that if drivers do not subscribe to the Update Service, they should still be subject to a check (by production of new certificate) every 6 months.

Licensing Authorities should do all they can to minimise the risk to the public and be proactive in doing so. This standard ensures that in addition to the enhanced DBS certificates already required by all 10 authorities, that every authority also requires drivers to be registered with the Update Service and subsequent 6 monthly checks conducted on their DBS status, thereby ensuring consistency on the frequency of proactive checks and ensuring that authorities are not reliant on the honesty of licence holders declaring relevant issues and offences.

This standard also has the added benefit of reducing the cost long term to the licensee as an enhanced DBS certificate costs a minimum of £40 and a new certificate would be required each time the authority wanted to check the status of the licensee's DBS – however registration with the Update service is only £13 per annum, and the licensee need never obtain a further certificate at full cost should their DBS remain clear.

There was overwhelming support from the consultation and strong public safety benefits of this proposed standard, as well as reduced overall costs to the licence holder.

In relation to overseas background checks; due to significant concerns about the current system and the value of conducting these checks against the cost that would be reflected in the licence application fee, Officers will be reflecting further on the

current system and engaging with the Government on the best way to conduct such checks going forward and will, if deemed necessary, prepare a further report.

Recommendation

To implement the Standard on DBS certificates and checks as proposed.

To reflect and engage with government further on the requirement for certificates of good conduct overseas and prepare a further report if necessary.

Driver Proposed Standard 2	Trafford Current standard
<p>Driver Medical Examinations It is proposed that:</p> <ul style="list-style-type: none"> • Group 2 medical examinations are used to check drivers are medically fit to drive [the same examinations as applied by the Driver and Vehicle Standards Agency (DVSA) for lorry and bus drivers] • That the medical assessment is conducted by a registered GP or registered Doctor who has reviewed the applicant and has access to their full medical history • That the medical certificate is no more than 4 months old on the date the licence is granted • Medical certificates are required minimally (unless otherwise directed by a medical professional) on first application; at age 45; and every 5 years thereafter until the age of 65 when it is required annually 	<p>Group 1 medical examinations are used to check drivers are medically fit to drive.</p> <p>The medical assessment must be conducted by the driver's own GP who will have access to their full medical history.</p> <p>Medical certificates are required minimally (unless otherwise directed by a medical professional) on first application; and every 5 years thereafter until the age of 65 when it is required annually</p>
<p>Reason for Proposal</p>	
<p>Taxis and private hire vehicles are public transport providers and it is important that the travelling public are assured with regards to the medical fitness of their designated driver. The medical standards for Group 2 drivers are substantially higher than Group 1; not permitting various medical conditions deemed to be too high risk for driving occupations where the driver typically spends lengthy periods of time in the vehicle, has a responsibility to members of the public and need to be able to assist passengers with disabilities.</p>	

Currently nine districts require the Group 2 medical assessment standard, but not all have a policy standard that requires the assessment to be made by a GP or Doctor who has access to the applicant's full medical history, or a standard that the medical is no more than 4 months old at the date the licence is granted. This proposal brings all 10 pre-requisites on this element of the licence application process into line, alongside the statutory frequency standard for medical certificates being renewed.

Consultation Response

GM level response:

This proposal perhaps unsurprisingly elicited very few comments as there are only minor changes to current the current policy standard across the board:

17 comments were made from general public respondents

18 comments were made from trade respondents

Of those that did comment, most agreed with the standard.

The following table provides a breakdown of the number of comments by respondent category:

STANDARD	General public	Hackney Drivers	PHV Drivers	PHV Operators	Businesses	Vehicle Leasing Company	Representatives
Medical Examinations	17	4	5	1	1	0	7

This table breaks those comments down thematically across the respondent categories:

Comment Theme	General Public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives
The cost of the medical is expensive	0	0	2	0	0	0	0
Health check should include being able to handle wheelchair users	1	0	0	0	1	0	0
Driver medical examinations are not necessary	5	0	2	0	0	0	0
Agree with medical examination	11	4	1	1	0	0	7

Non-NHS organisations should be allowed to issue medical certification	0	0	0	0	0	0	1
Base	17	4	5	1	1	0	7

Two respondents mentioned that driver's being physically unable to assist wheelchair users can be an issue, with some driver's complaining they had a 'bad back' or that the chair was too heavy.

A trade association made the following comment:

"Something that is problematic however is the fact that individual licensing authorities have differing standards requirements for DVSA Group 2 medicals. Many 'forward thinking' licensing authorities are currently using DVSA medical providers that are approved by the Road Haulage Association (RHA)..... we implore the 10 Unifying TfGM Authorities to immediately utilise these service providers like the RHA does" (Organisation, LPHCA)

Trafford Response:

STANDARD	General public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives
Medical Examinations	1	0	0	0	0	0	0

. The respondent agreed with the proposals.

Comments and considerations

In the absence of a statutory standard, best practice guidance does advise on the application of the Group 2 standard but remains silent on whether a GP or registered Doctor can conduct the assessment in the absence of the full medical records. From experience and following engagement with the Institute of Licensing and medical professionals, lead officers understand it is important that the GP/Doctor assessing the applicant has access to their full records and not just a summary of the applicant's medical records which could omit critical information.

The cost of medical assessments is not within the jurisdiction of licensing authorities, but as long as the GP/Doctor has access to the full medical records, authorities do not otherwise stipulate which GP/Doctor can be used which allows applicant's to search the market for what is most suitable to them at the time. Given the impact on

the trade following the pandemic, and reports of ongoing delays accessing medical assessments, officers consider it best not to stipulate specific providers at this time, although this is something that could be considered in the future.

Recommendation

- Group 2 medical examinations are used to check drivers are medically fit to drive [the same examinations as applied by the Driver and Vehicle Standards Agency (DVSA) for lorry and bus drivers]
- That the medical assessment is conducted by a registered GP or registered Doctor who has reviewed the applicant and has access to their full medical history
- That the medical certificate is no more than 4 months old on the date the licence is granted
- Medical certificates are required minimally (unless otherwise directed by a medical professional) on first application; and every 5 years thereafter until the age of 65 when it is required annually

7.3

Driver Proposed Standard 3	Trafford Current standard
<p>Knowledge Tests It is proposed that applicants undertake a knowledge test. Authorities will be able to determine what is included in their local test but topics covered may include; local area knowledge, local conditions, licensing law, road safety, highway code, numeracy and safeguarding.</p>	<p>All new applicants must complete and pass a local area knowledge test. The test consists of topographical questions about the Trafford area but also extends across the Greater Manchester region.</p> <ul style="list-style-type: none"> ○ The test also includes questions about: <ul style="list-style-type: none"> ▪ disability awareness; ▪ safeguarding children and vulnerable people; ▪ child exploitation; ▪ domestic violence; ▪ Road Safety; ▪ Basic vehicle maintenance; ▪ Customer care / customer awareness;

	<ul style="list-style-type: none"> ▪ licensing law and the driver conditions; and ▪ local knowledge ▪ numeracy and literacy.
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Reason for Proposal

Local area knowledge has long been considered an important feature and a strategic objective to licence a high-quality fleet of drivers that supports visitors and business growth in the region. This is not just proposed from a customer service perspective; so that passengers are not waiting unnecessarily due to driver confusion about buildings/stations/locations, or so they are not charged unnecessarily if the driver does not take the most direct route. More importantly than that, having sound and sufficient knowledge of the local area is widely considered essential for public safety, as in the worst scenarios, lacking a decent understanding of local routes can lead to passengers being in dangerous or vulnerable locations.

All 10 authorities currently require a local knowledge test and this proposal seeks to protect and embed this standard within the suite of common standards.

Consultation Response

GM level response:

This standard elicited the second highest number of comments from respondents within the Driver standards section.

123 comments were made from general public respondents
47 comments were made from trade respondents

STANDARD	General public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives
Knowledge Test	123	12	22	4	0	2	7

This table breaks those comments down thematically across the respondent categories:

Comment Theme	General Public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives
The local knowledge test is not needed as most people use sat nav	15	5	8	1	0	2	3

The local knowledge test is needed - issue with drivers' poor local knowledge	108	7	9	3	0	0	4
Knowledge test is only required for new drivers	0	0	6	0	0	0	0
Base	123	12	22	4	0	2	7

As the table shows, the most commonly held view was that the knowledge test was needed and that drivers' poor local knowledge was an issue for the general public. Those public respondent cited cost of travel and concerns for safety as the main reasons for their view:

"I have pre-booked taxis within the borough I live in (Oldham) and in Manchester and have found that the driver does not have local knowledge of the borough. As I often travel alone, I find this disconcerting and have found myself anxious on many a journey." (Public, age 35-44, Oldham)

"Knowledge Test: This is very important. One in every three that I have travelled with asks me for directions. When my daughter, with special needs, travels alone and is asked for directions she is unable to do that. This has caused a long unnecessary journey." (Public, age 75+, Oldham)

"Knowledge tests- too often we are asked to provide directions to the location we are travelling or spend minutes at the start of each journey trying to explain. I think a basic understanding of the areas in Greater Manchester is a must." (Public age 25-34, Stockport)

"Knowledge tests should be required every five years to ensure drivers are aware of changes in the Highway Code and reminded of best practice. They should also be required after a driver is convicted/fined or reported for any breach of the Highway Code or other offence." (Public, age 65-74, Manchester)

One user respondent in the qualitative focus groups gave this example:

"Driver pulls up at the side of the road to ask me where a certain place was. It wasn't far away but because of the diversions in place due to roadworks, his sat nav was useless as it wasn't picking it up or giving him an alternative route. So, I ended up getting in with him and showing him the way as he was struggling, didn't know the area and his passenger was getting quite irate. I shouldn't need to do that though. (User, Group 16).

Trade respondents' comments mostly supported the standard:

"I once had one driver pull up and ask me where Old Trafford was, when working in Trafford. I get you might not know little places, hard to reach, but Old Trafford stands out and is well signposted and this driver was clueless. Had no idea. That's not good enough in my eyes." (Hackney Driver, Trafford)

"Now, part of the stipulation for your badge, hackney badge employees, you take the shortest direct route. Unless instructed by the customer. They've got Google maps, everything they do is app based, Uber is app based and its app based on Google maps. Google maps is not the shortest, it's the fastest. If there's a motorway anywhere near where you're going or you're coming from, he'll jump on it and the customer has to pay, because it's all done on distance. That is going against the bylaws of the town. The bylaws state that if you're an operating service it's got to be shortest, most direct route." (Hackney Driver, Stockport)

Although 5 Hackney drivers and 8 private hire drivers did not feel the knowledge test was necessary due to the widespread use of Sat Nav technology:

"Knowledge test not essential since today technology can find and direct driver to any destination" (Hackney Driver, Manchester)

"Knowledge tests are not as needed as it once was. Most jobs undertaken via some sort of Sat Nav and many with the journey already mapped out before the customer even enters the vehicle." (Vehicle lease company, Stockport)

Trafford Response:

STANDARD	General public	Hackney Drivers	PHV Drivers	PHV Operators	Businesses	Vehicle Leasing Company	Representatives
Knowledge Test	12	3	4	0	0	0	0

All members of the public who commented on the knowledge test agreed that it was needed; conversely drivers felt that it was unnecessary due to SatNav.

"Often drivers use satnav. This is generally ok, however it can frequently result in drivers taking a long route that results in higher charges to the customer. If drivers have good local knowledge they can take more efficient routes." (Public, age 35-44)

"With the use of Sat Nav is the knowledge test a necessity, especially considering most drivers reside within the vicinity." (PHV driver)

"Knowledge test are now redundant as most drivers now use sat navs and those whom don't like me learn the area by working in it as I did 40 odd years ago" (Hackney driver)

Comments and considerations

Whilst most responses support the standard that is already in place, a minority of respondents disagree citing the use of satellite navigation technology, and this assertion is often made on and off by trade groups to local authorities. There are

many examples of when Sat Nav technology cannot be relied upon, including a well-publicised example that took place in April 2021 in Eccles in Salford, where an 'out of town' private hire driver drove a passenger in his vehicle into the Bridgewater Canal, telling the Police he was following his Sat Nav.

It is much more preferable that locally licensed drivers have a sound local knowledge of their area as technology can fail, or signal can be lost, and passengers (who may be children and/or vulnerable) should have the confidence that the driver is able to transport them to their destination regardless of whether they have access to technology or not. In short, Sat Nav should be seen as a supplement to, not a replacement for, local knowledge.

A risk that should be noted, is the cost implication of delivering (whether in house or via a third party) local knowledge tests and therefore ultimately the cost to the applicant. This will generally only apply to new applicants rather than existing licence holders. Whilst other local authorities outside of the region choose not to require this element in their licensing of drivers, this could remain a motivation for drivers to seek their licences elsewhere. As all authorities currently have the standard within their fee structure, it is considered best to retain the standard and continue to make this point to the DfT.

Recommendation

To retain the standard as proposed.

Driver Proposed Standard 4	Trafford Current standard
<p>English Language Test*</p> <p>It is proposed that new drivers undertake an assessment to ensure they are able to communicate in spoken English and in writing to a standard that is required to fulfil their duties, including in emergency and challenging situations.</p> <p>Whilst the standard is not specified further and will be for authorities to determine, the expectation is that that all authorities have a test requirement that can demonstrate the ability to communicate effectively to:</p> <ul style="list-style-type: none"> - Establish the passenger(s) destination and provide answers to common passenger queries or requests 	<p>Applicants must provide evidence of ability in English (speaking and listening) at least to Entry Level 2 standard (as defined in the Regulated Qualifications Framework); or a similar qualification at an equivalent level.</p>

- Be able to provide customers with correct change
- Be able to provide a legibly written receipt upon request

Reason for Proposal

It is essential in providing a safe experience that licensed drivers are able to communicate effectively with passengers to establish their needs, and provide accurate information with regards to journey time, fare and the operation of the vehicle, and provide legible receipts upon request. It remains a common complaint to authorities that some drivers lack the ability to communicate effectively.

Licensed drivers also have a key role to play in the public transport network, often driving vulnerable individuals (on schools' contracts for example), or visitors who are unfamiliar to the area. It is important that passengers are able to communicate effectively in all situations (particularly in an emergency) with their driver to ensure their needs are met, particularly those with disabilities or additional needs. We also know from various reviews that the sector can play a critical role in the identification of exploitation and criminal activity, including county lines; so drivers must be able to identify and clearly report harm and risk through their understanding of spoken English.

Consultation Response

GM level response:

94 comments were made from general public respondents
39 comments were made from trade respondents

Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives
English Language Test	94	13	18	2	0	1	5

This table breaks those comments down thematically across the respondent categories:

Comment Theme	General Public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives
Agree with language requirements	72	10	14	1	0	0	4

The enforcement of language tests will be controversial	3	0	1	0	0	0	0
Only a speaking / listening test is required, writing is not important	11	0	0	0	0	1	2
English and maths test are discriminating people with disabilities who are already a hackney / PHV driver	3	1	0	1	0	0	0
Language requirement is not necessary	7	2	4	0	0	0	0
Base	94	13	18	2	0	1	5

As Members will see, the majority of those who made an additional comment on this standard made positive remarks in support of the proposal:

"I believe that an English test is crucial as many passengers have told me they've had drivers who are unable to speak a word of English. Just imagine you're in a private hire and you tell the driver you have cut yourself. You need a plaster. And the driver tells you he doesn't understand. There's many other scenarios I could give you." (PHV Driver, Manchester)

"Having good communication skills is essential so that the passenger can feel confident and secure, knowing that they have been understood and can understand what the driver is saying to them. I know this because I work with people who have dementia and need this extra care" (Public, age 55-64, Manchester)

However, a small number of comments were made raising concerns about this standard:

"The English language tests. I feel like this will alienate a lot of drivers and tests like these are biased against immigrant taxi drivers. Most councils have these enhanced checks" (Public, age 25-34, Manchester)

"All of the above already exist in my council but it is stupid that someone with a PHD who is of an age where they cannot find their O levels from 50 years ago still has to take an English/Math test because councils currently say if you don't have GCSE, GCE or equivalent O level you have to take an English test even though English is first language and far superior qualifications have been gained over a career." (Operator, Bury)

“English language test- since when has this ever been a problem before? I think there are unconscious biases at play here you need to address. Really unfair to suggest current taxi drivers can't speak or write English. When has this ever been an issue? Speaking a language and writing it are two very different things. I don't think you need to be able to write to drive taxis. Having these criteria will exclude those who probably already struggle to get work elsewhere e.g. people with learning disabilities, people whose second language is English. They can speak English but can't write. Really disappointed with these criteria.” (Public, age 35-44, Rochdale)

Aecom noted that there was no significant difference in the number of comments received by district or ethnic origin.

Trafford Response:

Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives
English Language Test	4	2	0	0	0	0	0

Four of the respondents agreed with the proposals; one respondent felt that it would discriminate against people with disabilities who were already a taxi driver; and one respondent thought a language requirement was unnecessary.

Comments and considerations

Whilst the comments against the standard are few, it is still important to address concerns raised that may be based on misconceptions about the rationale for having a licensed driver fleet proficient in the use of both written and oral English. The primary purpose of licensing is always public safety and it is with this in mind, that most GM authorities already have this requirement in their regime.

Whilst it is understood that the sector does attract newly migrant workers, it is important that users and licensees understand the important role licensed drivers play as a public transport provider and their responsibilities to passengers. Authorities strive to licence a driver fleet that plays an active role in safeguarding matters. As stated in the Statutory Guidance; “A lack of language proficiency could impact on a driver’s ability to understand important documents, such as policies and guidance relating to the protection of children and vulnerable adults. Oral proficiency will also be of relevance in the identification of exploitation through communicating with passengers and their interaction with others”.

A risk that should be noted, is the cost implication of delivering (whether in house or via a third party) language proficiency tests and therefore ultimately the cost to the applicant. Whilst some local authorities outside of the city region choose not to require this element in their licensing of drivers, this could remain a motivation for drivers to seek their licences elsewhere. As most GM authorities currently have this standard already within their fee structure, it is considered best to retain the standard and continue to make this point to the DfT. Officers will be looking at options for joint procurement of providers going forward.

Recommendation

To implement the standard as proposed.

Driver Proposed Standard 5	Trafford Current standard
<p>Driving Proficiency Tests It is proposed that all new drivers will be required to pass a taxi/private hire on-road assessment with a GM approved supplier.</p>	<p>No current requirement to pass a driving proficiency test.</p>
<p>Reason for Proposal</p>	
<p>Driving a licensed vehicle does require additional skills to those assessed in a standard driving test. Taxi and PH driving proficiency tests are conducted by DSA test examiners and require the driver to demonstrate a level of driving skill and ability associated with that of an experienced driver as well as a sound knowledge of the highway code. The test takes into account that drivers have additional road safety responsibilities to their passengers, and the safe conveyance of passengers. Some manoeuvres tested include:</p> <ul style="list-style-type: none"> • Safe turning of the car around in the road • Safe stopping at the side of the road (a safe distance from the kerb and ensuring there are no obstructions for passengers) • A wheelchair exercise (loading/unloading and securing safely) <p>Authorities regularly receive complaints from customers who feel their driver lacked safe driving skills, or sufficient knowledge of the highway code and this proposal seeks to improve the overall quality of driver licensed within the region.</p> <p>Currently half the GM authorities have this requirement in policy, and the proposal is that all new drivers will be required to pass a taxi or private hire on-road assessment with a GM approved supplier (those that currently require have a list of approved suppliers at present).</p>	

Due to some drivers who have migrated from Europe being able to convert to a UK licence it is highly likely that they will not have been tested against UK standards including the highway code.

Consultation Response

GM level response:

53 comments were made from general public respondents
28 comments were made from trade respondents

Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives
Driving Proficiency Test	53	10	10	3	0	0	5

This table breaks those comments down thematically across the respondent categories:

Comment Theme	General Public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives
Support proficiency tests proposals	39	7	3	1	0	0	5
Proficiency training / test should be live not virtual	3	0	0	1	0	0	0
A driver proficiency test would not serve any purpose for experienced drivers.	6	3	7	1	0	0	0
Driving proficiency should be constantly tested	6	0	0	0	0	0	0
Base	53	10	10	3	0	0	5

This proposal didn't elicit as many comments are other standard, but of those comments made, most were in general support and felt that it should be compulsory.

"Driving proficiency tests - most drivers are ok, but I have come across several that I wonder how they ever passed a driving test. Some have total ignorance e.g. doing a 3 point turn on a busy main road at a blind junction is stupid, this happened to us in a taxi - nearly caused an accident -the taxi driver started shouting at the other innocent drivers calling them stupid." (Public, age 65-74, Trafford)

“Driver proficiency test. Driving standards need to be improved, there are currently many private hire vehicles driven badly, with seemingly little awareness of traffic laws, and a lack of consideration for other road users.” (Public, age 35-44, Bury)

“Drivers need to be taught how to drive a Taxi, not just a vehicle. It is a customer service industry. Poor local knowledge and a reliance on technology has severely lowered standards.” (Hackney Driver, Wigan)

“Driving proficiency should be constantly tested. Perhaps every 3 years or after complaints on their driving conduct.” (Public, age 25-34, Stockport)

“Driving proficiency tests. Applicants must have held a UK licence for a minimum of two years. Foreign and EU countries licences not acceptable to drive a PHV or taxi in the UK. A minimum of 45 minutes’ drive on a variety of road types plus several stops to alight as if requested by passengers. A safe reversing manoeuvre and three-point turn. Questions on the highway code, and some road signs. Must demonstrate ability to remain calm and focused whilst being questioned en route. No serious or dangerous faults allowable.” (Operator, Manchester)

However, some drivers (10 in total) did comment that they did not feel the test was necessary:

“With the use of Sat Nav is the knowledge test a necessity, especially considering most drivers reside within the vicinity. Driver proficiency is just unnecessary especially if a driver has more than 5+ years of driving experience” (PHV Driver, Trafford and outside Greater Manchester)

“Driving proficiency tests not ness just another pain in neck current driving licence enough.” (Hackney Driver, Wigan)

Trafford Response:

Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Businesses	Vehicle Leasing Company	Representatives
Driving Proficiency Test	2	0	2	0	0	0	0

Two of the respondents supported the proposals; and two respondents felt that a proficiency test would not serve any purpose for experienced drivers.

Comments and considerations

As this proposal is for new applicants only, Members have raised that the majority of the existing fleet of over 18,000 GM licensed drivers will not have undertaken this assessment and benefited from the knowledge provided in training. Members also

highlighted that such courses should be repeated at intervals (akin to other transport sectors) to realise the benefits for the travelling public but recognise the additional cost burden this would present to licensees at this challenging time. It is noted however that a proposal to implement the standard for existing fleets has not been consulted upon at this time and so due consideration will have to be given to this in the future if this is proposed.

However, as is the case currently, where a driver's proficiency is called into question (through complaints, officer observations and/or traffic related offences), it remains an option for authorities upon review of the driver's licence, to determine that the driver undertake a relevant proficiency course and assessment.

Fees for these tests average around £100 (for both theory and practical). Again, joint procurement is likely across GM for this policy area.

It is noted that the introduction of this standard across the board at this uncertain time for the trade may also further deter new and renewal applicants to GM authorities; who instead seek to find the easiest and cheapest route to being licensed elsewhere. As well as further risking licensing services cost recovery models; under the current national system, such drivers would continue to work and operate within GM anyway (thereby GM residents and visitors would not benefit from this standard in any event). Again, continued lobbying of government can seek to highlight and address this risk.

Recommendation

To implement the standard for new drivers at an agreed date in 2022, and utilise in licence reviews as appropriate with immediate effect.

To consider the implementation for existing drivers at a later date.

Driver Proposed Standard 6	Trafford Current standard
<p>Driving Training* It is proposed that all authorities require drivers to undertake training in the following areas as a minimum:</p> <ul style="list-style-type: none"> - Safeguarding - Child Sexual Exploitation - Human Trafficking and County Lines - Disability and dementia awareness - Licensing Law 	<p>All applicants are required to undertake a Driver Induction Course which includes training in safeguarding, child exploitation, domestic violence and disability awareness; and licensing law.</p>

Reason for Proposal

The primary purpose of any training required for a licensed driver is to improve public safety. By ensuring that licence holders are aware of important issues related to their occupation as a public transport provider; ensuring they understand their responsibilities, the licensing regulatory regime, the requirements of their licence conditions and what role they play in identifying and reporting safeguarding issues and criminal activity.

As front facing services to the public, licensing authorities recognise the significant and positive role that licensees can play in supporting regulators to protect members of the public, by identifying and reporting concerns relating to safeguarding and criminality. Driver training builds on this recognition to ensure licensees are well placed in identifying relevant issues, knowing how to report and in turn supporting the public safety objective.

Consultation Response

GM level response:

70 comments were made from general public respondents
29 comments were made from trade respondents

Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Businesses	Vehicle Leasing Company	Representatives
Driver training	70	9	7	1	2	0	10

This table breaks those comments down thematically across the respondent categories:

Comment Theme	General Public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives
Additional training subjects should be included	26	2	2	0	1	0	5
Any Driver Training should be optional	5	5	4	1	0	0	1
Safety needs improving for vulnerable groups	23	0	1	0	0	0	2
Driver behaviour needs improvement	13	0	0	0	1	0	0
Agree with driver training	11	3	0	0	0	0	4
Base	70	9	7	1	2	0	10

Those making comments on this standard were mostly supportive or had additional suggestions to make with regards to improving the training. Safety, vulnerability, disabilities and additional needs were common threads.

“Driver training to make drivers aware of peoples disabilities that should be obvious and treated as such. Basic driver courtesy of exiting the vehicle and assisting passenger with alighting the vehicle and also to any baggage that may be carried.” (Public, age 55-64, Tameside)

“Knowledge tests should also include the use of facilities and technology within vehicles as they relate to disabled people. This is absolutely crucial and should include the use of ramps and the level of gradient which should be as shallow as possible, howto provide assistance to disabled passengers to access the vehicle, howto secure passengers within the vehicle, including all types of wheelchairs and scooters and non-standards cycles, sometimes used by disabled people and provision of information to passengers about the licensing information of the drivers and vehicle.” (Organisation, Manchester Disabled People's Access Group)

“In driver training it should include training regarding impact on pedestrians of pavement parking.” (Public, age 35-44, Stockport)

“Driver training regarding vulnerable road users such as cyclists. I'm nearly hit daily by taxi drivers in Manchester while commuting.” (Public, age 25-34, Manchester)

“I was just going to say that disability covers so many different impairments and people can have multiple impairments, some of which are not obvious, as well as mental health and all these may be challenging for the driver. The driver's mental health should also be identified in there. It is also important to do training around speech impediments as a lot of drivers could identify somebody as drunk so yes, I think driver training is very important.” (User, Group 1)

Amongst trade respondents, comments were very low again but those that did comment mostly felt the training should be optional:

“I really don't think there is any need for existing drivers to have driver training, when you have been driving a taxi for a number of years, and dealing with challenging road users, and the safety of your passengers, as you do as a professional driver, and the longer you have done this profession, I really don't think there is any need for any other driver training, it would be a waste of resources.” (Hackney Driver, Wigan)

“It is waste of time to do all this on regular basis, people have been driving for years and they do not need any more training for driving a taxi, all they need is a driving licence and good record as a citizen.” (Hackney Driver, Oldham)

Other comments made on the standard were:

“Pretty much, yeah, I think they do like a day's training when you apply for a new badge, but they didn't apply it to existing badge holders, so I think now if you were applying you have to do like a half a day course of some kind. But when they brought it in, they didn't apply it to existing badge holders who have never done it. (PHV Driver, Rochdale)

“We’ve never heard of it. So, none of my drivers have had child safeguarding training. I’ve never had it. Yet in the new minimum standards proposals I’m supposed to be doing a DBS every single year, because I’m an operator.” (Operator, Trafford)

“The whole strategy for driver training should be centred around motivation to do well at the job and each training experience should leave a driver feeling positive and valued. Spending that bit extra finance if needed will be well worth it if these outcomes can be achieved. To raise standards in private hire in Greater Manchester I implore you to use the carrot as well as the stick. If drivers are attending training, whatever the subject, it can be made an enjoyable and attractive experience.” (Councillor, area not provided)

Trafford Response:

Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives
Driver training	9	0	1	0	0	0	0

Several members of the public offered comments on driver training suggesting training is needed to improve safety (n=2), driver behaviour (n=2). Some suggested other subjects such as disability training (n=3).

“lots more disability training please” (Public, age 25-34)

“The knowledge is a good thing. I also want to know that I’m safe when I leave home at present I’m not always sure” (Public, age 55-64)

Comments and considerations

Most of the GM authorities already require driver training for all new applicants, and some have retrospectively delivered safeguarding training to their existing drivers. The proposal seeks to ensure a fully consistent approach for new applicants, embedding the key elements of safeguarding, exploitation and disability awareness into the requirements for a licensed driver in the region.

Whilst there is inevitably a cost associated to this requirement (whether delivered in house or by a third party provider), for most authorities it wouldn’t be additional to their current costs which already include this standard. There is again the risk that it may deter some applicants, but the risk of not requiring this training is considered to be much more significant to the travelling public. If delivered in house, this can be provided at a lower cost than some external courses on the market. The proposal did not elicit many comments from respondents and the majority made were in support.

Authorities are at liberty to consider if and how they may wish to introduce the standard for existing licence holders.

Recommendation

To implement the standard as proposed.

Driver Proposed Standard 7	Trafford Current standard																
<p>Dress Code It is proposed that a dress code is introduced to promote an improved and positive image of the licensed trade across the region. The recommended code is attached as Appendix 1</p>	<p>No current requirement to adhere to a dress code</p>																
Reason for Proposal																	
<p>Licensing Authorities receive numerous complaints annually with regards to driver dress standards and related personal hygiene. In the worst examples, passengers have reported that drivers wearing shorts have had their private parts on display.</p> <p>Authorities are striving to achieve a higher standard of licensed driver fleet, and positive driver image for resident and visitor passengers is part of that standard of professionalism we aim to achieve. It is merely about drivers considering and reflecting on what they wear as a licensed driver and not about uniform.</p>																	
Consultation Response																	
<p><u>GM level response:</u></p> <p>102 comments were made from general public respondents 91 comments were made from trade respondents</p>																	
<table border="1"> <thead> <tr> <th data-bbox="209 1720 352 1809">Standard</th> <th data-bbox="360 1720 528 1809">General public</th> <th data-bbox="536 1720 687 1809">Hackney Drivers</th> <th data-bbox="695 1720 815 1809">PHV Drivers</th> <th data-bbox="823 1720 975 1809">PHV Operators</th> <th data-bbox="983 1720 1118 1809">Businesses</th> <th data-bbox="1126 1720 1294 1809">Vehicle Leasing Company</th> <th data-bbox="1302 1720 1437 1809">Representatives</th> </tr> </thead> <tbody> <tr> <td data-bbox="209 1821 352 1854">Dress Code</td> <td data-bbox="360 1821 528 1854">102</td> <td data-bbox="536 1821 687 1854">27</td> <td data-bbox="695 1821 815 1854">49</td> <td data-bbox="823 1821 975 1854">4</td> <td data-bbox="983 1821 1118 1854">0</td> <td data-bbox="1126 1821 1294 1854">1</td> <td data-bbox="1302 1821 1437 1854">10</td> </tr> </tbody> </table>		Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Businesses	Vehicle Leasing Company	Representatives	Dress Code	102	27	49	4	0	1	10
Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Businesses	Vehicle Leasing Company	Representatives										
Dress Code	102	27	49	4	0	1	10										
<p>This table breaks those comments down thematically across the respondent categories:</p>																	

Comment Theme	General Public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives
Agree with dress code	21	2	2	1	0	0	2
A designated uniform is uncomfortable to drive in all day	9	9	8	0	0	0	3
Disagree with a uniform (dress code)	70	17	39	2	0	1	5
Cultural / religious attire should be permitted	2	0	0	0	0	0	0
Dress code should be decided by the firm	1	0	0	1	0	0	0
Base	102	27	49	4	0	1	10

This proposal received a relatively high number of comments compared to some of the other standards. The majority of those that made comments (among both public and trade) disagreed with the idea of a 'uniform' stating it wasn't necessary or was uncomfortable. Comments made included:

"Dress code as we are self-employed it is up to us what we wear as long as it is appropriate and not offensive" (PHV Driver, Tameside)

"I don't think there is need to change the dress code as long as the driver is dressed appropriately." (Hackney Driver, Manchester)

"I am worried about dress code because we the private hire drive or hackney drivers spend many hours sitting and driving so we wear a dress who we feel comfortable if there is dress code, I am afraid it can make us uncomfortable." (PHV Driver, Manchester)

"Dress code is very subjective and could put pressure on drivers who are already scrutinised and looked down on by the general public." (Public, age 25-34, Bolton)

"I don't really think dress code is that important. Taxi drivers should be allowed to wear whatever they want as long as it isn't offensive or inflammatory." (Public, age 18-24, Bury)

"Agree with all proposal except for Dress Code, which will have little benefit to the public." (Organisation, Brandlesholme Community Centre)

"I couldn't care less what my driver wears, if I'm honest. as long as it's not kind of, they look like they've just rolled out of bed, kind of thing." (User, Group 15)

38 of the trade respondents that commented and disagreed with the proposal were from an Asian background.

Other comments received included:

“Dress code; would make drivers look professional to visitors to the area plus I would be more confident in the driver.” (Public, age 55-64, Manchester)

“Well, I support the dress code. I think it’s broad enough, so if somebody’s wearing jeans it’s not a big issue, but if their personal hygiene is not good, then it would be an issue, so yeah.” (User, Group 1)

“It’s illegal to drive a private hire vehicle wearing shorts which are not below the knee. So, they’ve got to be knee length shorts. I know the licensing laws, it’s illegal to drive a taxi in flipflops. Yeah, half these drivers wouldn’t know, I’ve told drivers that in the past, being a manager, I’ve pulled people in saying you can’t wear that. You’re not meant to wear a football shirt when you’re driving a private hire vehicle either.” (Operator, Trafford)

Trafford Response:

Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Businesses	Vehicle Leasing Company	Representatives
Dress Code	7	2	3	0	0	0	0

Both the public (n=5) and taxi drivers (Hackney n=2, PHV n=1) made comments suggesting the dress code is not needed.

“I believe we should be able to wear what we find comfortable to drive in. As long as we are not offending anybody.” (PHV driver)

“I strongly agree with all the points but for the dress code part. It should be clear that drivers are not required to wear formal wear. Neat polos or tshirts without print should be ok. And in summer, shorts.” (Public, age 25-34)

Comments and considerations

Some of the comments elicited in the response suggest the respondents did not refer to the Appendix in the accompanying information booklet that outlined the proposed dress code, as there is reference to disagreeing with a ‘uniform’ and some respondents seem to be under the impression the dress code is prescriptive.

On the contrary, the outline dress code proposed does not seek to introduce a uniform or be overly prescriptive, but instead simply aims to make clear both for drivers and compliance officers what is deemed acceptable and what isn’t in a broad sense, to provide consistency across the board whilst respecting, for example, religious dress.

Therefore despite the fact that most of the comments made were in general disagreement with this standard, it is considered the concerns raised by those respondents are already addressed by the broad way in which the dress code is already

proposed. Having said that, alterations to the draft dress code are proposed in response to provide even further flexibility on what would be deemed as acceptable as follows:

****shirts can include t-shirt or polo shirt***

****tracksuits to be removed from the list of unacceptable sportswear (tracksuits will be acceptable as long as they adhere to the other conditions i.e. don't contain words or graphics that could be deemed as offensive, and clean, free from holes, rips or other damage)***

Dress code policies are not unique in GM and a number of Authorities already have them.

Recommendation

To implement the standard as proposed.

Driver Proposed Standard 8	Trafford Current standard
<p>Drug and Alcohol Testing It is proposed that a policy is developed to introduce testing for drivers based on complaints or intelligence received.</p>	<p>No current policy or procedure in place.</p>
<p>Reason for Proposal</p>	
<p>Driving under the influence of drugs and/or alcohol poses a significant risk to the public and other road users. Other driving professions undergo testing in this regard and following discussions, the GM authorities felt this was an important policy area to consult upon in principle at this stage.</p> <p>It should be noted that Greater Manchester Police already act on concerns observed in the course of their general engagement with road users at large, but that this proposal will strengthen partnership working and ensure that any intelligence relating to substance misuse by licensees is acted upon consistently across GM as per the policy.</p>	
<p>Consultation Response</p>	
<p><u>GM level response:</u></p> <p>31 comments were made from general public respondents 18 comments were made from trade respondents</p>	

Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Businesses	Vehicle Leasing Company	Representatives
Drug and Alcohol Testing	31	7	5	0	0	0	6

This table breaks those comments down thematically across the respondent categories:

Comment Theme	General Public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives
Agree Drivers should be regularly tested for drugs and alcohol	29	6	3	0	0	0	5
Disagree with drug and alcohol testing	0	1	1	0	0	0	1
Concern about abuse of the system	2	0	1	0	0	0	0
Base	31	7	5	0	0	0	6

Few comments were received about this proposal in principle, but those that did comment were mostly in favour of the standard:

“These are all good subjects. The drivers already go through these checks. The only one that is new is drink and drugs test which should be necessary and a must. A very good and positive step.” (PHV Driver, Bury)

“I agree with all these points. For a woman getting into a vehicle with someone she does not know is very risky and some people have taken advantage of women when they could perhaps be travelling home late at night. Taxi drivers should not have a criminal background and should be regularly tested for drugs and alcohol as they are providing a public service.” (Public, age 55-64, Trafford)

The small number of negative views however raised concerns that the proposal was duplication of existing arrangements and about possible abuse of the system:

“Drivers are already subject to drug and alcohol testing by the police. It is not acceptable for the trades to be subject to LA roadside drug and alcohol checks.” (Hackney Driver, Manchester)

“Drug and alcohol testing- DISAGREE the GM hackney trade is already subject to such testing by GMP.” (Unite the Union - Manchester Hackney Carriage)

“Drug and alcohol testing - what are the circumstances when this will be enforced? I hope it will not be just at the whim of a customer that makes a

complaint, there would need to be clear guidance or policy.” (Public, age 35-44, Manchester)

“Drugs and alcohol testing for drivers, it’s a good idea but can be open to abuse if only on complaint or anonymous report by people and passengers who have a personal issue with a driver due to other reasons can use this as a tool to abuse and cause unnecessary problem for that driver so I don’t agree with this proposal as bus drivers/tram drivers don’t get tested.” (PHV Driver, Manchester)

During the qualitative in-depth interviews a handful of users expressed surprise the standard wasn’t already in place, but also suggested it may be difficult to enforce:

“I’m quite shocked that the drug and alcohol one isn’t in place. Because that makes you kind of question whether or not, well should I be questioning now (the driver’s behaviour) when I get in the taxi.” (User, Group 2)

“It seems sensible to have a consistent policy in place for all involved, know what the process is for complaining etc.” (User, Group 2)

“I think it’s more problematic around drug testing. because, you know, it’s difficult enough to know whether somebody’s been taking certain kinds of drugs and you know, I mean there’s so many different effects of different kinds of drugs that can produce inappropriate behaviour of dangerous behaviour, but I think the police have difficulty in themselves, you know, if you’re on amphetamines, you know, that could have a bad effect, not just cannabis. It’s not just cannabis these days, is it, it’s other things.” (User, Group 1)

Some drivers were open to increased monitoring and policing of this amongst drivers, but felt it was difficult when there are drivers from outside of the region.

“If they brought back spot checks and just did, you know, I’d imagine drug and alcohol might be police rather than council, but if they just did a pull over at the side of the road, breathalysed you and did whatever you have to do for a drugs test, I think it’d be quite, you know, if they do it random or like you said, if the customer reports a driver thinking they smell alcohol and followed it up. Yeah, but I think the only problem is, a lady was once saying to me she wanted to make a complaint and I said, it was an out of area town, you know, I’ll use the example of Wolverhampton again, this lady, you know, they’re working in Trafford, so she contacted Trafford Council only to find that it was Wolverhampton she had to contact.” (PHV Driver, Trafford)

Most drivers and operators felt this was a positive step and would encourage it to be monitored whilst a fair and clear process could be introduced.

Trafford Response:

Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Businesses	Vehicle Leasing Company	Representatives
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Drug and Alcohol Testing	1	0	0	0	0	0	0
<p><i>One comment was made “I agree with all these points. For a woman getting into a vehicle with someone she does not know is very risky and some people have taken advantage of women when they could perhaps be travelling home late at night. Taxi drivers should not have a criminal background and should be regularly tested for drugs and alcohol as they are providing a public service.” (Public, age 55-64, Trafford)</i></p>							
<p>Comments and considerations</p>							
<p>This is an area that licensing authorities and Members have considered due to general feedback from members of the public and complaints concerning drivers who may be using or under the influence of drugs whilst driving.</p> <p>Other driving professions such as train, bus and HGV drivers already undergo regular drug and alcohol testing as part of the annual medical examination as well as random testing, and there is a clear argument that due to the public safety responsibility of licensed drivers there should be a similar policy in place.</p> <p>The Statutory guidance issued last year does not refer directly to random or targeted testing of existing fleet but does suggest that authorities should consider requiring new applicants who have had previous convictions for drugs related offences (that are outside of the conviction policy guidelines and therefore is eligible to be considered for a licence), to undergo drugs testing for a period at their own expense to demonstrate that they are not using controlled drugs.</p> <p>Any such policy would have to ensure it complied with HSE and ICO guidance on risk and data collection, and consider the following issues:</p> <ul style="list-style-type: none"> • How testing will be targeted ensuring fairness and transparency • Frequency of testing • Who will deliver the testing • How data will be collected and held 							
<p>Recommendation</p>							
<p>To develop a full policy proposal to be brought back to Members in 2022.</p>							

Driver Proposed Standard 9	Trafford Current standard
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<p>Private Hire Driver Licence Conditions A set of proposed licence conditions for Private Hire Drivers are set out at Appendix 2. The conditions cover a comprehensive set of expectations with regards to driver behaviour, including customer service and requirements on reporting.</p>	<p>The current conditions cover a comprehensive set of expectations with regards to driver behaviour, including customer service and requirements on reporting.</p>
<p>Reason for Proposal</p>	
<p>Each local authority already has licence conditions for their private hire drivers, but they vary across the conurbation. The Licensing Managers Group reviewed their own conditions and collectively proposed a set of updated and revised conditions, with an enhanced focus on the expectations on drivers with regards to dealing with passengers, assisting those with disabilities and proactively reporting relevant matters to the licensing authority.</p> <p>Specific new conditions were also proposed to tackle and deter the high volume of private hire drivers and vehicles (mirrored in the proposed Private Hire Operator and Vehicle licence conditions) seen in busier districts and town centres. Recent years have seen a proliferation of private hire drivers and vehicles at these locations as technological advances and business models mean that private hire vehicles can now be booked 'almost instantly'. Whilst legislation still makes a clear distinction between Hackney Carriages that can be hailed for immediate hire on the street, and private hire vehicles that still require that a pre-booking to be made via a licensed Operator; the general public often have no awareness of the difference or requisite process ... as such we now often have an environment where private hire drivers plot and circle around busier locations pre-empting demand, but also taking advantage of the often chaotic conditions created by high levels of congestion and confusion as passengers just want to get home. Pre-pandemic, the private hire sector saw high levels of over supply with numerous operators and drivers competing for the same finite business; an environment in itself creating an impetus for illegally plying (drivers offering fares outside of the booking process to undercut competitors) and often creating unsafe driving conditions in heavily pedestrianised and congested areas as private hire vehicles often double park and stop and wait in contravention of traffic orders in order to get as close as possible to prospective customers. In addition, the high volume of plotting and circling around districts and town centres creates more unnecessary emissions.</p> <p>Without substantial proactive compliance, private hire drivers can be present in busier areas, appearing available for hire, and effectively plying their trade as such. This has had a significant impact on the Hackney Trade in recent years who (in most districts) pay a premium for purpose built accessible vehicles and the ability to ply their trade on ranks (depending on the authority's fee model, costs associated with providing for the Hackney rank provision and marshalling can be added to the costs used to calculate the relevant fee). Many less scrupulous drivers take advantage of this environment, illegally plying for hire and picking up un-booked fares. Furthermore, in busier areas and particularly busy night-time economies, this also creates an environment where drivers with ill intent or unlicensed drivers are more easily able to pick up vulnerable people.</p>	

In the absence of national legislative reform on this issue, the proposed conditions seek to help alleviate some of the harm and risk caused by this behaviour, by requiring drivers who do not have a booking to plot or wait away from busy and high footfall locations and away from designated ranks. It has been previously determined that it is not possible to require private hire drivers and vehicles to return to base on completion of a job, and authorities recognise that private hire operators will reasonably wish to ensure that their customer base are better serviced by having drivers and vehicles available in fairly close proximity to expected demand.

Consultation Response

GM level response:

5 comments were made from general public respondents

4 comments were made from trade respondents

Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Businesses	Vehicle Leasing Company	Representatives
Private Hire driver conditions	5	1	2	0	0	0	1

This table breaks those comments down thematically across the respondent categories:

Comment Theme	General Public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives
Agree with PHV conditions	3	1	0	0	0	0	1
It is unfair to standardise hackney and PHV drivers but have their work classified differently	2	0	2	0	0	0	0
Other	25	2	4	1	1	0	1
Comments about CAP	1	1	2	0	0	0	1
Base	31	4	8	1	1	0	3

Very few comments were received about the proposed Private Hire licence conditions.

One organisation feared if conditions were too onerous then drivers would leave Greater Manchester.

“Private hire driver conditions - AGREE but fear that if PHV driver standards are too restrictive they will shop elsewhere under cross-border legislation.” (Unite the Union -Manchester Hackney Carriage)

“All of these changes are welcome, however there needs to be parity between taxis and private hire vehicles. It is unfair to standardise them but have their work be classified differently. I pay more in a Hackney cab and they can use the bus lane, however whilst in a private hire they cannot charge waiting time but cannot use the bus lane. There needs to be standardisation across the travel industry. Private hire taxi drivers should be allowed to use bus lanes in the same way as in other cities such as Sheffield.” (Public, age 25-34, Salford)

Trafford Response:

Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Businesses	Vehicle Leasing Company	Representatives
Private Hire driver conditions	0	0	0	0	0	0	0

No additional local comments were received.

Comments and considerations

There is a risk as raised by one respondent that stricter conditions will motivate private hire drivers to get licensed outside of GM but continue to work in the area anyway. This is the case for many of these proposals as identified at the beginning of the report, and will require strong representations to be made to government to highlight this risk to authorities seeking to raise the bar in taxi and private hire licensing.

Many of the licence conditions proposed already exist in one form or another across the conurbation with regards to driver conduct and administrative responsibilities. It is considered that those that don't already exist are critical to assisting authorities tackle the negative impacts of sub-contracting.

Recommendation

To implement the standard as proposed.

APPENDIX 6 - OPERATOR STANDARDS

Operator Proposed Standard 1	Trafford Current standard																
<p>Private Hire Operator Licence Conditions A set of proposed licence conditions for Private Hire Operators are set out at Appendix 3. The conditions set out expectation and responsibilities with regards to how records should be kept in relation to booking, vehicle and drivers working for their company.</p>	<p>The current conditions set out expectation and responsibilities with regards to how records should be kept in relation to bookings, and vehicle and drivers working for their company.</p>																
Reason for Proposal																	
<p>Each local authority already has licence conditions for their private hire operators, but they vary across the conurbation. The Licensing Managers Group reviewed their own conditions and collectively proposed a set of updated and revised conditions, with an enhanced focus on the expectations on Operators with regards to records and staff vetting.</p> <p>Specific new conditions were also proposed to make it clearer and easier for licensing authorities to scrutinise records and bookings that have been sub-contracted. Due to the high level of bookings being subcontracted, local standards have been undermined and the travelling public lack awareness of the implications for their safety. The proposed conditions require operators to make it clear to passengers which authority the vehicle and driver they are dispatching is licensed by.</p>																	
Consultation Response																	
<p><u>GM level response:</u></p> <p>Less than a fifth of respondents in each category chose to comment on the Operator standard proposals (19% of member of the public, 12% of Hackney respondents and 11% or PHV respondents). Those that provided a comment gave a significant number of general comments:</p> <table border="1" data-bbox="209 1783 1362 1991"> <thead> <tr> <th>Standard</th> <th>General public</th> <th>Hackney Drivers</th> <th>PHV Drivers</th> <th>PHV Operators</th> <th>Businesses</th> <th>Vehicle Leasing Company</th> <th>Representatives</th> </tr> </thead> <tbody> <tr> <td>General Comments</td> <td>80</td> <td>13</td> <td>17</td> <td>6</td> <td>0</td> <td>1</td> <td>4</td> </tr> </tbody> </table>		Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Businesses	Vehicle Leasing Company	Representatives	General Comments	80	13	17	6	0	1	4
Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Businesses	Vehicle Leasing Company	Representatives										
General Comments	80	13	17	6	0	1	4										

This table breaks those comments down thematically across the respondent categories:

General Comment on Operator Standards	General Public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives
Agree with the proposals (general)	67	8	6	3	0	1	4
Disagree with the proposals (general)	3	3	6	1	0	0	0
Concerns of illegal activities	8	2	0	2	0	0	0
Proposals are already in place	3	1	5	1	0	0	0
Base	80	13	17	6	0	1	4

Almost half of all comments received gave a general comment about proposal and the response was varied:

General public: generally expressed agreement with the proposed standard:

“These are important measures to make sure every journey is safer for everyone.” (Public, age 25-34, Bolton)

Hackney drivers: generally expressed agreement with the proposed standard, however, three disagreed:

“I believe that this is a good idea which will help to protect the public and make them feel safe to know and should be their right as a minimum” (Hackney Driver, Tameside)

PHV drivers: expressed a very mixed view with six giving a positive comment and six a negative one about the proposed standard.

“Because either a driver or operator we all are providing public service and we all should go through same procedure.” (PHV Driver, Oldham)

“They already keep records of bookings, driver and vehicles details.” (PHV Driver, Oldham)

Concern about illegal activities: There was some concerns raised by hackney drivers (n=2) and members of the public (n=8) with the current enforcement and emphasised the need for this to be addressed.

“A severe crackdown on non-complying drivers/operators will need to be carried out as I think the requirements will be extremely onerous to them and illegal companies will be set up” (Public, age 55-64, Bolton)

“Too many stories of taxi drivers getting a licence then 3 drivers driving the vehicle on same licence. It’s not fair or safe” (Hackney Driver, Wigan)

PH Operator:

“The proposed private hire operator conditions would impose significant additional operational burdens on each of our operator licenses, without any clear benefits for passenger and driver safety or quality, and may mean we would need to reassess whether it is commercially viable to retain all existing operator licenses in Greater Manchester”.

This table shows the breakdown of responses where comments were made specifically about the licence conditions showing only 9 members of the trades commented on the conditions:

Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives
Common licence conditions	39	1	7	1	0	0	0

The following are a selection of the concerns raised in the comments about conditions:

“Please can it be considered to make it compulsory to allow guide dogs and other assistance dogs in all vehicles and that a text or similar system should be installed to help deaf or hearing-impaired people communicate.” (Public, age 45-54, Salford)

“The drivers cancelling jobs should be controlled, I’ve been stranded at work a number of times when taxi companies cancel the jobs after accepting it!” (Public, age 35-44, Manchester)

“Common licence conditions: Answering phone calls courteously, clearly, providing relevant information asked for by the user. Providing taxi when called for, not absconding / avoiding a call / not having a taxi that does not show up. Clear information about fares and timeframe - time of arrival, approximate time to destination. Criminal record checks: same as before, further protection of female passengers, especially in Rochdale area.” (Public, age 25-34, Rochdale)

“With the advent of technology, it should be simple of the driver to be able to give a cost of the journey before it begins. This creates transparency for all and stops differing fares for the same journey.” (Public, age 35-44, Bolton)

“Please bring some kind of checks where all local authorities should be able to check/monitor the way work gets distributed as many drivers don’t get same work but when it comes to radio money everyone pays same but some get more work in terms of favouritism.” (PHV Driver, Bury)

“I’ve had a few racist remarks made to me by taxi drivers in Manchester, the operators don’t take complaints seriously. Drivers should have to have ID visible at all times and operators should be required to have some complaints process

which can be reviewed by Greater Manchester councils.” (Public, age 25-34, Salford)

PH Operator

A number of detailed submissions were made by an Operator about 7 specific Operator licence conditions. These have been fully considered and the proposed amendments recommended by officers are set out at **Appendix 4** (which have in turn been updated in the Conditions at Appendix 3).

Trafford Response:

Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Businesses	Vehicle Leasing Company	Representatives
General Comments	19	1	2	0	0	0	0

General comments: Nearly all the general comments from the public expressed general agreement with the proposals.

“There is a need to regulate this service and to ensure a common standard for the safety of users, especially the vulnerable” (Public, age 55-64)

“This is fine, but needs to be policed.” (Public, age 65-74)

Comments and considerations

There was no strong opposition overall to the Operator licence conditions, with comments from within the trades minimal in number and the vast majority of those that responded supporting the proposal. Members of the public overwhelmingly agreed with the Operators standards in general.

There was strong opposition voiced by one Operator both about the conditions in general and with regards to a number of individual conditions as referred to above and these have been fully considered, resulting in some amendments. The proposed conditions seek to protect the integrity of the standards within each of the 10 GM authorities, and assist officers to more effectively address and tackle issues that undermine public safety.

A number of the concerns made in the comments fall outside the remit of the proposed standard (it is already compulsory in law for example for drivers to allow assistance dogs to be carried in the vehicle unless the vehicle is exempt, or the way Operators distribute work to their employees), but overall there was a keenness that Operators should be more robustly monitored and scrutinised through effective compliance, which begins with clear and robust licence conditions.

As with the private hire driver licence conditions, there is a risk that stricter conditions will motivate private hire operators to simply obtain Operator licences in other authorities and

use drivers and vehicles licensed by those authorities to fulfil bookings taken by the Operator based within GM. This is the case for many of these proposals as identified at the beginning of the report and will require strong representations to be made to government to highlight this risk to authorities seeking to raise the bar in taxi and private hire licensing.

Many of the licence conditions proposed already exist in one form or another across the conurbation.

Recommendation

To implement the standard as proposed.

Operator Proposed Standard 2	Trafford Current standard
<p>Criminal Record Checks for Operators and Staff*</p> <p>To introduce a condition on the Operator licence requiring operators and their staff (paid or unpaid) who have access to bookings to be DBS checked annually to ensure that only safe and suitable people have access to operator records.</p>	<p>No current requirement for DBS checks on Operators or their staff.</p>
<p>Reason for Proposal</p>	
<p>It has been an identified gap in the licensing regime for a while that Operator staff are not required to be vetted in any way in relation to their character and criminal record.</p> <p>The Statutory Guidance makes it clear that although Operators and their staff have minimal if any direct contact with passengers, licensing authorities should be assured that those granted Operator licences and their staff, also pose no threat to the public and have no links to serious criminal activity. For example, an Operator base dispatcher decides which driver to send to a user, a position that could be exploited by those seeking to exploit children and vulnerable adults. As licensing authorities we must be satisfied that these individuals (as well as drivers) are safe and suitable individuals to have access to such information and opportunity. The guidance goes on to specifically state:</p> <p>“Operators should be required to evidence that they have had sight of a basic DBS check on all individuals listed on their register of booking and dispatch staff”.</p> <p>It also goes on to state:</p> <p>“Operators may outsource booking and dispatch functions, but they cannot pass on the obligation to protect children and vulnerable adults. Operators should be required to</p>	

evidence that comparable protections are applied by the company to which they outsource these functions.”

Whilst the guidance does not go wider than those staff, the GM MLS proposes that all staff employed either in a paid or unpaid capacity should be subject to these checks. As practitioners we are aware of the opportunity that any staff member within an Operator company has access to sensitive or personal information that could be misused to take advantage of or exploit passengers or their possessions, and consider it reasonable to require Operators to ensure their staff have the basic DBS check at least annually.

Consultation Response

GM level response:

A fair number of comments were made by members of the public in relation to this proposal alongside 40 comments from trade respondents:

Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives
Criminal record checks for operators and staff	76	13	16	6	0	2	3

This table breaks those comments down thematically across the respondent categories:

Comment Theme	General Public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives
Agree with all operators and staff having criminal record checks	59	9	8	1	0	0	1
Agree because operators hold a lot of private information	3	0	0	0	0	0	1
The operator should not need DBS check	8	2	2	3	0	1	0
Concerns about data protection with DBS checks / amount of details operators keep	3	0	3	0	0	1	0
DBS checks should be less frequent / less than annually	2	2	3	2	0	0	1

DBS checks should be more frequent / every 6 months	2	0	1	0	0	0	0
Base	76	13	16	6	0	2	3

Most comments expressed agreement with the proposed checks:

“Don’t have an issue with operators having CRB checks done.” (Operator, Rochdale)

“Anyone who has close dealings from the public should have a criminal record check, including the people mentioned here. Also, checks must be made to make sure the person who is the driving licence holder is actually the person who took the test.” (Public, age 65-74, Salford)

“Criminal record check for all operators and their staff should be mandatory every six months, and enforcement checking conducting frequently” (Public, age 55-64, Bolton)

“Ensures a level playing field across private hire drivers and operators as there are many who currently don’t have to go through the same processes as drivers yet they play an equally as important role especially with regards to having DBS checks. It would also be better for the authority to implement annual enhanced DBS checks, similar to what is used by healthcare professionals - this will help maintain the integrity of drivers and whittle out any drivers who don’t conform to their licence conditions.” (PHV Driver, Bolton)

“Criminal records checks for operators are crucial and should be taken more seriously. Operators have access to sensitive information and making sure that information doesn’t fall in the wrong hands is paramount for the safety of the public.” (Public, age 25-34, Bolton)

A relatively small number (8 members of the public and 8 trade respondents) were in disagreement with the checks on operator staff:

“I see no reason for a DBS check to be mandatory for call handlers. Only drivers need any sort of check.” (Public, age 18-24, location not provided)

“Why should staff in the office be required to have DBS checks. It’s a private business and by law we are allowed to employ anyone who is hard working and will be good on the phones. Is everyone working in hotels or shops have a DBS check. In our society, if one has served their time, then they are allowed to interact with normal society Staff in the office have to adhere to strict data protection laws and GDPR so this is again an extra burden on small businesses with extra costs. Why don’t you check Uber and see who their directors and staff are. They have been charged with data breaches and you have given them operators licence again and again. So, this is a totally draconian measure in our opinion.” (Operator, Rochdale)

“Criminal record checks for staff working in a taxi base, so if there was conviction a long time ago for fighting or ex ex etc. is it fair for them not to get a job as a phone staff.” (Hackney Driver, Bolton)

Some comments expressed concern about the frequency of check and suggested a lack of understanding about the DBS Update Service facilitating frequent checks online simply using the certificate number (without the requirement to apply for a new certificate each time):

“DBS checks every year would be impossible to monitor and control for large firms, no other industry does this.” (Public, age 55-64, Bolton)

“DBS checks every year? This is ridiculous. Even teachers only have 1 DBS throughout their professional career, providing they do not have a break for longer than 3 months. Some schools actually do a 3 yearly DBS, but it is not needed by law or a requirement. Why do you think it’s a good idea for operators to require a yearly DBS?” (Operator, Trafford)

Trafford Response:

Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives
Criminal record checks for operators and staff	7	1	0	1	0	0	0

Criminal Record Checks: Seven members of the public commented on criminal record checks with respondents feeling they are important:

“Criminal record check on all operators from abroad in in their country of origin if can't prove any should not be given a licence.” (Public, age not provided)

“At the end of the day you're putting your trust into a person that you do not know. You are interesting that person with your life. Therefore, it should only be right that any criminal convictions should be noted, especially if they're offer sexual nature or GBH.” (Public, age 35-44)

One operator commented:

“DBS checks every year? This is ridiculous. Even teachers only have 1 DBS throughout their professional career, providing they do not have a break for longer than 3 months. Some schools actually do a 3 yearly DBS, but it is not needed by law or a requirement. Why do you think it’s a good idea for operators to require a yearly DBS? Because of the issues with a minority in Rotherham and Rochdale? Even councillors have issues, look at the Altrincham councillor, who was also a school teacher? Does this mean all councillors and schoolteachers require a DBS yearly? The DBS is a pathetic waste of time and money, but it gives council a feeling of doing the right thing. DBS's are only good if the

person is caught or charged with an offence. What good are they if they haven't been caught? Even Jimmy Saville would pass one. Which bright spark thought a Yearly DBS check for PH operators was a good thing? DO nursery nurses or any other profession have a yearly one? No, Even the Passenger assistants on school runs do not have this! I would agree to a 5 yearly one but not a yearly one.” (Operator)

Comments and considerations

Whilst most respondents were supportive, those that weren't seemed to lack understanding of the specific risks within the sector.

There will be additional cost burdens to Operators and their staff to carry out these checks initially, but once conducted an annual DBS Update fee can be utilised to reduce the annual cost to £13 per individual. Given the serious risks identified to children and vulnerable adults, this is considered to be a relatively low cost to mitigate the risk as a responsible employer within the industry.

Whilst it could be considered further risk to impose stricter requirements on GM Operators, driving them to turn to other authorities, this risk is relatively low considering the recommendation in the statutory guidance is for all local authorities to require checks be conducted by their licensed Operators. The rationale for these checks is clearly made and supported in principle by the DfT's latest guidance.

Recommendation

To implement the standard as proposed.

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APPENDIX 7 - LOCAL AUTHORITY STANDARDS

Local Authority Proposed Standard 1	Trafford Current standard																
<p>Timescales for applications It is proposed that authorities ensure processes are in place to allow customer licence holders to submit renewal applications up to 8 weeks prior to licence expiry; and to ensure that once any application has been determined, the licence will be issued to the customer within a maximum of 5 working days.</p>	<p>Current procedures allow applicants to submit renewal applications up to 6 weeks prior to licence expiry. The Authority does not have a policy detailing the timescale for issuing a licence once an application has been determined but this is usually within a few days.</p>																
<p>Reason for Proposal</p>																	
<p>Licensing Authority processes and related timescales can understandably prompt complaints from licence holders when backlogs or delays are encountered within the licensing service. By setting some minimum standards to ensure a better customer service for licence holders and new applicants, authorities will also need to ensure that their relevant services are efficient and adequately resourced to provide value for money.</p>																	
<p>Consultation Response</p>																	
<p><u>GM level response:</u></p>																	
<p>Very few comments were received about this standard across the board:</p>																	
<table border="1"> <thead> <tr> <th data-bbox="209 1373 395 1480">Standard</th> <th data-bbox="395 1373 528 1480">General public</th> <th data-bbox="528 1373 660 1480">Hackney Drivers</th> <th data-bbox="660 1373 793 1480">PHV Drivers</th> <th data-bbox="793 1373 925 1480">PHV Operators</th> <th data-bbox="925 1373 1058 1480">Business</th> <th data-bbox="1058 1373 1190 1480">Vehicle Leasing Company</th> <th data-bbox="1190 1373 1423 1480">Representatives</th> </tr> </thead> <tbody> <tr> <td data-bbox="209 1480 395 1608">Timescales for applications</td> <td data-bbox="395 1480 528 1608">5</td> <td data-bbox="528 1480 660 1608">0</td> <td data-bbox="660 1480 793 1608">13</td> <td data-bbox="793 1480 925 1608">0</td> <td data-bbox="925 1480 1058 1608">0</td> <td data-bbox="1058 1480 1190 1608">0</td> <td data-bbox="1190 1480 1423 1608">3</td> </tr> </tbody> </table>		Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives	Timescales for applications	5	0	13	0	0	0	3
Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives										
Timescales for applications	5	0	13	0	0	0	3										
<p>This table breaks those comments down thematically across the respondent categories:</p>																	
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Comment Theme	General Public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives										
Timescale for application should be less than 8 weeks	3	0	4	0	0	0	3										

More or no time restrictions for application	0	0	6	0	0	0	0
Time scale needs improvement	2	0	3	0	0	0	0
Base	5	0	13	0	0	0	3

Comments noted that there are other issues related to the application process that can affect adherence to timescales:

Six PHV drivers felt extra time should be allowed due to potential delays outside of their control such as DBS checks

“Things take an age when waiting for things like DBS checks, medicals etc at no fault of the applicant, I think licences should be granted on long term renewal applicants of good character and in no way should he be suspended from earning a living. But if an applicant has lied about convictions etc his badge should be revoked and the driver be deemed untrustworthy to be a license [sic] holder.” (PHV Driver, Wigan)

Three PHV drivers and two members of the public felt there were issues outside their control that affected the time taken to approve their application which negatively impacted their ability to work.

“The applications are not a problem getting them in to the Licensing department within eight weeks. The problem is the DBS checks coming back in time which is not always the case and if they do not arrive on time the drivers cannot work. This is unacceptable this is our livelihood and cannot sit at home without work and no other income to feed our families. The drivers should be given extensions in these cases.” (PHV Driver, Oldham)

“Timescales got applications is definitely one that needs overhauling. Covid has delayed applications which should never happen as plans should be in place for all eventualities of this stops a drivers from providing for his/her family.” (Public, age not provided, Bolton)

Trafford Response:

General comments: Of the few comments received, all were of general agreement (n=6):

“Anything which improves this service, assures passenger safety and regulates the industry, holding it more accountable is a positive move for Manchester” (Public, age 55-64)

“Agree with these. If you are setting standards for the companies then it’s only fair there are expected standards from the local authority. Really like the idea of the award too.” (Public, age 35-44)

Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives
Timescales for applications	0	0	0	1	0	0	0

An operator commented;

A driver badge within 5 weeks, better than the current 4 years?

Comments and considerations

The few comments that were made tended to reference delays with DBS checks, which would be minimised on renewals if drivers register and stay registered to the DBS Update service (DBS checks are online and instant if registered).

There is little risk to authorities in introducing this standard, and in a commercially competitive market, every benefit to outlining a minimum best practice for this element of the administration process to deter applicants seeking out authorities who have invested in efficient business systems and resources to deliver a timely service to customers.

As licence fees should be calculated to cover the reasonable costs of this administration service, these standards are not affected by wider council budget constraints.

Recommendation

To implement the standard as proposed.

Local Authority Proposed Standard 2	Trafford Current standard
<p>An agreed common enforcement approach It is proposed that a common enforcement approach is developed and adopted to ensure that standards are adhered to in practice.</p>	<p>N/A as the proposal is for all 10 authorities to work together to develop a new framework.</p>
Reason for Proposal	

Licence holders often refer officers to the fact that different decisions can be taken by different authorities when it comes to conduct and breach of licence matters. For any of these standards to be meaningful, it is important that they are implemented fairly and consistently both in decisions by officers and Members when reviewing licences at hearings.

Some authorities also take a much more proactive approach to monitoring and ensuring that licence policies and conditions are adhered to in practice, a further disparity also often highlighted by licensees who comment about the lack of frequency of on street checks in some areas compared to others. Risks associated with taxi and private hire licensing are not informed by the size of fleet or size of district. The most common and serious risks (for example drivers or vehicle licence holders allowing unlicensed individuals to drive their vehicle or use their badge) exist regardless of geographical or other factors. Passengers travelling in vehicles licensed by one authority should be able to expect that the same level of proactive checks are conducted if they get in a vehicle licensed by a neighbouring authority.

Consultation Response

GM level response:

Very few comments were made about the proposed common enforcement approach.

Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives
Common Enforcement Approach	6	2	2	0	0	0	3

This table breaks those comments down thematically across the respondent categories:

Comment Theme	General Public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives
Different licensing fee for different Local Authorities	3	2	0	0	0	0	0
One fee across the county / General Agreement	0	0	3	1	0	0	2
Licensing fee is very costly, and it should be affordable	2	6	9	0	1	0	1
Base	5	7	12	1	1	0	3

Those that commented, noted the benefits of a standard approach across Greater Manchester:

“Strongly agree. The need for common enforcement is of paramount importance given taxi drivers will operate across the GM boroughs. Councillors of course need training for this, though I would have thought these kind of approvals would be better suited to council officers than political members.”
(Public, age 25-34, Salford)

Just one representative and one member of the public expressed concern:

“Enforcement Approach Each district has its own demands and as such some districts have little or no 'out of office enforcement'. How will this be addressed to ensure Manchester drivers are not the only drivers being subjected to full compliance.” (Organisation, Anonymous)

Trafford Response:

Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives
Common Enforcement Approach	0	0	0	0	0	0	0

No additional local comments were received.

Comments and considerations

Whilst few comments were received, one highlighted above makes a particularly pertinent point; to ensure the integrity of MLS we need to avoid a scenario where private hire drivers consider it more preferable to choose to be licensed by any particular authority within the conurbation on the basis that they conduct relatively few proactive checks compared to other authorities.

Considering that the level of compliance resource attributed to the licensing regime can be funded through the licence fees and ultimately affects and determines the licence fee, implementing this standard should also help ensure that the fees are more even and comparable across the board.

Recommendation

To implement the standard as proposed.

Local Authority Proposed Standard 3	Trafford Current standard
<p>A Common Fee Setting Framework It is proposed that a common methodology for setting the costs and calculating the taxi and private hire fees is agreed and adopted</p>	N/A as the proposal is for all 10 authorities to work together to agree a common framework.

Reason for Proposal

Alongside standardised administration processes and a common enforcement approach, adopting an agreed common methodology for setting the costs and calculating the licence fees will ensure fairness and parity across all 10 authorities. Currently there are various models in use, and alongside variance in standards, this provides a fairly wide variance in fees currently. It is important to ensure the integrity of the proposed standards work as a whole, and that authorities are consistent in their approach to fees so as not to undermine each other and to deter the very problem we are lobbying government to address.

Consultation Response

GM level response:

A total of 29 comments were made about the proposed common fee setting framework.

Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives
Licensing Fees	5	7	12	1	1	0	3

This table breaks those comments down thematically across the respondent categories:

Comment Theme	General Public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives
Different licensing fee for different Local Authorities	3	2	0	0	0	0	0
One fee across the county / General Agreement	0	0	3	1	0	0	2
Licensing fee is very costly, and it should be affordable	2	6	9	0	1	0	1
Base	5	7	12	1	1	0	3

A few hackney (n=6) and PHV (n=9) drivers felt the licensing fee is very costly and needed to be made more affordable for drivers.

“Licensing fees should be reduced because mostly all forms are online so less manpower needed to process applications.” (PHV Driver, Bolton)

“Licensing fees are already high for vehicles to be plated in Manchester...that is why a lot of private hire drivers have gone to different councils and got their vehicles plated” (Hackney Driver, Manchester)

A handful of conflicting comments were received with some suggesting licensing fees should be different for different local authorities (2 hackney drivers).

“I don’t agree with licensing fees being the same across Greater Manchester as different areas will have different costs to run these departments but I think the discount we receive in Wigan for compliant vehicles should stay in place and also the fees should come down as admin is cut through doing more online.” (Hackney Driver, Wigan)

“Licensing fees should be same as they are all over the country, why there is such a big difference! hope someone can bother to look that massive difference!” (PHV Driver, Oldham)

Whereas three PHV drivers and two representatives thought licensing fees should be same across the country.

Trafford Response:

Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives
Licensing Fees	0	0	1	0	0	0	0

The respondent commented that fees were costly and should be affordable.

Comments and considerations

This proposal is not about having a ‘common fee’ as this is impossible with different service models having different direct processing costs and overheads; but it is important that the fees are calculated in a fair, consistent and transparent way.

As taxi and private hire licence fees are set on a cost recovery basis, there is no risk to local authority budgets.

Recommendation
To implement the standard as proposed.

Local Authority Proposed Standard 4	Trafford Current standard																
<p>Councillor Training* Most Councillors already receive training, but this proposal ensures that this is embedded as a consistent standard and confirms that those with responsibility for taxi and private hire licensing, receive relevant training prior to sitting on any hearing panels.</p>	Relevant training is provided to Councillors prior to them sitting on any hearing panels.																
Reason for Proposal																	
This proposal seeks to ensure consistency of practice and the application of relevant safe and suitable / conviction policies, as well as a fairer system for licence holders who can be more assured of consistent decisions across the conurbation.																	
Consultation Response																	
<p><u>GM level response:</u></p> <p>Once again, a relatively small number of comments were made about this standard:</p> <table border="1"> <thead> <tr> <th>Standard</th> <th>General public</th> <th>Hackney Drivers</th> <th>PHV Drivers</th> <th>PHV Operators</th> <th>Businesses</th> <th>Vehicle Leasing Company</th> <th>Representatives</th> </tr> </thead> <tbody> <tr> <td>Councillor Training</td> <td>19</td> <td>1</td> <td>5</td> <td>2</td> <td>0</td> <td>0</td> <td>6</td> </tr> </tbody> </table>		Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Businesses	Vehicle Leasing Company	Representatives	Councillor Training	19	1	5	2	0	0	6
Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Businesses	Vehicle Leasing Company	Representatives										
Councillor Training	19	1	5	2	0	0	6										
This table breaks those comments down thematically across the respondent categories:																	

Comment Theme	General Public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives
General Agreement regarding councillor training	15	1	3	1	0	0	4
Additional subject suggestions for councillor training	2	0	0	1	0	0	1
Customer service provided by the councils needs improvement	3	0	3	2	0	0	1
Base	19	1	5	2	0	0	6

Fifteen members of the public, one hackney and five PHV drivers expressed general agreement with this standard.

“Councillor Training Should be mandatory and also standardised to ensure consistency. Also, useful if Councillors from other areas were involved to avoid any problems with approving or refusing drivers.” (Councillor / Elected official, Stockport)

A comment was received suggesting how the training could be made more useful for councillors.

“The training councillors receive should include training in 'what would a fair hearing look like', 'what would an unfair hearing look like'. Training should not just be focussed on 'we will train councillors in licensing policy matters they will likely not know about'. Process is important as it is people attending who may need to lose their licence.” (Councillor / Elected official, area not known)

Some additional comments made were:

“Councillor training? great idea. Could we also have child safeguard training and wheelchair access training? I'm fed up of seeing manual wheelchairs, pushed in sideways and not restrained in black cabs. If we had Enforcement, this bad practise may of been reduced.” (Operator, Trafford)

“Training the councillors is a good idea but they should have the right attitude and must treat drivers with respect and value the taxi trade.” (PHV Driver, Oldham)

Trafford Response:

Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Businesses	Vehicle Leasing Company	Representatives
Councillor Training	0	0	0	1	0	0	0
<p><i>“Councillor training? great idea. Could we also have child safeguard training and wheelchair access training? I'm fed up of seeing manual wheelchairs, pushed in sideways and not restrained in black cabs. If we had Enforcement, this bad practise may of been reduced.” (Operator)</i></p>							
Comments and considerations							
<p>The few comments that were made supported the proposal and/or made suggestions for other service improvements.</p>							
Recommendation							
<p>To retain the standard as proposed.</p>							

Local Authority Proposed Standard 5	Trafford Current standard
<p>Delegated powers for Licensing Managers It is proposed that appropriate delegated decision making powers will be in place for Licensing Managers and Heads of Service to suspend or revoke licences on the grounds of public safety when an urgent need arises.</p>	<p>The Authority has an emergency powers procedure which allows the Corporate Director (in consultation with the Chair, Vice Chair and Opposition Spokesperson) to suspend or revoke licences on the grounds of public safety when an urgent need arises.</p>
Reason for Proposal	
<p>There are currently variances in the delegation schemes for suspension and revocation powers across the conurbation, meaning that if an immediate risk is identified with a driver, that driver could find themselves suspended or revoked by a Senior Officer with immediate effect that same day by one authority, but if licensed by another within GM, could wait several days (and therefore continue driving under that authority's licence) for a Committee to be convened to consider the same decision whether to suspend or</p>	

revoke. This provides an imbalance for public safety and this proposal seeks to address that by ensuring consistency for the travelling public.

Consultation Response

GM level response:

Extremely few comments were made with regards to this proposal:

Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives
Appropriate delegated power for Licensing Managers	3	3	7	3	0	0	2

This table breaks those comments down thematically across the respondent categories:

Comment Theme	General Public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives
Disagreement with appropriate delegated powers for Licensing Managers.	1	3	7	2	0	0	0
General Agreement - delegated powers	1	0	0	0	0	0	1
Concern Regarding the abuse of delegated power	1	0	0	2	0	0	1
Base	3	3	7	3	0	0	2

Those comments that were made, expressed concern:

“Revoke licence power must be in hand of committee or licensing cabinet member. At least drivers should have properly investigated before his licence revoked.” (PHV Driver, Rochdale)

“Appropriate delegated powers for Licensing Managers: thorough training and monitoring needed for this to ensure this is not open to abuse.” (Operator, Wigan)

Trafford Response:

Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Businesses	Vehicle Leasing Company	Representatives
Appropriate delegated power for Licensing Managers	0	0	1	0	0	0	0

The one local comment received disagreed with the proposal.

Comments and considerations

Any decisions taken by an appropriate level Officer needs to be reasonable, evidence and risk based and just. All decisions are open to appeal and Officers must be satisfied that any decision made can resist such challenge.

Only very minimal concern was raised in response to this proposal, and it should be noted there is a much more significant risk to the public if a driver who has been identified as posing an immediate risk, is not suspended or revoked in a timely manner.

Recommendation

To implement the standard as proposed.

Local Authority Proposed Standard 6	Trafford Current standard
<p>Excellence in Licensing Award It is proposed that a scheme is introduced to allow members of the public to nominate drivers and companies who they wish to be considered for an 'Excellence in Licensing award'.</p>	No current scheme in place.
Reason for Proposal	
Whilst the majority of the proposed standards are rightly concerned with matters of public safety and mitigating identified risks within the industry, this proposal seeks to	

recognise that the majority of licence holders are compliant, safe and suitable individuals, many of whom take pride in their work and seek to provide a safe, comfortable and quality customer service to their passengers. The scheme seeks to award these individuals and encourage all in the industry to strive to deliver excellence at all times.

Consultation Response

GM level response:

Of all the Local Authority Standards, this proposal had the highest number of comments, whilst still remaining low in relativity to the wider consultation.

Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives
Excellence in Licensing Award	27	4	3	0	0	0	1

This table breaks those comments down thematically across the respondent categories:

Comment Theme	General Public	Hackney Drivers	PHV Drivers	PHV Operators	Business	Vehicle Leasing Company	Representatives
Concern about the authenticity of the award	8	0	1	0	0	0	0
It is a good Idea to appreciate drivers	14	1	0	0	0	0	1
Doesn't think as a good idea, i.e. waste of time and money	6	3	3	0	0	0	0
Base	27	4	3	0	0	0	1

Members of the public commented far more than the trade here, and were generally positive and keen to show appreciation of drivers:

“An excellent approach, and one we very much welcome, it is about time there was some way to publicly reward the drivers or indeed operators for the service they provide, so anything that encourages such approaches is very highly encouraged and supported.” (Organisation, National Private Hire and Taxi Organisation)

"I think the Excellence in Licensing Award is a really good incentive for hard working and compliment drivers / operators, much like the Best Bar None awards for licensed premises." (Public, age 35-44, Trafford)

A small number of concerns were expressed as follows:

"The award is a good idea but larger firms such as metro in Bolton only need to ask all their passengers to put them forward and would win every time." (Public, age 55-64, Bolton)

"An excellence award seems to be one that can so easily be abused, even down to the point where a driver may say, "Vote for me and you get £1.00 off the fare." Disagree strongly with this suggestion." (Public, age 65-74, location not provided)

"Excellence in Licensing award. I think this is a BAD idea! A recent innovation at the firm I work for is a star rating and comment from the passenger about the driver. Passengers are leaving 1-star ratings and making crappy comments out of spite for any perceived slight. (differing opinions on Brexit between driver and passenger? This may result in a 1-star rating and "a racist" in the comments option). At the 5-star end of the ratings, drivers may pick up a passenger who happens to be a mate of his or her. The passenger will the lush in the comment option about what a wonderful experience was. If drivers wish to go above and beyond what is expected of them - great, just be humble about it." (PHV Driver, Wigan)

"I always give good customer service I don't need a meaningless award to make me do it." (Hackney Driver, Trafford)

Trafford Response:

Standard	General public	Hackney Drivers	PHV Drivers	PHV Operators	Businesses	Vehicle Leasing Company	Representatives
Excellence in Licensing Award	3	1	0	0	0	0	0

There was mixed opinion regarding the Excellence in Licensing Award from members of the public with two people thought it was a good idea and one had some concern about the authenticity:

"Waste of money and subject to being fiddled. will be able to buy positive feedback online so it will have no value to consumers" (Public, age not provided)

"I think the Excellence in Licensing Award is a really good insensitive for hard working and compliment drivers / operators, much like the Best Bar None awards for licensed premises" (Public, age 35-44)

Comments and considerations
Whilst the detail of how this scheme would be implemented needs to be developed (including how the scheme would be funded), in principle most of the comments supported the idea, whilst accepting there were some concerns expressed.
Recommendation
To reflect on how a scheme would be operated, funded and be seen to be fair and take direction from Members about developing a scheme further.

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Equality Impact Assessment - Initial Screening

Title of the Assessment	GM Common Minimum Licensing Standards
Lead Officer for this initiative	John Garforth
Officer completing the analysis	Danielle Doyle
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Question 1	
What is the main aim and purpose of the activity?	The main purpose of the activity is to propose a set of taxi and private hire minimum licensing standards for adoption by Greater Manchester's ten local authorities. The purpose of this is to standardise licensing conditions and policies across Greater Manchester (GM) so that the travelling public can have greater assurance with regard to the safety and risk assessments that have taken place for licensed drivers and vehicles, including the emissions standard of vehicles they are travelling in. The activity will also provide a valuable platform from which to raise public awareness about the variance in standards nationally and deter the use of non-GM licensed vehicles within the conurbation, thereby protecting business within GM.

Question 2	
List the main elements of the activity?	The project includes a set of standards split into 4 main categories: Drivers, Vehicles, Operators and Local Authority. The standards are a set of policy requirements or licence conditions by which licence holders and local authorities have to adhere to.

Question 3	
What outcomes does the activity aim to achieve?	The project aims to: <ol style="list-style-type: none"> 1. Meet the requirements of the DfT's Statutory Guidance for Taxis and Private Hire 2. Improve public safety 3. Improve the customer experience (both passengers customers and licensee customers) 4. Achieve clean air objectives 5. Deter GM residents and visitors from using non-GM licensed vehicles

Question 4	
Who are, or will be, the main beneficiaries of the activity?	Passengers who use taxi/PH services, taxi/PH operators, proprietors and drivers, and licensing authorities themselves.

Question 5	
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Do you need to consult with people who might be affected by it directly or indirectly? <i>Please justify your response</i>	Yes – a public consultation has already taken place, alongside targeted direct consultation with impacted groups.
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Question 6

Having due regard for the equality duty involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people;
- Encourage people with certain protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

Please complete the table below and give reasons, evidence and comment, where appropriate, to support your judgement(s).

- Use the table below to record where you think that the activity could have a positive impact on any of the target groups or contribute to promoting equality, equal opportunities or improving relations within equality target groups.

- Use the table below to record where you think that the activity could have an adverse impact on any of the equality target groups i.e. it could disadvantage them and impact is high.

- Use the last column in the table below to give reason/comments/evidence where appropriate to support your judgement.

Age

Target Group	Positive Impact	Adverse Impact	Comment or Evidence
Children and Young People (aged 19 and under)	Highly likely	Very low likelihood	<p>Children and Young people are by definition 'vulnerable' individuals. Improvements to the way licence applicants are assessed and monitored for compliance can only serve to improve the quality and safety of the licensed fleets, and reduce the risk of harm to the travelling public, particularly those classed as vulnerable. The MLS should also serve to raise greater awareness of the risks of travelling in vehicles licensed outside of GM to unknown standards, with little to no proactive compliance activity within GM</p> <p>There is a risk that the higher standards across GM will result in higher licence fees and improved compliance across the board, and this could mean that whilst they are able to, GM based operators could still choose instead to obtain licences outside of GM authorities. These operators may provide school contract based services, and this could be a risk if the processes and compliance monitoring of other authorities are not as robust as the GM MLS. This risk could be mitigated by authorities amending their schools contracts to require the use of licensed vehicles in the area where the school is based only.</p>

Older People (aged 60 and over)	Highly likely	Medium - high risk	<p>Many older people are reliant on taxis and private hire vehicles to travel. Improvements to the way licence applicants are assessed and monitored can only serve to improve the quality and safety of the licensed fleets, and reduce the risk of harm to the travelling public.</p> <p>There is a risk of the activity causing a reduction in the Hackney licensed fleet (cost of vehicles meaning risk of individuals leaving this trade), and a risk of licensees going to authorities outside of GM to get licensed due to the applications criteria, standards, compliance and therefore cost being higher; so GM travelling public could be forced to travel in vehicles with drivers of a lower quality and assessment standard.</p> <p>The MLS (if adopted in full) will likely result in higher costs to some licensees as proposals include additional testing requirements (eg. enhanced driving test), additional processing/checking requirements in the application process (background checks), and in some areas additional compliance activity to ensure the integrity of the activity, which in turn will result in higher licence fees. Data we currently hold on the age profile of our licensed fleet of drivers shows that around 40% of our licensees are over the age of 50, with 13% of licensees over the age of 60.</p>
Disability			
Target Group	Positive Impact	Adverse Impact	Comment or Evidence
Disability (people with physical impairments, communication or sensory impairments, a learning disability or cognitive impairment, mental health problems, longstanding illness/health condition, other disability impairment).	Highly likely	Medium - high risk	<p>Improvements to the way licence applicants are assessed and monitored for compliance can only serve to improve the quality and safety of the licensed fleets, and reduce the risk of harm to the travelling public, particularly those classed as vulnerable. The proposals also seek to increase the number of Wheelchair Accessible and Accessibility enhanced public hire vehicles (Purpose built Hackneys with sight and audio adaptations) across the conurbation which would result in reducing the risk of people with disabilities not being able to get a suitable vehicle on a public rank. The MLS also seeks to improve the quality of training required of</p>

			<p>licensed drivers, including their awareness of their responsibilities towards passengers with disabilities, as well as improve the level of proactive compliance to ensure these standards are being adhered to and improve public confidence to report, as complaints from people with disabilities are traditionally low.</p> <p>The MLS should also serve to raise greater awareness of the risks of travelling in vehicles licensed outside of GM to unknown standards, with little to no proactive compliance activity within GM.</p> <p>However, the proposed MLS also carries a fairly high risk of reducing the licensed Hackney fleet, thereby conversely increasing the risk of people with accessibility needs not being able to access a suitable vehicle either by pre-booking or on a public rank. The MLS will also likely lead to increased licence fees, which in turn will result in increased fares, potentially affecting people with disabilities disproportionately if the individual is more reliant on accessible vehicles not widely available in the private hire industry.or for public hire.</p>
Gender			
Target Group	Positive Impact	Adverse Impact	Comment or Evidence
Men	Highly likely	Medium - high risk	<p>The positive impacts of MLS will affect all members of the travelling public that use Taxi and Private Hire services, by providing a higher quality fleet of drivers and vehicles that will be assessed and monitored to be safe and minimise risk to the public.</p> <p>If there are any adverse implications of the MLS proposals for licensees, then this will affect men more than women, as 97% of our licence holders are male* (identified from their stated title on their licence application).</p> <p>There is a risk that if the proposed MLS drives growth of non-GM licensed vehicles being used by operators within GM, then all passengers will be travelling in vehicles with drivers to unknown standards with minimal compliance.</p>

Women	Highly likely	Low /medium risk	<p>The positive impacts of MLS will affect all members of the travelling public that use Taxi and Private Hire services, by providing a higher quality fleet of drivers and vehicles that will be assessed and monitored to be safe and minimise risk to the public.</p> <p>There is a risk that if the proposed MLS drives growth or non-GM licensed vehicles being used by operators within GM, then all passengers will be travelling in vehicles with drivers to unknown standards with minimal compliance, and females are more vulnerable when travelling alone in that regard.</p>
Transgender People	Highly likely	Low risk	<p>The positive impacts of MLS will affect all members of the travelling public that use Taxi and Private Hire services, by providing a higher quality fleet of drivers and vehicles that will be assessed and monitored to be safe and minimise risk to the public.</p> <p>There is a risk that if the proposed MLS drives growth or non-GM licensed vehicles being used by operators within GM, then all passengers will be travelling in vehicles with drivers to unknown standards with minimal compliance.</p>
Race			
Target Group	Positive Impact	Adverse Impact	Comment or Evidence
Asian or Asian British Backgrounds (This includes Pakistani, Indians and Bangladeshi, Chinese or any other Asian background)	Highly likely	Medium - high risk	<p>Whilst race and ethnicity data is not collected or recorded as part of the licensing process, but we know from seeing our applicants in person and our daily interactions that the vast majority of our licensed fleet are non-white males (both British and non-British); therefore any impacts, both positive and adverse will likely affect this target group disproportionately.</p> <p>BAME licensees are also more likely to live in Lower Super Output Areas (LSOAs) with higher levels of deprivation and this is borne out in the postcode data of our licence holders where the overwhelming majority have postcodes identified as LSOAs. It would be a reasonable inference that these licence holders are more likely to have socio-economic pressures and live in housing that is less likely to have</p>

			<p>private parking and the ability therefore for at home EV charging; therefore requirements for more expensive fully electric vehicles carry an adverse risk to the viability of these individuals continuing in the industry.</p> <p>All sections of the travelling public should benefit from MLS.</p>
<p>Black or Black British Backgrounds (This includes Caribbean, African or any other black background)</p>	<p>Highly Likely</p>	<p>Medium - high risk</p>	<p>Whilst race and ethnicity data is not collected or recorded as part of the licensing process, we know from seeing our applicants in person and our daily interactions that the vast majority of our licensed fleet are non-white males (both British and non-British); therefore any impacts, both positive and adverse will likely affect this target group disproportionately.</p> <p>BAME licensees are also more likely to live in Lower Super Output Areas (LSOAs) with higher levels of deprivation and this is borne out in the postcode data of our licence holders where the overwhelming majority have postcodes identified as LSOAs. It would be a reasonable inference that these licence holders are more likely to have socio-economic pressures and live in housing that is less likely to have private parking; therefore requirements for more expensive fully electric vehicles carry an adverse risk to the viability of these individuals continuing in the industry.</p> <p>All sections of the travelling public should benefit from MLS.</p>
<p>Mixed /Multiple Ethnic Groups (This includes White and Black Caribbean, White and Black African, White and Asian or any other mixed background)</p>	<p>Highly Likely</p>	<p>Medium - high risk</p>	<p>Whilst race and ethnicity data is not collected or recorded as part of the licensing process, we know from seeing our applicants in person and our daily interactions that the vast majority of our licensed fleet are non-white males (both British and non-British); therefore any impacts, both positive and adverse will likely affect this target group disproportionately.</p> <p>BAME licensees are also more likely to live in Lower Super Output Areas (LSOAs) with higher levels of deprivation and this is borne out in the postcode data of our licence holders where the overwhelming majority have postcodes identified</p>

			<p>as LSOAs. It would be a reasonable inference that these licence holders are more likely to have socio-economic pressures and live in housing that is less likely to have private parking; therefore requirements for more expensive fully electric vehicles carry an adverse risk to the viability of these individuals continuing in the industry.</p> <p>All sections of the travelling public should benefit from MLS.</p>
White British Background (This includes English, Scottish & Welsh, Irish and Gypsy or Irish Travellers)	Highly likely	Low risk	Whilst all sections of the travelling public should benefit from MLS, there is little to no evidence to suggest that this target group would be particularly adversely affected over any other.
Non-British White Backgrounds (This includes Irish, Polish, Spanish, Romanians and other White backgrounds)	Highly likely	Low risk	Whilst all sections of the travelling public should benefit from MLS, there is little to no evidence to suggest that this target group would be particularly adversely affected over any other.
Arabs	--	--	Don't have the data to specifically address the factor but would otherwise say would be impacted in the same way as other BAME groups.
Any other background not covered by any of the above	---	---	Data on race and ethnicity not held so no data
Religion/Belief			
Target Group	Positive Impact	Adverse Impact	Comment or Evidence
Buddhists			Data not held but all sections of the travelling public stand to benefit from the safety standards that MLS should deliver
Christians			Data not held but all sections of the travelling public stand to benefit from the safety standards that MLS should deliver
Hindus			Data not held but all sections of the travelling public stand to benefit from the safety standards that MLS should deliver
Jews			Data not held but all sections of the travelling public stand to benefit from the safety standards that MLS should deliver
Muslims			Data not held but all sections of the travelling public stand to benefit from the safety standards that MLS should deliver
Sikhs			Data not held but all sections of the travelling public stand to benefit from the safety standards that MLS should deliver

Others			Data not held but all sections of the travelling public stand to benefit from the safety standards that MLS should deliver
Sexual Orientation			
Target Group	Positive Impact	Adverse Impact	Comment or Evidence
Gay men			Data not held but all sections of the travelling public stand to benefit from the safety standards that MLS should deliver
Lesbians			Data not held but all sections of the travelling public stand to benefit from the safety standards that MLS should deliver
Bisexual			Data not held but all sections of the travelling public stand to benefit from the safety standards that MLS should deliver

Question 7	
Have you identified two or more high adverse impacts in the table above?	Yes

Question 8	
If you have identified one high adverse impact or any medium/low adverse impacts, what improvements to the activity could you make to mitigate high/medium/low adverse impacts? Please give details of the improvements you plan to make.	<p>The highest cost risk is that around the requirements for vehicles. Mitigation has already been identified in the form of a substantial Clean Taxi Fund and discussions are ongoing with central government with regards to additional funding support in this area. Engagement with the trades continues in order to understand the ongoing impacts and risks, particularly in the recovery from the pandemic.</p> <p>Further mitigation is proposed by way of an extended exemption period for the CAP, for GM licensed Hackneys and Private Hire vehicles.</p> <p>In order to mitigate the risk of introducing MLS in the absence of wider and meaningful national reform, a public awareness campaign is essential to encourage residents and visitors to use only GM licensed vehicles (and drivers) when travelling.</p>

Question 9		
Have you set up equality monitoring systems to carry out regular checks on the effects your activity has on the following groups?		
Equality Group	Has an equality monitoring system been set up? (Y/N)	Details
Age	N	Whilst we capture this data, we are not monitoring regularly. In order to monitor we'd have to change our Data sharing agreements to explain how this will be used.

Disability	Y	We currently monitor on a quarterly basis the number of complaints we get relating to a disability issue, so we can continue to monitor the impacts over the course of the activity.
Gender	N	We would have to have a clear reason for capturing in our DSA and to begin to capture and monitor this information would increase processing (and therefore licence fee) costs.
Race	N	We would have to have a clear reason for capturing in our DSA and to begin to capture and monitor this information would increase processing (and therefore licence fee) costs.
Religion/Belief	N	We would have to have a clear reason for capturing in our DSA and to begin to capture and monitor this information would increase processing (and therefore licence fee) costs.
Sexual Orientation	N	We would have to have a clear reason for capturing in our DSA and to begin to capture and monitor this information would increase processing (and therefore licence fee) costs.
Other	N	

Question 10

How will you measure the success of any equality monitoring systems identified in Question 9 above? How will you ensure that everyone involved in the activity knows and understands what improvements you intend to make and is able to put the activity into practice with those improvements?

Regular engagement sessions with trade representatives have taken place throughout the activity. Feedback and information gathered from these sessions helps inform the assessment of the identified risks. Ongoing engagement will ensure that any adverse impacts are identified and responded to.

Question 11

Are there any elements within this activity that require a separate Equality Impact Analysis?

Question 12

Is a Full Impact Analysis needed? If in Question 6 you identified two or more adverse impacts then you should either

- abort the activity, or
- carry out a full analysis

Question 13

List all of the information that you have taken into account in carrying out this Equality Analysis.

Data held on the Council's licensing business system. Information known by Service Managers through service delivery and daily interaction with customers.

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