

TRAFFORD COUNCIL

Report to: Public Protection Sub-Committee
Date: 20th June 2019
Report for: Decision
Report of: Head of Regulatory Services

Report Title

GREATER MANCHESTER MINIMUM STANDARDS FOR TAXI LICENSING AND THE TRAFFORD LICENSING POLICY

Summary

To provide members with details of proposals to introduce common, minimum standards for Private Hire and Hackney Carriages Vehicles, Drivers and Operators licensed by Licensing Authorities across Greater Manchester.

To provide members with details of proposals to consult across GM on the proposed GM minimum standards.

The report also provides members with details of proposals to introduce a new Licensing Policy for Trafford.

Recommendation(s)

It is recommended, that the Public Protection Sub Committee:

- Note the contents of the report; and
- Note the proposal to support TfGM in the administration of a consultation process on proposed GM Minimum Standards; and
- Approve the proposal to administer a consultation process on a new Licensing Policy for Trafford.

Contact person for access to background papers and further information:

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Background Papers: None

1.0 BACKGROUND

- 1.1 Changes to Hackney Carriage and Private Hire regulation, new technology and business models, and an outmoded legislative framework have all contributed to the current situation where the Taxi and PH trade is becoming increasingly problematic and difficult to regulate.
- 1.2 The key issues are around public safety, out-of-area operation, vehicle standards, poor air quality and congestion, particularly in specific city centre locations. The proposed approach looks to encourage consistently high standards for Hackney Carriage and Private Hire services in Greater Manchester, to encourage Government to pursue regulatory reform to ensure high safety standards, and to contribute to the vision of an improved integrated transport system for GM.
- 1.3 As a result of the recommendations made by the Department for Transport's (DfT) Task and Finish Group on 'Taxi and Private Hire Vehicle Licensing: a safer and more robust system' and in order to deal with the challenges set out above, GM's licensing authorities have agreed to adopt a two-track approach, and TfGM is supporting GM Licensing Authorities in this work.
 - 1.3.1 Firstly GM's licensing authorities have agreed to collectively develop a common set of minimum standards for Private Hire Vehicles and Hackney Carriages licensed by Licensing Authorities across Greater Manchester. GM Licensing Authorities have been working closely with Transport for Greater Manchester (TfGM) on proposals around minimum standards.
 - 1.3.2 Secondly, GMCA, TfGM and GM Licensing Authorities are working with other city-regions and local authorities to urge Government to take appropriate action to reform the legislative and regulatory framework to ensure it is fit for purpose.
- 1.4 The next step in respect of 1.3.1 is for TfGM to consult, on behalf of all GM Licensing Authorities, on the proposed GM minimum standards, as further detailed in this report below.
- 1.5 Trafford is currently drafting a new Licensing Policy. It is proposed that Trafford will introduce a new Licensing Policy which, once the GM minimum standards consultation has concluded and an agreed set of common standards have been agreed, will incorporate the new GM minimum standards.
 - 1.5.1 It is proposed that Trafford will administer a consultation process, subject to the GM consultation process, on the new Licensing Policy for Trafford as detailed in this report below.

2.0 GM MINIMUM STANDARDS CONSULTATION

- 2.1 The GM Licensing Officers Group (GMLO Group) has identified the four key areas where common standards are required, namely: drivers, vehicles, operators and licensing authority standards.

- 2.2 The GMLO Group is currently developing a set of minimum standards for Hackney Carriage and Private Hire licensing and enforcement that can be incorporated within each Licensing Authorities own licensing policies.
- 2.3 The proposed minimum standards relate to the four key areas identified by GMLO Group and aim to raise standards across GM with a view to a more consistent approach to taxi licensing across the region.
- 2.4 A consultation on the proposed GM minimum standards will commence on the 16th August 2019. The proposed consultation process timescales will coincide with the start of the consultation on the Clean Air proposals.
- 2.5 TfGM will host the GM minimum standards consultation on behalf of all GM Licensing Authorities and will procure an outside agency to do the analysis of responses. The GMLO Group has requested that 10 separate reports be provided by TfGM to show local responses.
- 2.6 Trafford is fully supportive of the proposed minimum standards as it will lead to an improvement in our current standards in several areas e.g. the re-introduction of a taxi driver knowledge test; higher medical requirements.
- 2.7 It is proposed that Trafford support TfGM in its administration of the consultation process.
- 2.8 A further report will be compiled for Members once the TfGM consultation process has concluded and consultation response data will be shared with Members.

3.0 TRAFFORD'S LICENSING POLICY

- 3.1 Trafford is currently reviewing all of its licensing policies and procedures with the aim of consolidating the existing documents, updating content and to incorporate the GM minimum standards, once they are agreed.
- 3.2 It is proposed that Trafford will administer a consultation process on its new Licensing Policy. The policy document will be consulted on separately but at the same time as the GM minimum standards consultation undertaken by TfGM.
- 3.3 A further report will be compiled for members once the policy consultation is concluded and the consultation response date will be shared with Members.
- 3.4 Members will be asked to consider the consultation response and the new Licensing Policy for Trafford, incorporating the approved minimum standards, and to recommend the policy to Council, if agreed.

4.0 Other Options

- 4.1 Proposal to consult on GM Minimum Standards

The only alternative option is to not support the aim of the other GM Authorities to harmonise hackney carriage and private hire standards across the region. This

would impact the establishment of a consistent approach to taxi and private hire licensing in Greater Manchester; an aim which is being supported by TfGM and has been endorsed by the Mayor of Greater Manchester.

4.2 Proposal to consult on Trafford Licensing Policy

The only alternative option is for the Council to adopt a Licensing Policy without consulting all those who may be affected by it. Whilst this in itself would not prevent the Council from carrying out its statutory taxi licensing functions, it would open up the possibility of legal challenges being made; and could affect the weight given to the policy in the event of appeals against decisions of officers or the Licensing Committee.

5.0 Consultation

5.1 The consultation requirements are as set out in this report.

6.0 Reasons for Recommendation

6.1 By agreeing to support consultation on GM Minimum Standards the Council is showing its commitment to working together with the other GM Authorities to achieve a single vision of consistently high standards for licensed vehicles, drivers and operators across Greater Manchester.

6.2 By agreeing to a consultation exercise on the proposed Trafford Licensing Policy the Council is showing its willingness to engage in an open and transparent way with the public, businesses and the hackney carriage and private hire trades on the development of the Policy.