

Minutes of: LICENSING AND SAFETY PANEL

Date of Meeting: 12 February 2015

Present: Councillor D Jones (in the Chair)
Councillors Adams, N Bayley, I Bevan, S Briggs, D Cassidy,
R Hodgkinson, T Holt, A Matthews, A Simpson, S Southworth
and J Walton

Public Attendance: No members of the public were present at the meeting.

Apologies for Absence: Councillor J Grimshaw

LSP.718 DECLARATIONS OF INTEREST

There were no declarations of interest raised in relation to any items on the agenda.

LSP.719 MINUTES

Delegated decision:

That the Minutes of the Licensing and Safety Panel meeting held on 26 January 2015, be approved as a correct record and signed by the Chair.

LSP.720 PUBLIC QUESTION TIME

There were no members of public present to ask questions under this item.

Andrew Johnson, Head of Trading Standards and Licensing, referred to the Report of Inspection of Rotherham MBC linked to child sex exploitation (the Casey Report). Included within the report were references to Licensing procedures and to taxis in particular. In response to the report, Officers were planning to undertake a 'health check' on Bury Council's Licensing procedure to ascertain if any improvements could be made. A report will be presented to Panel in due course.

Mr Johnson also informed the Panel that he, the Chair, Councillor Jones, the leader of the Council, Councillor Connolly and Mrs Gillan from Economic Planning & Town Centres, had an awards ceremony in relation to Purple Flag Status for Town Centres that meet or surpass the standards of excellence in managing the evening and night time economy. Bury, in its first attempt, had been awarded the Purple Flag Status and was now the only area within Greater Manchester with the award.

Mr Johnson explained that publicity on this achievement would begin shortly with an article in the Bury Times, and flags raised at the Town Hall and around the Town Centre.

Councillor Adams asked how long the Purple Flag Status was awarded and Mr Johnson explained it was for 2 years and then there would be a further appraisal.

LSP.721 URGENT BUSINESS

There was no urgent business to report at the meeting.

LSP.722 EXCLUSION OF PRESS AND PUBLIC

Delegated decision:

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items of business since it involved the likely disclosure of information relating to individuals who hold Licences granted by the Authority or Applicants for Licences provided by the Authority.

LSP.723 SUSPENSION/REVOCAION OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS' LICENCES

Licensing holder 43/2014 failed to attend the meeting and the Licensing Manager explained to the Panel that although he had confirmed the licence holder's address, he had claimed he had not received the paperwork. The Licensing Manager had spoken to the licence holder twice on the telephone confirming the date and time of the meeting and had emailed the information also. However, the email address was invalid. The licence holder had stated he would be attending the meeting.

Members noted that the licence holder had failed to appear before Bury Magistrates' Court on 22 December 2014. The Licensing Manager explained that he had informed the Court he was suffering food poisoning but did not provide a sick note and therefore the matter was heard in his absence.

Delegated decision:

Following discussions, the members of the Licensing and Safety Panel agreed, on a majority decision, to defer the matter until the next meeting. However, if the licence holder did not attend on that occasion, it would be heard in his absence.

Licence holder 45/2014 did not attend the meeting and the Licensing Manager explained he had received a sick note and a request that this hearing be deferred.

Delegated decision:

It was agreed unanimously by the members of the Licensing and Safety Panel to defer the matter until the next meeting.

LSP.724 APPLICATIONS FOR HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS' LICENCES

Applicant 44/2014 attended the meeting and was supported by a friend. The Chair outlined the procedure to be followed and the Licensing Manager presented the report submitted by the Assistant Director (Localities), which was accepted by the Applicant.

Delegated decision:

The Panel considered the written report and oral representations made by the Applicant and his friend and noted that the Applicant was currently a private hire driver licensed by Salford City Council and taking into account the Applicant's personal circumstances and home life, determined the Applicant to be a fit and proper person in accordance with the Local Government (Miscellaneous Provisions) Act 1976 and resolved to **grant the application for a six month period**, with the condition that he provides his insurance policy to the Licensing Office every month, to check the validity of his insurance. After the six month period, the Applicant would not need to appear before the Panel again if there was no breach of the conviction guidelines.

2. Applicant 41/2014 attended the meeting and the Chair outlined the procedure to be followed and the Licensing Manager presented the report submitted by the Assistant Director (Localities), which was accepted by the Applicant.

Delegated decision:

The Panel considered the written report and oral representations made by the Applicant and although the possession of a class B controlled drug was a serious offence, it was noted that the Applicant had only received a simple caution for this and was remorseful following this incident and determined the Applicant to be a fit and proper person in accordance with the Local Government (Miscellaneous Provisions) Act 1976 and resolved to **grant the application.**

COUNCILLOR D JONES
Chair

(Note: The meeting started at 7.00 pm and ended at 8.05 pm)