

AGENDA FOR
LICENSING AND SAFETY COMMITTEE



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To: All Members of Licensing and Safety Committee

Councillors : I Rizvi (Chair), N Bayley, A Booth, R Brown, J Grimshaw, J Hook, B Ibrahim, G Marsden, G McGill, J Rydeheard and D Quinn

Dear Member/Colleague

Licensing and Safety Committee

You are invited to attend a meeting of the Licensing and Safety Committee which will be held as follows:-

Date:	Thursday, 10 April 2025
Place:	Council Chamber, Bury Town Hall
Time:	7.00 pm
Briefing Facilities:	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.

AGENDA

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

Members of the Licensing and Safety Panel are asked to consider whether they have an interest in any of the matters on the agenda, and if so, to formally declare that interest.

3 MINUTES OF THE PREVIOUS MEETING (Pages 3 - 8)

The minutes of the meeting held on the 23rd January 2025 are attached. Members of the Licensing and Safety Committee are asked to consider whether these are a correct record of the meeting, and if so, to formally approve them.

4 PUBLIC QUESTION TIME

Questions are invited from members of the public present at the meeting on any matters for which this Panel is responsible.

Approximately 30 minutes will be set aside for Public Question Time if required.

5 OPERATIONAL REPORT (Pages 9 - 16)

A report from the Executive Director (Operations) is attached.

6 URGENT BUSINESS

Any other business, which by reason of special circumstances, the Chair agrees may be considered as a matter of urgency.

7 EXCLUSION OF PRESS AND PUBLIC

To consider passing the appropriate resolution under section 100 (A)(4) of the Local Government Act 1972 that the press and public be excluded from the meeting during consideration of the following item of business since it involves the likely disclosure of the exempt information stated.

8 SUSPENSION / REVOCATION OF PUBLIC / PRIVATE HIRE DRIVER LICENCES (Pages 17 - 36)

A report from the Executive Director (Operations) is attached.

Minutes of:	LICENSING AND SAFETY COMMITTEE
Date of Meeting:	23 January 2025
Present:	Councillor I Rizvi (in the Chair) Councillors N Bayley, R Bernstein, A Booth, D Green, J Hook, B Ibrahim, G Marsden, G McGill, D Quinn and J Rydeheard
Also in attendance:	M Bridge- Licensing Unit Manager M Cunliffe – Democratic Services R Thorpe– Legal Advisor C Smith- Head of Public Protection
Public Attendance:	No members of the public were present at the meeting.

LSP.1 APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillors R Brown, J Grimshaw and from B Thomson- Assistant Director of Operations Strategy.

Councillor R Bernstein acted as a substitute representative for Councillor Brown.
Councillor D Green acted as a substitute representative for Councillor Grimshaw.

LSP.2 DECLARATIONS OF INTEREST

Councillor Rydeheard declared an interest that in his employment he had worked on a number of cases involving both Private Hire and Hackney Carriage drivers.

LSP.3 MINUTES OF THE PREVIOUS MEETING

Delegated decision:

That the Minutes of the last meeting held on the 19th December 2024 be approved as a correct record and signed by the Chair.

LSP.4 PUBLIC QUESTION TIME

No questions had been pre submitted to the meeting and no members of the public were in attendance at the meeting.

LSP.5 OPERATIONAL REPORT

The Executive Director (Operations) submitted a report advising Members on operational issues within the Licensing Service.

The report set out updates in respect of the following issues:

The Licensing Service had dealt with a number of compliance and enforcement matters between the 9th December 2024 and the 12th January 2025.

Licensing Hearings Sub Committee

On the 18th December 2024, an application to vary a premises licence at Village News, 477 Bury New Road, Prestwich M25 1AD. The application attracted two representations from

Responsible Authorities namely Greater Manchester Police and the Public Health Service. A petition containing 80 signatures was received from the applicant's representative. Members considered the evidence before them and decided to grant the variation subject to the following amendments.

The operating schedule will change from its existing opening times of 06:00hrs – 23:00hrs, 7 days a week to 06:00hrs – 1:00hrs, 7 days a week

The supply of alcohol will change from its existing times of 07:00hrs – 23:00hrs 7 days a week to 07:00hrs – 1:00hrs 7 days a week.

A magnetic door lock system will be installed at the front of the premises, whereby all customers shall only be served via a magnetic door between the hours of 23.00 and 01.00 every day. The premises will remain closed during these hours until such time that a magnetic door lock system has been installed and was operational.

The Sub-Committee felt the amended hours were more in keeping with the other licenced premises in the surrounding area was therefore satisfied that on the balance of probability there was sufficient evidence presented that had demonstrated some of the following licensing objectives would not be met if the store was open 24 hours a day and would fail the:-

- the prevention of crime and disorder
- public safety

The reasons by the sub-committee, included:-

- Data evidence from GMP PACT meetings of a clear link and increase in crime and disorder linked to alcohol sales.
- Evidence from Public Health of alcohol related health problems in the area.
- Vulnerable people living nearby on the social housing estate, some of whom will have drug and alcohol addiction.

The evidence presented and supporting documents were deemed sufficient evidence to make amendments to the variation of the licence. Details on the right for an appeal were provided to the applicant.

The Chair placed on record his thanks to the Licensing Department for the extra weekend work undertaken during the pre-Christmas busy period.

Members discussed if there had been an increase in alcohol licence applications and the Licensing Unit Manager confirmed there had not been an influx in variation applications.

Members enquired about the process for Hearing Sub Committees and an explanation was provided about the two types of reviews including the 48-hour review period following a request from the police in relation to serious crime and disorder.

Delegated decision:

It was agreed that the report be noted.

LSP.6

REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S IDENTIFICATION BADGES

The Executive Director (Operations) submitted a report relating to a request from a private hire driver and a trade representative to modify the lanyard, style and size requirement for a driver's identification badge. This report considered the options.

The report set out the following options:

- To remain with the current design and dimension for hackney carriage/private driver identification badges as displayed in Appendix 2
- To modify Council Policy with the requirement for driver identification badges to that of a smaller credit card style identification badge and fabric safety lanyard as displayed in Appendix 3.

The Licensing Unit Manager reported the Local Government (Miscellaneous Provisions) Act 1976 (LGMPA) and the Town Police Clauses Act 1847 (TPCA) make provisions for a Local Authority (district council)

Bury currently requires a driver to wear a photograph identification badge and have a similar badge displayed in the vehicle. The current identification badge dimensions are 9.8cm by 9.8cm due to the size of the laminate around the driver's badge. Appendix 1 includes the current ID badge design and dimensions for Members information.

It is over 10 years since the Licensing and Safety Panel last considered modifications to vehicle signs and ID badges. As outlined below members of the Licensing & Safety Committee resolved to retain both as they were.

Members were reminded that following a request from the Private Hire Drivers Association and the Hackney Carriage Drivers Association on the 9th January 2020 a report was considered regarding the review of vehicle signage and driver's badges. Members resolved; That the current Council policy relating to the size requirements for identification badges for Hackney Carriage and Private Hire Vehicle remains. The minute for this were attached at appendix 1 within the agenda packs.

During the preparation of the above report a representative from the Greater Manchester Licensing Managers Group met on the 5th September 2019 with TfGM Disability Design Reference Group (DDRG), and TfGM staff. DDRG have wide ranging disabilities and impairments. There were a number of concerns discussed relating to licensed vehicles and of particular relevance to this report was as follows:-

- All taxi and PHVs should display (at least A4 size) a recent photo, name and badge number of the driver in the vehicle so all passengers can identify the driver and ensure they're getting into the right vehicle.
- Many drivers don't wear badges – and the text font on the badges is often too small to read for partially sighted passengers.

The Licensing Service have received a request from a private hire driver to review Council Policy in relation to the current size of the hackney carriage and private hire badge and removal of the chain that the badge is displayed on. The request is to change to a credit card style badge and a lanyard.

The Licensing Service have recently undertaken a procurement exercise for the Supply & Delivery of Taxi Vehicle Licence Plates, Driver Badge Materials, other Licences and Consents. The contract period is the 1st October 2024 to the 30th September 2027 with an option to extend for a further 12 months.

Examples of the proposed badges and lanyard have been sourced from the new contractor. The Licensing Service have attached these examples to the report highlighting the difference between the current badge and the proposed credit card style badge.

The proposed new identification badge would consist of:-

- Pre-printed Credit Card style Hackney carriage and Private hire drivers' badge
- Lanyard

- Laminate
- Hologram

Members suggested if the in-house Council identification badge system could be utilised rather than outsourcing to an external company.

Members questioned how many drivers wanted this change and the clarified the representation from a private hire driver and trade representative.

Delegated decision:

It was agreed that the current design and dimension for hackney carriage/private driver identification badges would remain with an amendment to use a fabric safety lanyard as opposed to a metal chain link lanyard.

LSP.7 URGENT BUSINESS

No urgent business was reported at the meeting.

LSP.8 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.9 APPLICATION FOR PUBLIC / PRIVATE HIRE DRIVER LICENCE

14/2024

The Executive Director (Operations) submitted a report relating to Applicant 14/2024, who was in attendance at the meeting alongside a family member. The Chair made introductions and along with the Legal Advisor outlined the procedure to be followed and clarified that all those present had read the report. The report, which was accepted by the applicant and presented by the Licensing Unit Manager, set out the reasons for the applicant being before the Committee.

Members were reminded that this matter was scheduled to be determined on the 19th December 2024 and Members agreed to the adjournment to tonight's meeting.

The applicant made an application for a new Private Hire Driver Licence on the 20th May 2024 and had completed all the required pre-requisites.

A number of Members asked questions in relation to the case.

The applicant was before members for consideration to be given as to his suitability to be a private hire driver in Bury.

Delegated decision:

The Committee carefully considered the report containing a written statement by the applicant, character references along with the oral representations by the applicant and a family member at the meeting.

Taking into account the Council's Conviction Policy and Guidelines and in accordance with the Local Government (Miscellaneous Provisions) Act 1976, and the statutory guidance issued by the Secretary of State under section 177 of the Policing and Crime Act 2017, the Committee resolved **to refuse the application**.

The reasons for the Committee's decision were as follows:

- The applicant was not a fit and proper person to hold a licence.

15/2024

The Executive Director (Operations) submitted a report relating to Applicant 15/2024 who was in attendance at the meeting. The Chair made introductions and along with the Legal Advisor outlined the procedure to be followed and clarified that all those present had read the report. The report, which was accepted by the applicant and presented by the Licensing Unit Manager, set out the reasons for the applicant being before the Committee.

This applicant held a private hire driver's licence since the 6th October 2006 until it was revoked with immediate effect by the Licensing and Safety Committee on the 7th February 2023.

A number of Members asked questions in relation to the case.

The applicant was before members for consideration to be given as to his suitability to be a private hire driver in Bury.

Delegated decision:

The Committee carefully considered the report and oral representations by the applicant at the meeting.

Taking into account the Council's Conviction Policy and Guidelines and in accordance with the Local Government (Miscellaneous Provisions) Act 1976, and the statutory guidance issued by the Secretary of State under section 177 of the Policing and Crime Act 2017, the Committee resolved **to grant the application for a three-year period**.

COUNCILLOR IRIZVI
Chair

(Note: The meeting started at 7.00pm and ended at 8.45pm)

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Classification	Item No.
Open / Closed	

Meeting:	Licensing and Safety Committee
Meeting date:	10 April 2025
Title of report:	Operational Report
Report by:	Executive Director (Operations)
Decision Type:	N/A Report for information only
Ward(s) to which report relates	All

Executive Summary:

A report to advise members on operational issues within the Licensing service.

Recommendation(s)

That the report be noted.

Key considerations

Not applicable

1.0 BACKGROUND

1.1 The report advises Members on operational issues within the Licensing service.

2.0 COMPLIANCE/ENFORCEMENT

2.1 13 to 19 January

Client

Complaint 2

Enforcement 8

Premises

Complaint 2
Enforcement 16

Vehicles

Enforcement 9

2.3 **20 to 26 January**

Client

Complaint 5
Enforcement 5

Premises

Enforcement 15
Multi Agency 8

Vehicles

Enforcement 11

2.4 **27 January to 2 February**

Client

Complaint 3
Intel 1

Premises

Enforcement 3
Intel 1
Multi Agency 1

Vehicles

Enforcement 5

2.5 **3 to 9 February**

Client

Enforcement 5

Premises

Complaint 2
Enforcement 3

Vehicles

Enforcement 8

2.6 **10 to 16 February**

Client

Enforcement 5

Premises

Enforcement 8
Multi Agency Visits 2

Vehicles

Enforcement 7
Update 1

2.7 **17 to 23 February**

Client

Complaint 2
Enforcement 2

Premises

Enforcement 5

Vehicles

Enforcement 9

2.8 **24 February to 2 March**

Premises

Multi Agency 7

Enforcement 4

Vehicles

Enforcement 8

2.9 **3 to 9 March**

Client

Enforcement 5

Premises

Complaint 3

Enforcement 6

Multi Agency 2

Vehicles

Compliance 2

Enforcement 7

2.10 **10 to 16 March**

Client

Complaint 3

Enforcement 4

Premises

Complaint 4

Enforcement 3

Vehicles

Enforcement 7

2.11 **17 to 23 March**

Client

Complaint 2

Premises

Enforcement 4

Multi Agency 2

Vehicles

Enforcement 6

2.12 **24 to 30 March**

Client

Complaint 3

Enforcement 3

Update 1

Vehicle

Complaint 1

Enforcement 3

Premise

Enforcement 1

3.0 LICENSING HEARINGS SUB-COMMITTEE

3.1 On the 26 February 2025, an application for the grant of a premises licence at Beytoushi Market, 406 Bury Old Road, Prestwich M25 1BD. The application attracted three representations from Responsible Authorities namely Greater Manchester Police, Trading Standards and the Licensing Authority. The Licensing Service received notification that the applicant had withdrawn the application, therefore the hearing did not take place.

3.2 On the 27 February 2025, an application to vary the designated premises supervisor on the premises licence at Venezia, 5 Square Street, Ramsbottom BL0 9BE. The application attracted a representation from a Responsible Authority namely Greater Manchester Police. The Licensing Service received notification that the applicant had withdrawn the application, therefore the hearing did not take place.

4.0 TRADE LIAISON MEETING

4.1 On the 24 February 2025, A trade liaison meeting took place with representatives from the Hackney Carriage and Private Hire trades and the Licensing Service. Issues were discussed and the minutes of the meeting will be published on the Council's website.

5.0 Greater Manchester Clean Air Update

5.1 Transport for Greater Manchester requested the Licensing Service to circulate to the hackney carriage and private hire trade an information document relating to the GM Clean Air Plan. This was circulated on the 10 February 2025.

The information document stated that:-

Government has approved the investment-led GM Clean Air Plan with NO Clean Air Zone or charges to drive on local roads.

The plan includes a package of measures to clean up the city-region's air through investment in cleaner buses, taxis and some local traffic measures in the regional centre (Manchester and Salford).

Under the approved Clean Air Plan, £8m taxi funding has been allocated by government to support moving Greater Manchester's hackney taxi fleet to cleaner vehicles. That is less than the £30.5m Clean Taxi Fund requested to support the GM-licensed hackney and private hire trade upgrade to cleaner vehicles linked to minimum emission standards.

What does this mean for the GM-licensed taxi trade?

The taxi trade expected a £30.5m dedicated fund to support their transition to cleaner vehicles linked to minimum emissions standards. In turn, this has resulted in some vehicle owners delaying upgrades, meaning an older GM taxi fleet. The approved investment-led package includes £8m to support moving Greater Manchester's hackney taxi fleet to cleaner vehicles.

GM leaders are committed to ensuring that GM-licensed vehicle owners have access to financial assistance. This is to uphold the local minimum emissions standards now mandated by all Greater Manchester local authorities; and mitigate the impact of competition from out-of-area licensees.

All GM local authorities have adopted a minimum emission standard into licensing conditions by 31 December 2025. The requirement is for GM-licensed taxis to meet a minimum vehicle emission standard (Euro 4 petrol / Euro 6 diesel / fully Zero Emissions Capable (ZEC) electric vehicle).

Next steps

Greater Manchester will now look at how best to use the taxi funding to support local vehicle upgrades to a cleaner taxi fleet. This will consider any impacts to

implementing the end of transition period for existing vehicles that do not meet the emissions standard. This will include a review of the taxi funding requirement based on the latest taxi licensing data. No date for when taxi funds will open is available yet. Proposals and timelines for next steps, including funds opening, will be presented at an upcoming Greater Manchester Combined Authority (GMCA) meeting.

6.0 PARTNERSHIP WORKING

6.1 On the 20 and 21 March 2025, officers from the Licensing Service and Trading Standards Service worked in partnership with Greater Manchester Police, Immigration and HMRC. They visited 7 premises in total and seized the following products: -

- 1503 Illegal Vapes which equated to £20,000 in street value.
- £400 in Sisha

Whilst undertaking the visits, a fire safety issue was identified relating to a person living upstairs and there was no means of escape in the event of a fire. This has been referred to the Fire Service to take the necessary enforcement action they deem appropriate.

Community impact / links with Community Strategy

Not applicable

Equality Impact and considerations:

24. *Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:*

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

25. *The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.*

Equality Analysis	<i>Please provide a written explanation of the outcome(s) of either conducting an initial or full EA.</i>
<i>The Licensing Service have considered the Equality Act 2010 and due to each application being dealt with on its own merits there is no positive or negative on any of the protected characteristics.</i>	

Assessment of Risk:

The following risks apply to the decision:

Risk / opportunity	Mitigation
None	.

Consultation:

Not applicable

Legal Implications:

Not applicable

Financial Implications:

Not Applicable

Report Author and Contact Details:

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Please include a glossary of terms, abbreviations and acronyms used in this report.

Term	Meaning
None	

By virtue of paragraph(s) 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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