Minutes of: **LICENSING AND SAFETY COMMITTEE**

Date of Meeting: 5th November 2026

Present: Councillor B Ibrahim (in the Chair)
Councillors D Duncalfe, D Green, M Hayes, D Hill, J Hook, A Quinn, D Quinn, I Rizvi, J Rydeheard and M Walsh

Also in attendance: M Bridge- Licensing Unit Manager
A Bucior- Head of Public Protection
M Cunliffe – Democratic Services
Shelagh Lyth – Legal Advisor
B Thomson- Assistant Director Public Protection & Resilience

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

LSP.1 APOLOGIES FOR ABSENCE

Apologies for absence were submitted by and Councillors K. Simpson.
Councillor D. Duncalfe acted as substitute representatives for Councillor Simpson.

LSP.2 DECLARATIONS OF INTEREST

There were no declarations of interest.

LSP.3 MINUTES OF THE PREVIOUS MEETING

Delegated decision:

That the Minutes of the last meeting held on the 8th October 2026 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 (Corporate Core) 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 In October 2026 in respect of clients and vehicles. A table in the report detailed this information.

IMMEDIATE SUSPENSIONS

Following consultation with the Chair of the Licensing and Safety Committee, the licensing Service have immediately suspended one driver due to them no longer being registered on the DBS update Service.

PARTNERSHIP WORKING AND OUTCOMES

Members were requested to note the outcome of a multi-agency enforcement operation undertaken on the 13th October 2026 involving Bury Council's Licensing Service, Trading Standards, Greater Manchester Police, HM Revenue and Customs (HMRC) and Immigration Enforcement. The coordinated operation targeted six premises across Tottington, Ainsworth, Radcliffe, Whitefield and Bury, with the support of a specialist tobacco detection dog. As a result of the inspections, three premises were identified as selling or storing unlawful goods. Enforcement officers seized 124 packets of illicit cigarettes, 18 pouches of hand-rolling tobacco (approximately 0.9kg) and 54 toys suspected of being counterfeit or failing to meet product safety requirements, with an estimated combined street value of approximately £3,000. The operation highlighted the effectiveness of joint working arrangements in identifying and disrupting criminal activity, protecting consumers from potentially unsafe products, supporting legitimate businesses and safeguarding public confidence in local regulatory services. Investigations remain ongoing and further enforcement action may be taken where appropriate. Members are invited to note the positive outcomes achieved through this partnership approach and the continued commitment of all agencies to tackling illicit trade and wider regulatory non-compliance within the borough.

ANIMALS (PENALTY NOTICES) ACT 2022

Members were advised that the Animals (Penalty Notices) Act 2022, together with the Animals (Penalty Notices) Regulations 2023, came into force on the 1st January 2024 and provided local authorities with a new enforcement tool in the form of Fixed Penalty Notices (FPNs) for specified animal health and welfare offences. The legislation offers a proportionate alternative to prosecution for lower-level offences, enabling more timely and efficient enforcement action. Offences currently covered include failures relating to the microchipping of dogs and cats, failure to keep microchip records updated, and certain offences under animal welfare legislation. The maximum penalty is the lower of £5,000 or the maximum fine available on conviction for the relevant offence, with a statutory reduction of 50% available where payment is made within 14 days. Payment of the penalty notice discharges liability for prosecution in respect of that offence. The Council is currently reviewing its enforcement procedures and officer authorisations to determine the extent to which these powers will be utilised locally.

IMMEDIATE REVOCATION

Following consultation with the Chair of the Licensing and Safety Committee, the licensing Service have immediately revoked a private hire driver following intelligence being received from Greater Manchester Police relating to his conduct.

A Member enquired about the enforcement action table contained in the report and would Ward Members be informed of any issues in their area. They also asked if residents receive feedback if they made a direct complaint and enforcement action was taken.

The Licensing Unit Manager stated that this could be provided to Members if there was a specific request and it would be easier to communicate the information if the name of the premises was referenced and he confirmed the public don’t receive feedback.

A Member commented on illicit cigarettes and can the HMRC close a premises down for tax avoidance. The Licensing Unit Manager explained that about responsible authorities such as GMP and trading standards but they do refer some matters to the HMRC. The Assistant

Director Public Protection & Resilience added there are some new powers linked to illicit goods and HMRC can administer larger penalties via the courts and which can increase if more prohibited goods are found again.

A Member asked about the administration related to blue notices being displayed .

Delegated decision:

It was agreed that the report be noted.

LSP.6 AMENDMENT OF TRANSITIONAL ARRANGEMENTS FOR EXISTING HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES IN RESPECT OF AGE POLICY

The Executive Director (Corporate Core) submitted a report to seek approval to amend the Council's current transitional arrangements relating to age policy for existing licensed private hire vehicles.

The Council previously approved transitional arrangements allowing vehicle proprietors operating non-compliant private hire vehicles additional time to replace those vehicles with compliant alternatives. The current arrangements require vehicle proprietors to replace non-compliant vehicles by 4 January 2027.

In developing the recommendation, officers considered a range of alternative options, including maintaining the existing compliance deadline and introducing a shorter extension period. Following assessment of the available evidence, funding timescales and likely impact on affected vehicle proprietors, officers consider the recommended option represents the most proportionate means of achieving compliance whilst supporting the licensed trade and maintaining the Council's air quality objectives.

Alternative options were provided, including:-

- Maintain existing 4 January 2027 deadline and do not make any changes to policy.
- Extend transitional period for a shorter period of time.

The reasons for the recommendation was that the Licensing and Safety Committee considered and adopted the following amendment to the existing Age Policy compliance arrangements and recommends approval by Full Council.

For existing proprietors of licensed private hire vehicles which do not meet the Council's adopted age policy:-

- To permit a vehicle proprietor whose private hire vehicle licence falls due for renewal after 4 January 2027 and whose vehicle does not meet the required age policy to apply to renew that vehicle licence. Where the vehicle successfully passes the Council's compliance testing requirements, a vehicle licence may be granted subject to a condition requiring the vehicle to be removed from service and replaced with a compliant vehicle no later than 31 May 2027.
- To delegate authority to the Head of Public Protection, Licensing Unit Manager and/or Deputy Licensing Officer to take appropriate enforcement action, including suspension, revocation or refusal to renew a licence, where a proprietor fails to comply with the condition requiring replacement of a non-compliant vehicle by 31 May 2027, having regard to the circumstances of each individual case and the relevant provisions of the Local Government (Miscellaneous Provisions) Act 1976.

The proposed amendment was recommended to Full Council for approval and the extension will support affected vehicle proprietors in achieving compliance with the Council's adopted

age policy whilst maintaining the Council's commitment to improving standards in the Private Hire Fleet.

The proposals support the Council's commitment to improving the standards of the private hire fleet by the replacement of older non-compliant vehicles with younger, cleaner and more environmentally sustainable alternatives.

The proposal does not alter the Council's adopted age policy but extends the transitional period to allow affected proprietors a reasonable opportunity to obtain a younger compliant vehicle.

The proposal contributes to the Council's environmental objectives by supporting the continued delivery of cleaner transport services and younger vehicles from licensed vehicles operating throughout the borough.

The proposed amendment extends an existing transitional arrangement and is not expected to create any disproportionate adverse impact on persons sharing protected characteristics. The proposal may have a positive impact by increasing opportunities for affected licence holders to access external funding to support vehicle replacement.

Officers are satisfied that the amendment does not introduce any material change requiring a further Equality Impact Assessment at this stage. Officers have considered the Public Sector Equality Duty under section 149 Equality Act 2010. The proposal is not expected to have a disproportionate adverse effect on persons with protected characteristics. The extension may provide a positive benefit to affected licence holders by increasing the opportunity to purchase a compliant vehicle and comply with licensing requirements. Officers previously completed and have reviewed the Equality Impact Assessment for the original policy and no adverse impacts are noted.

The matter was discussed with representatives of the licensed trade through the Trade Liaison Group on the 7th September 2026. Trade representatives expressed concerns regarding the proximity of the current compliance deadline and the practical difficulties associated with obtaining replacement vehicles.

The proposed amendment affects approximately 10 vehicles, representing around 1.4% of the licensed private hire fleet. Officers consider that the limited scale of the proposal, together with the retention of a fixed final compliance date, demonstrates that the measure is proportionate and does not undermine the Council's wider policy objectives.
Officers considered that the proposal strike an appropriate balance between the public interest in maintaining vehicle standards and environmental objectives, and the legitimate interests of existing licence holders in securing a reasonable opportunity to comply.

Members asked if vehicle owners were aware of the support funding available and this was confirmed.

A Member commented on capacity issues for the service with amendments to policies being made at a number of meetings. The Licensing Unit Manager advised that work would be undertaken to bring all the policies together and this would be consulted with the trade.

A Member enquired if there were any updates on the GM wide decision-making processes and it was stated that the findings from the consultation had not been released at present.

Delegated decision:

That the Licensing and Safety Committee agreed to:-

1. Approve the proposed amendment and recommended adoption by Full Council.

2. For existing proprietors of non-compliant age policy private hire vehicles:-

   - To permit renewal of a non-compliant age policy vehicle licence after the 4th January 2027 subject to a condition requiring replacement with a compliant vehicle by the 31st May 2027.

   - To delegate authority to the Head of Public Protection, Licensing Unit Manager and/or Deputy Licensing Officer to take appropriate enforcement action where the licence holder has failed to comply with that condition.

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 SUSPENSION / REVOCATION OF PUBLIC / PRIVATE HIRE DRIVER LICENCES

Licence Holder 05/2026

The Executive Director (Corporate Core) submitted a report relating to client number 05/2026, who was in attendance at the meeting alongside their legal representative. The Chair made introductions and alongside 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 Licence Holder was presented by the Licensing Unit Manager and set out the reasons for them being before the Committee.

The Licensing Unit Manager reported that this case was deferred from the October meeting and presented background information to the Committee on this case.

The Licensing Unit Manager confirmed that Members of the Committee were in receipt of the additional information which had been received and circulated.

Members of the Committee asked a number of questions in relation to the case.

The licence holder was before members for consideration to be given as to their suitability to be a private hire driver in Bury.

Delegated decision:

The Committee carefully considered the report and oral representations by the Licence Holder and their legal representative.

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 immediately revoke the licence**.

The Committee concluded that the Licence Holder was not a fit and proper person and this action was taken on the grounds of safeguarding public safety.

Given the overriding duty to protect the public, the **revocation** was to take **immediate effect**, as permitted under Section 61(2B) of the Act, which allows for immediate suspension where it appears to the authority that such action is necessary in the interests of public safety.

The driver was informed of their right to appeal this decision to the Magistrates' Court within 21 days of receiving written notification.

Licence Holder 06/2026

The Executive Director (Corporate Core) submitted a report relating to client number 06/2026, who was in attendance at the meeting alongside a family friend who was acting as their representative. The Chair made introductions and alongside 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 Licence Holder was presented by the Licensing Unit Manager and set out the reasons for them being before the Committee.

The Licensing Unit Manager reported and presented background information to the Committee on this case.

Members of the Committee asked a number of questions in relation to the case.

The licence holder was before members for consideration to be given as to their suitability to be a private hire driver in Bury.

Delegated decision:

The Committee carefully considered the report and oral representations by the Licence Holder and their representative.

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 unanimously **to immediately revoke the licence**.

The Committee concluded that the Licence Holder was not a fit and proper person and this action was taken on the grounds of safeguarding public safety.

Given the overriding duty to protect the public, the **revocation** was to take **immediate effect**, as permitted under Section 61(2B) of the Act, which allows for immediate suspension where it appears to the authority that such action is necessary in the interests of public safety.

The driver was informed of their right to appeal this decision to the Magistrates' Court within 21 days of receiving written notification.

COUNCILLOR B IBRAHIM
Chair

(Note: The meeting started at 7.00pm and ended at 9.25pm)