

REPORT FOR DECISION

Agenda Item	
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DECISION OF:	LICENSING & SAFETY PANEL
DATE:	14th JULY 2016
SUBJECT:	OPERATIONAL REPORT
REPORT FROM:	ASSISTANT DIRECTOR (LOCALITIES)
CONTACT OFFICER:	M BRIDGE
TYPE OF DECISION:	N/A – Report for information only
FREEDOM OF INFORMATION/STATUS:	This paper is in the public domain
SUMMARY:	A report to advise members on operational issues within the licensing service.
IMPLICATIONS:	
Wards Affected:	N/A
Scrutiny Interest:	Internal Scrutiny Panel

1.0 BACKGROUND

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

2.0 DRIVER ASSESSMENTS

2.1 Further to the last meeting of the Licensing and Safety Panel where members considered a proposal for the introduction of additional prerequisite assessments in relation to all new applications received by Bury Council for the grant of a Hackney Carriage/Private Hire Driver licence. The licensing service can confirm that the first of the assessments were undertaken by the adult learning team on the 1st July. Of the six assessments that were booked, four passed, one failed and one failed to attend.

3.0 **HOME STUDY PACK REVIEWED - EXPECTED CONDUCT OF A LICENSED DRIVER**

- 3.1 All applicants wishing to become licensed as a hackney carriage or private hire driver are able to download guidance about wishing to apply to be a licensed driver. This information is provided in the form of a "Home Study Pack"
- 3.2 The Licensing Service has undertaken a review of the contents of this pack in the last quarter and as a result has included detailed information about the expected conduct of a Bury licensed driver.
- 3.3 Licensed Hackney Carriage and Private Hire Drivers can often find themselves conveying young children to school etc or lone vulnerable adults and persons under the influence of alcohol. Licensed drivers are expected to maintain the highest professional and moral standards at all times. In particular, when driving a licensed Hackney Carriage /Private Hire Vehicle drivers **MUST NOT** engage with customer(s) in 'inappropriate conversation'.
- 3.4 The following are examples of what is considered to be inappropriate conversations / conduct:
- a. A driver asking a passenger if he/she is in a relationship or single or if he/she has a partner;
 - b. A driver complimenting a passenger about his/her physical appearance;
 - c. A driver engaging in a conversation with a passenger about sex, their sexual orientation, their sexual experiences or personal relationships;
 - d. A driver asking a passenger for their telephone number for personal use or a driver who offers to provide a passenger with his/her personal phone number;
 - e. A driver, whilst on duty, offering to meet a passenger at a later date/time for social purposes;
 - f. Under no circumstances should a driver deliberately touch or kiss a passenger;
 - g. A passenger who wishes to sit in the rear of a vehicle should not be invited by the driver to sit beside him in the front of the vehicle.

4.0 **PREMISES LICENCE REVIEWS**

4.1 Bellini, 49 Bolton Street, Ramsbottom

Greater Manchester Police, in their capacity as a Responsible Authority, submitted an application for a review of the Premises Licence in which the Chief Constable is of the view that there are no conditions which can be imposed on the licence which can mitigate the flaws of the management of the premises. The Chief Constable states that the only appropriate remedy to promote the Licensing Objectives is to revoke the premises licence.

The members of the Panel considered the review application on the 13th April 2016 and resolved to revoke the Premises Licence.

As a result of this decision, the matter is now subject to an appeal to Bury and Rochdale Magistrates Court.

4.2 La Capannina, 89-91 Sunnybank Road, Unsworth

Greater Manchester Police, in their capacity as a Responsible Authority, submitted an application for a review of the Premises Licence in which the Chief Constable is of the view that there are no conditions which can be imposed on the licence which can mitigate the flaws of the management of the premises. The Chief Constable states that the only appropriate remedy to promote the Licensing Objectives is to revoke the premises licence.

The members of the Panel considered the review application on the 13th April 2016 and resolved to revoke the Premises Licence.

As a result of this decision, the matter is now subject to an appeal to Bury and Rochdale Magistrates Court.

4.3 Pics, Market Street, Bury

Greater Manchester Police, in their capacity as a Responsible Authority, submitted an application for a review of the Premises licence in which the Chief Constable requested the Panel to consider revoking the licence. If the Panel is not minded to revoke the licence, they are requested to consider:

- a. Remove the current DPS from the licence.
- b. Direct that the current door staff/security company be changed.
- c. To modify the licence by reducing the timings for licensable activities and the time that the premises is open to the public as detailed at appendix 1 in the report

The members of the Panel considered the review application on the 10th May 2016 and resolved to modify and impose a further condition on the Premises Licence.

As a result of this decision, the matter is now subject to an appeal to Bury and Rochdale Magistrates Court.

5.0 **PARKLIFE**

At the request of Parklife Bury Council was asked to provide additional licensing staff to combat the "taxi problem" during the weekend of Parklife. This was in addition to officers conducting their usual licensing duties.

Officers from the Trading Standards and Licensing Service worked during the event held at Heaton Park on the 11th and 12th June 2016. The issues that were identified was the large number of non Bury licensed vehicles coming from all over the North West. Officers observed these vehicles attempting to ply for hire and over 300 drivers of vehicles were challenged during this enforcement exercise.

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