

REPORT FOR DECISION

DECISION OF:	LICENSING & SAFETY PANEL
DATE:	5TH SEPTEMBER 2017
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 PRE-APPLICATION ASSESSMENTS

- 2.1 Further to the last meeting of the Licensing and Safety Panel. The Licensing Service can confirm that the assessments are continuing to be undertaken by the adult learning team. From the 7th July 2017 until the 18th August 2017 there has been 33 assessments carried out. Of the 33 assessments that were booked, 30 passed, 3 failed and 0 failed to attend.

3.0 APPEAL WITHDRAWN

- 3.1 Following the introduction of the pre-requisite requirements being introduced prior to making an application to become a hackney carriage/private hire driver, the licensing service has recently been subject to an appeal at Manchester Magistrates Court by an applicant who had previously been a private hire driver and a hackney carriage driver. The Magistrates confirmed that the appeal was dismissed. The Magistrates concluded that the licensing

authority had not refused to renew the driver's licences and that the application to renew had not been made in the correct timeframe.

The Magistrate's Court also ordered the Applicant to pay the Respondent's inter partes costs (solicitor / own client costs) , summarily assessed in the sum of £500.00.

The applicant then appealed the Magistrates Court decision to the Crown Court. This was listed for the 11th August 2017 for a fix and mention hearing, however the applicant decided not to proceed further with his appeal, email confirmation was received by the Crown Court from the applicant on 04th August 2017.

4.0 **JUDICIAL REVIEW**

- 4.1 A notice of application prior to Judicial Review was received by the Licensing Service in relation to the proposed exceptional conditions test considered by the committee at the last panel. This also referred to the alleged refusal of the exceptional conditions test by a Hackney Carriage Vehicle. The Service responded to the notice within the required 14 days and as a result the application for judicial review is now no longer being considered by the client.

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