

# REPORT FOR DECISION

<b>DECISION OF:</b>	<b>LICENSING &amp; SAFETY PANEL</b>
<b>DATE:</b>	<b>19<sup>TH</sup> OCTOBER 2017</b>
<b>SUBJECT:</b>	<b>OPERATIONAL REPORT</b>
<b>REPORT FROM:</b>	<b>ASSISTANT DIRECTOR (LOCALITIES)</b>
<b>CONTACT OFFICER:</b>	<b>M BRIDGE</b>
<b>TYPE OF DECISION:</b>	N/A – Report for information only
<b>FREEDOM OF INFORMATION/STATUS:</b>	This paper is in the public domain
<b>SUMMARY:</b>	A report to advise members on operational issues within the licensing service.
<b>IMPLICATIONS:</b>	
<b>Wards Affected:</b>	N/A
<b>Scrutiny Interest:</b>	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 25<sup>th</sup> August 2017 until the 29<sup>th</sup> September 2017 there has been 18 assessments carried out. Of the 18 assessments that were booked, 13 passed, 5 failed and 0 failed to attend.

## 3.0 Revoked Private Hire Driver

Members may recall the private hire driver that appeared before them in relation to maintaining his vehicle. Members decided to revoke his drivers licence. The driver has lodged an appeal to the Magistrates Court against the Council's decision. The matter was listed for a case management hearing on the 5<sup>th</sup> October 2017, the outcome of the hearing was 29<sup>th</sup> November 2017 for the hearing.

#### **4.0 Refusal to Renew a Hackney Carriage Vehicle Licence**

- 4.1 The Licensing Service have refused to renew a Hackney Carriage vehicle in line with the Council's Policy (the Five Fault Rule) on the 11<sup>th</sup> July 2017, the proprietor was informed of the decision by letter. He has appealed the decision to the Magistrates court and this was heard at Manchester Magistrates Court on the 9<sup>th</sup> October 2017. The appeal was allowed and the court was satisfied with some elements of the appeal argument. As a result the court accepted that a total of 5 faults were evident and the appeal allowed. No costs were awarded against the Council.

#### **4.0 Statistics of the Licensing Service**

- 4.1 The Licensing Service during the first six months of the financial year 16/17 have dealt with the following:-

Type of Work	Number
Number of Licences/Registrations/Consents/Permits processed	1787
Number of applicants/Licence holders considered by the Licensing and Safety Panel  Suspension / Revocation / Admonishment – 6 (one of these was revoked with immediate effect)  New Applicants –  Granted – 5  Refused – 3	14
Number of applications considered by Licensing Hearing Panels  Of these:-  New Application – 1  Objection to Temporary Event Notice – 1	2
Suspension Notices issued to Licensed premises under the Licensing Act 2003 for non payment of the Annual fee	53
Number of new driver applications received	93

#### **Contact Details:**

M Bridge  
Licensing Unit Manager  
3 Knowsley Place  
Duke Street  
Bury  
BL9 0EJ      Tel: 0161 253 5209      Email: [m.bridge@bury.gov.uk](mailto:m.bridge@bury.gov.uk)