

REPORT FOR DECISION

DECISION OF:	LICENSING & SAFETY PANEL
DATE:	17TH OCTOBER 2018
SUBJECT:	OPERATIONAL REPORT
REPORT FROM:	ASSISTANT DIRECTOR (LEGAL AND DEMOCRATIC SERVICES)
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 LICENSING HEARINGS PANELS

- 2.1 Following requests from both Greater Manchester Police and the applicant the hearing that was scheduled to take place on the 31st August 2018 to consider a transfer of the premises licence for Killon Street Off Licence, 26 Price Street, Bury to adjourn the meeting due to unforeseen circumstances. The requests were considered by the Chairman of the Licensing and Safety Panel in consultation with the Licensing Unit Manager and it was agreed that the meeting would be adjourned until the 19th October 2018. All parties have been notified.
- 2.2 On the 5th September 2018, a Licensing Hearings Panel took place in respect of the Sir Robert Peel, 97 Sunnybank Road, Bury, BL9 8EB following an application for review from an interested party. The application attracted further

representations from Greater Manchester Police and other interested parties. Members of the Panel solved to modify the conditions on the Premises licence.

- 2.3 On the 27th September 2018, a Licensing Hearings Panel took place in respect of the Crowded House, 626 Manchester Road, Bury following an application to vary the premises licence to remove conditions. The application attracted a representation from the Licensing Authority. Members of the Panel solved to vary conditions 3 and 4 rather than to remove them.

3.0 COMMON MINIMUM STANDARDS – Hackney Carriage and Private Hire Trade

- 3.1 The Licensing Unit Manager has attended a further meeting on the 6th September to progress the ongoing work. Due to the current Chairman of the Licensing Managers Group taking up a new position, Bury is to be Deputy Chair of this group to assist the new chair in driving this matter forward. A further meeting is scheduled for the 18th October 2018.

4.0 APPEAL TO CROWN COURT

- 4.1 On the 13th September 2018, an appeal was heard at Manchester Crown Court in respect of a private Hire Drivers Licence which was revoked by the Licensing and Safety Panel on the 19th October 2017. The Crown Court decided to dismiss the appeal and awarded the Council reduced costs of £1000. The request was for £3200. The driver has returned his badge.
- 4.2 On the 5th October 2018, a case hearing was heard at Manchester Crown Court due to the suspension of his private Hire Drivers by the Licensing and Safety Panel on the 28th November 2017. The driver was in the process of appealing this suspension however since the above decision was made further intelligence was received about the driver which resulted in an immediate revocation of his private hire drivers licence on the 31st July 2018. On the 5th October 2018, a notice of abandonment of appeal was served on the Crown Court by the drivers solicitor.

5.0 GAMBLING ACT 2005 – Statement of Principles

- 5.1 Members will recall that on the 3rd August, the Licensing Service commenced the consultation on the Statement of Principles under the Gambling Act 2005. The consultation ended on the 5th October 2018. A report has been compiled and is to be considered this evening by this panel.

6.0 BURY TIMES – 6th September

- 6.1 Members may have seen the Bury Times on the opinions section on page 30 indicates that Bury Council has been taking a tough stance on taxi drivers and rightly so. The article states "that Taxi drivers are in a position of trust and they often wind up taking vulnerable passengers which carries a great deal of responsibility" and that it is understandable that the Council takes such a strong stance in licensing hearings, if members have concerns about a driver, they take them off the road.

7.0 ANIMAL LICENSING BUSINESS WORKSHOPS

- 7.1 On the 1st October 2018 the Animal Welfare (Licensing of Activities Involving Animals)(England) Regulations 2018 came into force this creates a new

licensing regime and repeals a number of pieces of legislation. Bury Council has hosted a number of workshops for businesses affected by the regulations. These have been very popular.

8.0 PRE-REQUISITES FOR LICENSED DRIVERS

- 8.1 Members of the panel will recall on the 14th June 2018 a request from a chauffeur operator to exempt chauffeur drivers from some of the pre-requisite to the application process to become a driver in Bury. The panel directed the licensing service to review the current policy, this work is currently ongoing and being reviewed in line with the common minimum standards. The operator has been written to update him of the current position.

9.0 IMMEDIATE REVOCATION OF PRIVATE HIRE DRIVERS LICENCE

- 9.1 The Licensing Service have received information regarding a Private Hire Driver which has resulted in the Head of Service for Trading Standards and Licensing in consultation with the Chairman of the Licensing and Safety Panel revoking his licence with immediate effect.

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