



<b>Classification</b>	<b>Item No.</b>
<b>Open / Closed</b>	

<b>Meeting:</b>	Licensing & Safety Committee
<b>Meeting date:</b>	17 February 2022
<b>Title of report:</b>	Operational Report
<b>Report by:</b>	Executive Director (Operations)
<b>Decision Type:</b>	N/A Report for information only
<b>Ward(s) to which report relates</b>	N/A

**Executive Summary:** A report to advise members on operational issues within the Licensing service.

**Recommendation(s)**

That the report be noted.

**Key considerations**

Not applicable

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**Community impact/ Contribution to the Bury 2030 Strategy**

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**Equality Impact and considerations:**

24. *Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:*

*A public authority must, in the exercise of its functions, have due regard to the need to -*

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*
25. *The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.*

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### **Assessment of Risk:**

The following risks apply to the decision:

<b>Risk / opportunity</b>	<b>Mitigation</b>
None	.

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### **Consultation:**

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### **Legal Implications:**

Not Applicable

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### **Financial Implications:**

Not Applicable

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**Please include a glossary of terms, abbreviations and acronyms used in this report.**

Term	Meaning
None	

### 1.0 **BACKGROUND**

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

### 2.0 **COMPLIANCE/ENFORCEMENT**

2.1 The Licensing Service have dealt with the following compliance and enforcement matters for the following periods

#### 2.2 **20 December to 26 December**

##### **Clients**

Complaint 2

Enforcement 5

##### **Vehicles**

Enforcement 5

Complaint 2

Compliance 1

##### **Premises**

Enforcement 6

#### 2.3 **27 December to 2 January**

##### **Clients**

Complaint 1

#### 2.4 **3 January to 9 January**

**Clients**

Complaint 3

Enforcement 6

**Premises**

Complaint 1

**Vehicles**

Enforcement 13

2.5 **10 January to 15 January**

**Clients**

Complaint 2

Enforcement 3

Intel 1

**Premises**

Enforcement 13

**Vehicles**

Enforcement 7

2.6 **17 January to 23 January**

**Client**

Complaint 3

Enforcement 2

**Operator**

Complaint 1

Enforcement 1

**Premises**

Enforcement 11

**Vehicles**

Enforcement 5

2.7 **24 January to 30 January**

**Client**

Complaint 6

Compliance 1

Enforcement 6

**Premises**

Multi agency visits 8

**Vehicle**

Enforcement 15

2.8 31 January to 6<sup>th</sup> February

**Client**

Complaint 5

Enforcement 7

**Operator 0**

**Premises**

Compliance 4

Enforcement 5

**Vehicles**

Enforcement 2

**3.0 SECOND TESTING STATION**

3.1 The Licensing Service have been working with the Council's Procurement Section in respect of a concession to provide a second testing station for the testing of Hackney Carriage and Private Hire vehicles. The concessionary contract has been awarded to Sunnybank Service Station, Sunnybank Road, Bury to commence on the 1<sup>st</sup> April 2022. Officers of the Licensing Service are currently working with the business on the processes and procedures during the mobilisation period of the contract. Once this has been completed information will be published and sent to the Hackney Carriage and Private hire Trade for their information. An update will be provided at the forthcoming Joint Greater Manchester Police/Trade liaison meeting.

**4.0 RECENT ATTACK ON A LICENSED PRIVATE HIRE DRIVER**

4.1 Members will be aware of the recent attack on a licensed private hire driver in Bury, the Licensing Service have been advised that the attacker was identified and subsequently arrested by Greater Manchester Police. As there is an ongoing criminal investigation, we are unable to provide any further information until the legal process has concluded.

**5.0 MULTI AGENCY ENFORCEMENT**

5.1 Licensing Officers worked alongside Greater Manchester Police on the evening of Friday 28<sup>th</sup> January visiting licensed premises across the borough. 8 licensed premises were visited. One off licence was advised to transfer the licence due to new ownership. Two bars were advised to transfer the Designated Premises Supervisor and one bar was advised to turn off a Gaming Machine until a licence was obtained. Two private hire vehicles were

advised about signage and one private hire driver was advised as he was not wearing his badge.

## **6.0 IMMEDIATE REVOCATION OF A HACKNEY CARRIAGE DRIVER**

**6.1** The Licensing Service have recently received information from Greater Manchester Police in respect of a Bury licensed hackney carriage driver. Due to the nature of the information received, the Licensing Service in conjunction with the Head of Public Protection and Chair of this Committee considered the information and through the Council's scheme of delegation on the 3 February 2020 revoked his hackney carriage driver's licence with immediate effect under the powers of the Road Safety Act 2006 in the interests of public safety.

## **7.0 PARTNERSHIP WORKING**

**7.1** Officers from the Licensing Service assisted Greater Manchester Police and the RSPCA in respect of the execution of a warrant at an address in Prestwich where a number of dogs and puppies were found to be at the property. Further investigation is now being given for offences regarding the breeding dogs and the sale of dogs under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.

## **8.0 REVIEW OF LICENSING PROCESSES AND PROCEDURES**

**8.1** The Licensing Service are currently working with the "Lets Do it Once" Programme Board to review our processes and our digital offer for our licence holders. This will involve reviewing webpages, online form submission, telephone, booking of vehicle tests and knowledge tests. Further updates will be given in due course.

**8.2** As part of this work it was identified that the previous telephone settings were the cause of the low call answer rate within the Licensing Service. Following changes to the telephone settings there has been a significant increase in the number of telephone calls being answered and the reduction of abandoned calls.

## **9.0 CLEAN AIR ZONE**

**9.1** On the 21 January 2022, the Licensing Service sent an email to all licensed drivers, operators and trade representatives to give them an update in relation to the Clean Air Zone. The content of the email is contained below:-

*I am emailing with an update on latest status of the GM Clean Air Plan (GM CAP) following the meeting of the GM Air Quality Administration Committee on 20<sup>th</sup> January, and ahead of the GM Clean Air Charging Authorities Committee meeting next week on 26<sup>th</sup> January.*

*First, we appreciate that there are ongoing concerns and would like to reassure you that we remain committed to working with and engaging with the trade throughout this process to provide timely updates about developments with the Clean Air Plan and the impact on affected drivers /operators.*

***Pause to funding to review supply chain evidence***

*The GM Air Quality Administration Committee has agreed to write to the Secretary of State requesting agreement to pause opening of the next phase of Clean Air Funds at the end of this month to enable an urgent and fundamental joint policy review with Government to identify how a revised policy can be agreed to deal with supply issues and local businesses' ability to comply with the GM CAP. Members also requested that those vehicles owners who had already placed orders pending funding opening at the end of January should be able to contact Clean Air GM for advice to ensure they are not detrimentally impacted by the decision to pause the opening of the funds, and that awards can be made where appropriate.*

*Members also requested that the review consider amending the current vehicle ownership requirements for GM Licensed Hackney & Private Hire owners when a vehicle has been upgraded due to licensing requirements to ensure they are not detrimentally impacted by the decision to pause the opening of the funds.*

*GM is however still under a legal direction from government to achieve legal limits of nitrogen dioxide in the shortest possible time and by 2024 at the latest. Therefore, the Committee has also confirmed that the first phase of the Clean Air Zone due to be introduced on 30 May 2022 – applying to non-compliant buses, coaches, HGVs and taxi and private hire vehicles which aren't licensed in GM – will go ahead.*

#### **Temporary exemption clarification for GM-licensed taxis and PHVs**

*Meanwhile, the GM Clean Air Charging Authorities Committee, which meets on 26<sup>th</sup> January, will consider a proposal to amend the exemption qualification date for non-compliant GM-licensed taxis and PHVs, with the recommendation that all those vehicles licensed on or before 26<sup>th</sup> January 2022 would benefit from a temporary exemption until 1 June 2023.*

*As mentioned, we will continue to provide updates and for further detail please refer to the [cleanairgm.com](https://cleanairgm.com) website and the latest press release [here](#).*