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| Classification | Item No. |
| Open / Closed | |

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|--|---------------------------------|
| Meeting: | Licensing & Safety Committee |
| Meeting date: | 9 June 2022 |
| Title of report: | Operational Report |
| Report by: | Executive Director (Operations) |
| Decision Type: | N/A Report for information only |
| Ward(s) to which report relates | 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

Community impact/ Contribution to the Bury 2030 Strategy

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.*

Assessment of Risk:

The following risks apply to the decision:

| Risk / opportunity | Mitigation |
|---------------------------|-------------------|
| None | . |

Consultation:

Legal Implications:

Not Applicable

Financial Implications:

Not Applicable

Report Author and Contact Details:

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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 **4 – 10 April**

Client

Complaint 5

Enforcement 6

Premises

Compliance 21

Enforcement 2

Vehicle

Enforcement 14

2.3 **11-17 April**

Client

Complaint 2

Enforcement 6

Premises

Enforcement 4

Vehicle

Enforcement 8

2.4 18-24 April

Client

Complaint 2

Enforcement 3

Premises

Complaint 1

Vehicle

Enforcement 6

2.5 25 April – 1 May

Client

Complaint 4

Enforcement 7

Multi agency visits 1

Premises

Multi agency visits 15

Vehicle

Enforcement 3

2.6 2 – 8 May

Client

Enforcement 3

Premises

Enforcement 5

Vehicle

Complaint 2

Enforcement 9

2.7 9 – 15 May

Client

Complaint 2

Enforcement 7

Operator

Compliance 2

Enforcement 1

Premises

Compliance 9

Intel 1

Vehicle

Complaint 1

Compliance 1

Enforcement 10

3.0 SECURITY OF LICENCES

- 3.1 The Licensing Service are seeking a prosecution of a driver who produced a fraudulent Private Hire Drivers Licence to his Private Hire Operator in order that he could continue working. As a consequence of this investigation holograms are now to be added to all licences as an extra security measure. Operators have been informed to check for this when a licence is produced to them and have been informed to always ask for the original and not a copy/photocopy of official documentation.

4.0 AMENDMENT OF PRIVATE HIRE VEHICLE CONDITIONS

- 4.1 Stage 2 Minimum Licensing Standards was approved at full Council on 24th November 2021, part of this was new conditions for Private Hire Vehicle Licences. All Private Hire Vehicle Licences issued on or after 25th November 2021 are now subject to the new conditions. Bury were the first Licensing Authority in Greater Manchester to implement Stage 2 Common Minimum Licensing Standards. Due to unexpected delays with the implementation of Stage 2 Minimum Licensing Standards across Greater Manchester, details regarding previous signage requirements were omitted from private hire license conditions. The omitted information is detailed below

Condition 5

Any decision regarding the implementation of the proposed 'GM approved' bonnet sticker will be delayed for a period of 2 years while more work is carried out with the

trade and GMP to address the concerns raised by the trade relating to antisocial behaviour.

Existing vehicle livery standards in Bury will be retained until the new GM livery design, dimensions and placement are confirmed and procured. Ahead of the changes, the existing livery standards will be reviewed to accommodate the GM livery. A further update report will be presented to the Licensing and Safety Committee.

The existing condition re signage as below will remain in force pending approval of the new livery.

Signs

Vehicles must display the following signs:

- ***The name of the operator's firm on the front windscreen at the top left-hand side.***
- ***The name of the operator's firm at the bottom of the back windscreen.***
- ***The name, phone number and logo of the operator's firm on the two front-door panels.***

All signs, including phone numbers and logos, must be between 4cm and 7cm high. New signs must be checked with our Licensing Officer before you use them.

You must not display a sign or note saying:

- ***Taxi;***
- ***Cab; or***

4.2 A new set of conditions containing the above information was sent out to all affected licences on 6th May which replaced the conditions that were previously attached to affected licences. The conditions have been amended for all private hire vehicle licences being issued going forward.

4.3 Any new conditions related to vehicle signage will be brought before the Licensing & Safety Committee and included in the report on new vehicle livery and signage as specified in the Stage 2 Minimum Licensing Standards report.

5.0 PARTNERSHIP WORKING

5.1 Licensing Enforcement Officers worked alongside GMP on the evening of Friday 29 April. Fifteen premises were visited across the borough and checks carried out. Three premises were advised to obtain Challenge 25 signage (signage to advise that ID is needed to purchase alcohol if you appear to be under the age of 25), two premises were advised as they were not displaying the summary of their licence and one takeaway was advised that they were not permitted to open past 11pm and must obtain a licence if they wished to do so.

6.0 FEE INCREASE

6.1 Under Section 70(3) of the Local Government (Miscellaneous Provisions) Act 1976 notice was given on 14 April 2022 of the proposal to increase the current fees charged in respect of licences for Hackney Carriage Vehicles, Private Hire Vehicles and Private Hire Operators. The 28 day objection period for this ended on 12 May 2022 and no objections were received. Therefore the new fees to be implemented are as below.

| | | |
|-----|--|--------------------------------|
| 6.2 | Vehicles under 3 years old | £238.00 (£182.00 plus £56.00) |
| | Vehicles over 3 years old | £294.00 (£182.00 plus £112.00) |
| | Private Hire Operators 1-2 vehicles (1 Year) | £288.00 |
| | Private Hire Operators 3 or more vehicles (1 Year) | £410.00 |
| | Private Hire Operators 1-2 vehicles (5 Year) | £1401.00 |
| | Private Hire Operators 3 or more vehicles (5 Year) | £1955.00 |