

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

<b>Meeting:</b>	Licensing and Safety Committee
<b>Meeting date:</b>	18 April 2024
<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>	All

**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

**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 **12 -18 February**

**Client**

Complaint 2

Enforcement 2

Update 2

**Premises**

Enforcement 5

Updates 2

Risk assessment 1

**Vehicle**

Enforcement 19

Updates 3

**Operator**

Complaint 1

2.3 **19 – 25 February**

**Client**

Complaint 2

Enforcement 1

**Premises**

Complaint 5

Enforcement 6

Multi agency 1

**Vehicle**

Enforcement 9

2.4 **26 February – 3 March**

**Client**

Enforcement 5

**Premises**

Compliance 4

Enforcement 3

Complaint 2

**Vehicle**

Enforcement 8

2.5 **4 March – 10 March**

**Client**

Enforcement 2

Complaint 2

Update 2

**Premises**

Compliance 2

Enforcement 4

Multi Agency 2

Risk Assessment 3

**Vehicle**

Enforcement 16

Updates 2

2.6 **11 March – 17 March**

**Client**

Enforcement 4

Complaint 4

Update 2

**Premises**

Enforcement 10

Updates 2

Risk Assessment 3

**Vehicle**

Enforcement 11

Updates 2

Compliance 1

**Operator**

Enforcement 1

**2.7 18 March – 24 March**

**Client**

Complaint 2

Enforcement 4

Intelligence 1

Multi Agency 1

**Premises**

Multi Agency 11

**Vehicle**

Enforcement 3

Multi Agency 11

**2.8 25 March – 31 March**

**Client**

Enforcement 6

**Premises**

Compliance 3

Enforcement 5

**Vehicle**

Enforcement 4

**3.0 LICENSING HEARING SUB-COMMITTEE**

- 3.1** On the 13 March 2024, an application for a new premises licence for Rock News, 141 The Rock, Bury was considered by Licensing Hearings Sub-Committee. Representations had been received from three Responsible Authorities namely Greater Manchester Police, Licensing Authority and Trading Standards. Before the hearing the applicant decided to withdraw his application, therefore the hearing did not take place.
- 3.2** On the 18 March 2024, an application for a variation of a premises licence for The Bower, 403 Bolton Road West, Ramsbottom, BL0 9RN was considered by Licensing Hearings Sub-Committee. A representation had been received from an Interested Party. Members considered the application and resolved to grant the application without any amendments.
- 3.3** An application for a review of a premises licence for Off Licence, 146 Tottington Road, Bury, BL8 1RU, made by Trading Standards, is due to be considered by Licensing Hearings Sub-Committee on 11 April 2024 after this report has been published. Representations had been received from the Licensing Authority and Greater Manchester Police. The outcome of this Hearing will be updated to Members at the meeting.

#### **4.0 PRESENTATION TO BURY BLIND SOCIETY**

- 4.1** On the 28 March 2024, the Licensing Unit Manager carried out a presentation to Bury Blind Society about Hackney Carriage and Private Hire licensing. An email of thanks has been received stating the following: -

On behalf of all of us at BBS, just wanted to thank you for coming along on Wednesday. Everyone found your session interesting and useful. It was also good to be made aware of the regular communication pathway between Bury Council and the taxi firms.

I will keep in touch.

#### **5.0 APPEAL AGAINST REFUSAL TO GRANT A HACKNEY CARRIAGE VEHICLE LICENCE**

- 5.1** Members will recall that on the 14 September 2023, an application to grant a Hackney Carriage licence was considered following the vehicle being written off. The vehicle proprietor appealed against the Licensing and Safety Committee decision to the Crown Court at Minshull Street, Manchester. This matter was heard, and the Judge and the two Magistrates decided to dismiss the appeal and award £400 towards the Council's costs.

#### **6.0 OPERATION AVRO**

- 6.1** Officers from across Public Protection took part in Greater Manchester Police's Operation Avro on 21 March. In the morning roadside stops were carried out, 14 taxis (3 of which were not licensed by Bury) and 1 scrap metal dealer were spoken to by Licensing Officers, 1 taxi was suspended for a tyre that was nearly at legal limit and various breaches of conditions were identified. In the afternoon Licensing Officers visited 12 premises alongside Trading Standards Officers and Greater Manchester Police. Immigration and a tobacco dog accompanied officers for 5 of those premises. 4240 illicit cigarettes were seized, 1.1kg of Hand rolling tobacco, and 912 illegal vapes with a street value of £12,214. 3 premises had breaches of licensing conditions, 1 of which had serious issues.

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**Community impact / links with Community Strategy**

Not applicable

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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.*

<b>Equality Analysis</b>	<i>Please provide a written explanation of the outcome(s) of either conducting an initial or full EA.</i>
<i>The Licensing Service have considered the Equality Act 2010 and due to each application being dealt with on its own merits there is no positive or negative on any of the protected characteristics.</i>	

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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:**

Not applicable

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**Legal Implications:**

Not applicable

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**Financial Implications:**

Not Applicable

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**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	