

Minutes of: LICENSING AND SAFETY COMMITTEE

Date of Meeting: 19th December 2024

Present: Councillor I Rizvi (in the Chair)
Councillors N Bayley, A Booth, R Brown, J Grimshaw, J Hook,
B Ibrahim, G Marsden, G McGill and D Quinn

Also in attendance: M Bridge- Licensing Unit Manager
M Cunliffe – Democratic Services
R Thorpe– Legal Advisor
C Smith- Head of Public Protection

Public Attendance: No members of the public were present at the meeting.

LSP.1 APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillor J Rydeheard and from B Thomson- Assistant Director of Operations Strategy.

LSP.2 DECLARATIONS OF INTEREST

There were no declarations of interest.

LSP.3 MINUTES OF THE PREVIOUS MEETING(S)

Delegated decision:

That the Minutes of the last meetings held on the 11th and 14th November 2024 be approved as a correct record and signed by the Chair.

LSP.4 PUBLIC QUESTION TIME

No questions had been pre submitted to the meeting and no members of the public were in attendance at the meeting.

LSP.5 OPERATIONAL REPORT

The Executive Director (Operations) submitted a report advising Members on operational issues within the Licensing Service.

The report set out updates in respect of the following issues:

The Licensing Service had dealt with a number of compliance and enforcement matters between the 4th November and the 8th December 2024.

Licensing Hearings Sub-Committee Hearings

On the 25th November 2024, an application for the grant of a premises licence at Krakow Grocery, 20 Parkhills Road, Bury, BL9 9AX was considered by the Licensing Hearings Sub-Committee. The application attracted representations from Greater Manchester Police,

Trading Standards and the Licensing Authority in their capacity as Responsible Authorities. Members decided to refuse the application.

On the 5th December 2024, an application for the grant of a premises licence in respect of Prestwich Mini Market, 3 Fairfax Road, Prestwich, M25 1AS was scheduled to be heard by the Licensing Hearings Sub-Committee. However, following the Licensing Unit Manager contacting the agent and the applicant prior to the Sub-Committee Hearing, he was informed by the agent that his client was withdrawing his application and did not want to proceed.

Implementation of Enhanced DBS policy

Members may recall during the implementation of the Common Minimum Licensing Standards – Stage 1. As part of the proposals, proposal one which related to Enhanced Criminal Record Checks stated: -

It is proposed that all drivers will be required to undertake an enhanced disclosure check through the DBS to include barred lists (such as details of unspent convictions and police cautions).

Drivers must also register to the DBS Update Service and maintain that registration to enable the licensing authority to routinely check for new information every 6 months as a minimum.

NB. If a licence has not been issued within 6 months of DBS certificate issue date, then a further enhanced DBS will be required (unless the applicant is registered with the Update Service)

Members agreed the above proposal; however, this was not implemented at that time due to the necessity for a procurement exercise to be undertaken. The Licensing Service have recently conducted a procurement exercise, and the contract has been awarded.

The Licensing Service have taken advice from the Council's legal Department, and they have confirmed that due to the previous decision of this Committee and Full Council, there is no requirement for a further report to be placed before the committee.

Prosecution of a previous licensed driver

The Licensing Service have recently prosecuted a previously licensed driver who fraudulently created a private hire driver's licence which indicated that he was licensed with Bury Council. The individual appeared before Manchester and Salford Magistrates Court on the 29 November 2024. The court imposed a custodial sentence of 16 weeks, suspended for 12 months. As part of this suspended sentence order, he is to undertake 15 Rehabilitation Activity Requirement days and perform 100 hours of unpaid work. He was ordered to pay £300 towards prosecutions costs and a £154 victim surcharge. The financial penalties will be deducted from benefits at the usual rate. A collection order was made.

Delegated decision:

It was agreed that the report be noted.

LSP.6 URGENT BUSINESS

No urgent business was reported at the meeting.

LSP.7 EXCLUSION OF PRESS AND PUBLIC

Delegated decision:

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items of business since it involved the likely disclosure of information relating to individuals who hold Licences granted by the Authority or Applicants for Licences provided by the Authority.

LSP.8 APPLICATION FOR PUBLIC / PRIVATE HIRE DRIVER LICENCE

14/2024

The Executive Director (Operations) submitted a report relating to applicant 14/2024. The Licensing Unit Manager reported that he had tried to contact the applicant this afternoon and had only been able to speak with a family member of the applicant. They had communicated that the applicant would not be present this evening as a sudden family bereavement had occurred.

The Licensing Unit Manager advised it was a matter for the Licensing Committee to hear the case in their absence or defer until the next meeting.

Delegated decision:

The Licencing Committee agreed that applicant 14/2024 would be deferred for consideration at the next meeting of the Licensing and Safety Committee.

COUNCILLOR IRIZVI
Chair

(Note: The meeting started at 7.00pm and ended at 7.30pm)

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