

**Minutes of: LICENSING AND SAFETY COMMITTEE**

**Date of Meeting:** 5<sup>th</sup> June 2025

**Present:** Councillor T Rafiq (in the Chair)  
Councillors A Booth, R Brown, D Green, S Haroon, J Hook,  
K Hussain, B Ibrahim, I Rizvi, G Staples-Jones and M Walsh

**Also in attendance:** M Bridge- Licensing Unit Manager  
M Cunliffe – Democratic Services  
B Thomson- Assistant Director of Operations Strategy  
R Thorpe– Legal Advisor

**Public Attendance:** 2 members of the public were present at the meeting.

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**LSP.1 APOLOGIES FOR ABSENCE**

Apologies for absence were submitted by Councillors J Grimshaw, J Rydeheard and D Quinn.

Councillors G Staples-Jones, K Hussain and S Haroon acted as substitute representatives for Councillors Grimshaw, Rydeheard and D. Quinn.

**LSP.2 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**LSP.3 MINUTES OF THE PREVIOUS MEETING**

**Delegated decision:**

That the Minutes of the last meeting held on the 10<sup>th</sup> April 2025 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 in attendance at the meeting raised any questions.

**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 7<sup>th</sup> April 2025 and 25<sup>th</sup> May 2025.

*Licensing Hearings Sub Committee*

On the 24<sup>th</sup> April 2025, an application for the grant of a new premises licence was considered by the Sub-Committee in respect of the Engine Shed, Rowlands Road, Summerseat, which had attracted a representation from an interested party. Members granted the application as applied for.

#### *Parklife / Oasis Upcoming Events*

The Deputy Licensing Officer had been attending meetings for both upcoming events and feeding into the Community Impact Plan. Officers would be working for all events, and work had started in the way of advice visits to licensed premises discussing what their plans are for the events. Letters have been sent out to residents and businesses regarding Street Trading during the event.

#### *Operation Avro*

Operation Avro was a partnership initiative that took place on 10/04/2025. This involved Greater Manchester Police, Licensing, Trading Standards, Immigration and a detection dog conducting proactive visits to several vape shops and off licences. During these visits licensing breaches were identified and a large quantity of illicit tobacco, illegal vapes and counterfeit goods were seized. This included 384 packs of Cigarettes (7480 sticks), 43 packets of hand rolling tobacco (2.15 kg) and 1218 vapes. In total £25,000 of items were seized, protecting public health from these unsafe items.

#### *Taxi Driver Safety Information*

Following intelligence received from Greater Manchester Police regarding an increase in vehicle theft, the Licensing Service had sent an email to all licensed drivers, private hire operators and trade representatives to inform them of the intelligence. The email was included in the agenda pack for Members information.

#### *GM Engagement Exercise*

Following the round table event that took place on the 16<sup>th</sup> April 2025 when representatives of the hackney carriage and private hire trades were present to communicate the position that all 10 Leaders had discussed and to officially launch the campaign; 'Backing Our Taxis: Local. Licensed. Trusted'. Many representatives from the Bury were in attendance and the proposals were discussed. The online survey about GM Licensing was now live.

The survey results would inform a plan to make licensing in Greater Manchester the first choice for drivers, vehicle owners and operators and will remain available until the 2<sup>nd</sup> June 2025.

As at the 2<sup>nd</sup> June, 240 responses from the taxi trade in Bury had been received along with 4,362 from across Greater Manchester.

#### *Immediate Revocation of a Private Hire Driver*

A private hire driver had declared a conviction for driving or attempting to drive with an alcohol level above the legal limit. The driver also failed to declare the conviction within 24 hours as required by his private hire driver conditions. The Licensing Service consulted with the Chair of this Committee which resulted in his private hire driving licence being immediately revoked in the interests of Public Safety.

A Member of the committee asked if there was a process to issue communications to local Councillors on operations taking place in their ward if questions were raised from local

residents. It was reported that some information can't be divulged for possible legal implications but limited communications could indicate for example the number of stores visited rather than which individual shops so not to prejudice any prosecutions.

**Delegated decision:**

It was agreed that the report be noted.

**LSP.6 REQUEST FOR OFFICER DELEGATION TO SUSPEND PUBLIC / PRIVATE HIRE DRIVER LICENCES WHERE CONSENT HAS NOT BEEN GIVEN FOR A CHECK TO BE CARRIED OUT BY THE LICENSING SERVICE**

The Executive Director (Operations) submitted a report requesting that the Committee approve delegation to officers to immediately suspend Hackney Carriage and Private Hire Drivers Licences who have not given their consent to the Licensing Service for a check to be carried out to ascertain if they are on the DBS update service, to suspend if they have not applied for an enhanced DBS check and registered on the DBS update service or the Licensing Service have not been supplied with the Enhanced DBS information before the expiry date of their current DBS Certificate.

The Licensing Unit Manager presented the report and explained that Section 61 of the Local Government (Miscellaneous Provisions) Act 1976 states that the Council may suspend or revoke or refuse to renew the licence of a driver of a private/public hire vehicle on any of the following grounds:

- a) That he has since the grant of the licence:-
  - (i) been convicted of an offence involving dishonesty, indecency or violence; or
  - (ii) been convicted of an offence under or has failed to comply with the provisions of the Act of 1847 or this Act; or
- b) Any other reasonable cause.

The Act also confers a right of appeal to the Magistrates Court and provides that an individual can continue to drive a hackney carriage/private hire vehicle during the period when an appeal can be lodged and if an appeal is lodged until the appeal is dismissed or withdrawn or fails for want of prosecution. Section 52 of the Road Safety Act, provides Licensing Authorities with a power to suspend or revoke a Hackney or Private Hire driver licences with immediate effect where they are of the opinion that the interests of public safety require such a course of action.

Members were reminded that the Licensing Service have conducted a procurement exercise in relation to the checking of applicants/existing holders of Hackney Carriage and Private Hire criminal records.

The Licensing Service have been requested to obtain the consent of every licensed driver to undertake a check to see if the licence holder is registered for the DBS update service.

This has resulted in several emails being sent to all licensed drivers to obtain their consent to undertake this check.

The Licensing Service have received consent for a large proportion of the drivers, however there are still 108 outstanding. Therefore, the Licensing Service are requesting delegation to immediately suspend under the Road Safety Act those Hackney Carriage and Private hire drivers licences until the consent had been given.

Members asked about the communication process to obtain the consent and it was explained this had been conducted via email.

Members of the Committee discussed this item at length and checked the information was contained in licence holder's handbook and what had the timescales been for reminders to gain consent. It was reported emails had been issued on the 25<sup>th</sup> March 2025, 2<sup>nd</sup> April and 15<sup>th</sup> April.

Some Members felt that a paper copy of the letter should be posted along with an email as some drivers may be out of the country and thus having no access to emails. All options should be exhausted to be inclusive and a Member suggested a phone call reminder.

The Licensing Unit Manager reminded the Committee that the proposed actions were to suspend and not revoke until consent was provided and communications can be issued in other languages. 798 replies had been received with the 108 outstanding and the taxi trade associations had been communicated with to get the message out to their members.

**Delegated decision:**

It was agreed that the Licensing and Safety Committee delegate to the Head of Public Protection, Licensing Unit Manager, and the Deputy Licensing Officer in consultation with the Chair of the Licensing and Safety Committee to immediately suspend Hackney Carriage and Private Hire Drivers who have not given their consent to the Licensing Service for a check to be carried out to ascertain if they are on the DBS update service, to immediately suspend if they have not applied for an enhanced DBS check and registered on the DBS update service or the Licensing Service have not been supplied with the Enhanced DBS information before the expiry date of their current DBS Certificate.

In addition to electronic communications a paper letter would also be posted out via Royal Mail.

**LSP.7 AMENDMENT OF TRANSITIONAL ARRANGEMENTS FOR EXISTING HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES IN RESPECT OF EMISSIONS STANDARDS AND A REVIEW OF COUNCIL AGE POLICY**

The Executive Director (Operations) submitted a report outlining the proposal to amend the Council's current policy relating to the transitional arrangements to enable vehicle proprietors of non-compliant hackney carriage and private hire vehicles to make a renewal application after the 1<sup>st</sup> January 2026. The rationale for this relates to the recent agreement between the 10 GM Authorities, GMCA and Transport for Greater Manchester to permit non-compliant vehicles to remain on fleet until the 31<sup>st</sup> December 2026.

The Assistant Director (Public Protection & Resilience) presented the report and provided a summary to the Committee.

The Council's vehicle emissions and age policies are critical factors for our vehicle licence proprietors in considering their business investment options and viability.

The emissions policy compliance date has been amended 3 times by the Committee in recent years because it became inextricably linked to the Clean Air Plan (CAP) for Greater Manchester, and this plan has been subject to numerous changes and delays since work began in 2018. The Committee has sought to ensure our vehicle licence holders were not adversely affected by those delays.

As Taxis and Private Hire vehicles have continuously been affected by the legal directives issued to all 10 Greater Manchester (GM) authorities, GM submissions have always included an ask of Government for grant funding to support our licensed trades.

In order to support the case for funding support and provide assurance that it would deliver the changes required, GM offered commitments to government that emissions policies would mandate the transition to cleaner vehicles and prevent non-emissions compliant vehicles from being licensed in the future.

This report outlined how the CAP evolved and the subsequent changes to our emissions policy; explains the final outcome of the negotiations with Government in relation to the investment-led CAP, and explains how this affects the deliverability of our current emissions policy. In recognising the wider impact of these issues on our licensed trade, and in response to approaches from the trade in our engagement meetings, this report also outlined proposals for amendments to the emissions and vehicle age policies.

This wider context was taken into consideration by the Committee and Full Council in November 2021, alongside the impacts of the pandemic and subsequent cost of living crisis, when it considered changes to the emissions and age policies as part of the Stage 2 (vehicles) MLS report. The committee and Full Council at that time amended the policies to:

<b>Age Policy</b>	<b>Hackney Carriage Vehicle</b>	<b>Private Hire Vehicle</b>
	Upper age limit 15 yrs Removed the Beyond the Age Limit policy	Upper age limit 10 years Upper age limit 15 years if wheelchair accessible Removed the Exceptional Condition Test
<b>Emissions Policy</b>	All new to licence vehicles must be Euro 4 (petrol) or Euro 6 (diesel) emissions standard All existing licences must transition to have emissions compliant vehicles attached to them by 1 April 2024	

For existing vehicle licence proprietors:

That the transitional arrangements amended by Full Council on the 22<sup>nd</sup> March 2023, in relation to age and emissions, previously extended from the 1<sup>st</sup> April 2024 to the 1<sup>st</sup> April 2026, are amended again and to be in effect from the 1<sup>st</sup> January 2026. This will enable hackney carriage and private hire vehicle owners to meet the agreed GM emissions standard outlined in the revised GM Clean Air Plan submissions. The amended policy will state that from the 31<sup>st</sup> December 2024 a vehicle licence will not be renewed if the vehicle does not meet the current emission standard.

On the 20<sup>th</sup> March 2024, Full Council ratified the above recommendation from the Licensing and Safety Committee.

Members were reminded that on the 5<sup>th</sup> September 2024, a further report was considered by the Licensing and Safety Committee regarding Review of transitional arrangements for existing Hackney Carriage and Private Hire vehicles in respect of emissions standards, which was ratified by Full Council on the 11<sup>th</sup> September 2024.

The Assistant Director (Public Protection & Resilience) commented on the latest position of the clean air plan and Greater Manchester.

On the 22<sup>nd</sup> May 2025, the Licensing Service hosted a trade engagement meeting with trade representatives from the hackney carriage and private hire trades in Bury regarding the content of this report. The trade representatives were in support of the proposed amendments to Council Policy.

Leaders discussed a potential way forward, driven by a strong intention that all 10 authorities retain a consistent position with regards to the emissions policy. This would ensure that access to any funds is fair and equitable, and to mitigate against an increased risk of licence shopping between the GM authorities.

On the 16<sup>th</sup> April 2025, trade representatives from across Greater Manchester were invited to a round table event hosted by the GMCA Chair to communicate the position that all 10 Leaders had discussed and to officially launch the campaign; 'Backing Our Taxis: Local. Licensed. Trusted' Many representatives from Bury were in attendance and the proposals were generally well received.

A campaign for legislative change had been supported by Bury with the Cabinet Member for Culture and Economy writing to the transport Minister. It was welcomed as the only way to address the negative impacts of the changes brought about by the Deregulation Act. The engagement programme to ensure funding is applied in the most effective way, and to help inform how licensing authorities across GM develop and deliver its policies and services, is also welcomed.

Officers support the extension of the emissions compliance deadline to the 31<sup>st</sup> December 2026 and consider this allows our licence holders additional time to take part in the engagement programme and await the outcome of those discussions that may result in amendments to the funding offer/criteria. It is also unclear what the offer will be for the Private Hire trade at present.

Members may be concerned about the condition of vehicles that are older, and it is important to note that any extension to the vehicle age limit would not affect the requirement to pass the vehicle compliance test carried out by our authorised vehicle examiners, and to comply with vehicle licence conditions.

The Licensing Service had reviewed the data on the 15<sup>th</sup> May 2025 in respect of Hackney Carriages and Private hire vehicles which highlighted the number of vehicles currently over the Council's Age Policy this is due to the transitional arrangements that have been put in place. The report also contained for reference the other current comparable policies.

The Assistant Director (Public Protection & Resilience) concluded that the report sought approval to amend the current policy by permitting existing vehicle proprietors of current non complaint hackney carriage and private hire vehicles to make a renewal application after the 1<sup>st</sup> January 2026. The non-compliant vehicle would be subject to a compliance test at either of the Council's approved testing stations. Provided the vehicle passes the compliance test it will be issued with a 12-month licence vehicle licence. The vehicle licence would be granted for a twelve-month period and subject to an additional condition that the non-compliant vehicle is removed from the fleet and replaced with a compliant vehicle no later than the 31<sup>st</sup> December 2026.

**Delegated decision:**

It was agreed that the Licensing and Safety Committee adopted the following amendment (2,3,4,5 and 6) to the existing emission standard and recommends to Full Council that amendment (2,3,4,5 and 6) be approved:

For existing vehicle licence proprietors with a non-complaint vehicle:

2. A vehicle proprietor of a hackney carriage and private hire vehicle licence that is due for renewal after the 1 January 2026 which is non-compliant with emission standards (EURO 4 Petrol vehicles and EURO 6 diesel vehicles) is permitted to make an application to renew the vehicle licence and provided the vehicle

passes its compliance test it will be issued with a 12-month vehicle licence. The vehicle licence would be granted subject to a condition that the non-compliant vehicle is removed from the fleet and replaced with a Euro 4 or 6 compliant vehicle by the 31 December 2026.

3. Allow existing vehicle licence holders to continue to renew their vehicle licence with the same non-emissions compliant vehicle until the age limit of that vehicle in accordance with the vehicle age policy.
4. Extend the upper age limit for purpose-built Hackneys and wheelchair accessible Private Hire vehicles from 15 years to 17 years.
5. Extend the upper age limit for non-wheelchair accessible Private Hire vehicles to 12 years.
6. To delegate powers to the Head of Public Protection/Licensing Unit Manager and/or the Deputy Licensing Officer to suspend any vehicle licence that has been issued after the 1 January 2027 where the vehicle proprietor(s) have not complied with the condition to replace the non-compliant vehicle with a compliant vehicle by the 31 December 2026.

In addition to the above, Members of the Licensing and Safety Committee agreed delegation to the Head of Public Protection/Licensing Unit Manager and/or the Deputy Licensing Officer in conjunction with the Chair of Licensing & Safety Committee to suspend any vehicle licence that has been issued to a non-complaint vehicle after the 1<sup>st</sup> January 2027 where the vehicle proprietor(s) have not complied with the condition of the vehicle licence to replace the non-compliant vehicle with a compliant vehicle by the 4<sup>th</sup> January 2027.

The Licensing and Safety Committee also agreed delegation to the Head of Public Protection/Licensing Unit Manager in conjunction with the Chair of Licensing & Safety Committee to amend Council Policy that relates to the transitional arrangements for existing vehicle proprietors who own non-compliant vehicles to enable access to any funding opportunities linked to the GM CAP. Any decisions made would be reported in the Operational Report at a future meeting of the Licensing and Safety Committee.

## **LSP.8 URGENT BUSINESS**

No urgent business was reported at the meeting.

## **LSP.9 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.10 APPLICATION FOR THE GRANT OF A STREET TRADING CONSENT**

The Executive Director (Operations) submitted a report relating to the application for the Grant of a Street Trader consent. The applicant who was in attendance at the meeting alongside their representative. The Chair made introductions and the Council Solicitor outlined the procedure to be followed and clarified that all those present had read the report. The report, which was accepted by the applicant and presented by the Licensing Manager, set out the reasons for the application being before the Committee.

The applicant had made a new application for a Street Trader Consent to Bury Council on the 17<sup>th</sup> February 2025.

Members were reminded that this applicant had appeared before the Licensing and Safety Committee on the 18<sup>th</sup> April 2024. The previous report and Minutes were attached at Appendix 1, 2 and 3 in the private agenda pack.

**Delegated decision:**

The Committee carefully considered the report and oral representations by the applicant and his representative. The Committee noted the evidence provided in the private agenda pack via the Officer's report.

Taking into account the provisions of schedule 4 (7) of the Local Government (Miscellaneous Provisions) Act 1982, the Committee resolved unanimously **to refuse the application**. The Committee did not believe the applicant to be a fit and proper person to hold a street trader consent.

The evidence presented had demonstrated the applicant was unsuitable to hold a street trader consent.

***At this stage of the evening, the meeting was approaching the maximum of three hours, excluding the period taken up by any public question time. At the expiry of the three hours, the Chair and Members present agreed that the meeting continue beyond the three hours duration.***

**LSP.11 APPLICATION TO RENEW A HACKNEY CARRIAGE VEHICLE LICENCE CONTRARY TO COUNCIL POLICY**

The Executive Director (Operations) submitted a report relating to an application to licence a vehicle as a hackney carriage which falls outside the Council's current policy.

The applicant was in attendance at the meeting alongside their representative. The Chair made introductions and alongside the legal advisor outlined the procedure to be followed and clarified that all those present had read the report. The report, which was accepted by the applicant was presented by the Licensing Unit Manager.

Members were reminded that a report was considered at the Licensing and Safety Committee meeting on the 11<sup>th</sup> November 2021 in relation to common minimum standards. Members of the Committee noted the report and recommended approval which was undertaken at a meeting of the Full Council on the 24<sup>th</sup> November 2021. The following policy standard was adopted:-

*Standard 9 of the adopted common minimum licensing standards related to vehicle design and stated "No vehicle first being licensed will have been written off in any category and will not be renewed (if previously written off) after 1 April 2022".*

On the 24<sup>th</sup> March 2022, a further report was considered and adopted by the Licensing and Safety Committee in relation to written off vehicles. The decision of the Committee was as follows:-

*Following discussions with the GM Licensing Network, it is proposed to review this standard in its entirety and give consideration to a revised standard in relation to written off vehicles. It is recommended that the standard that has been previously approved be amended as follows:-*

*Existing licence holders with vehicles that have previously been written off (in any category) will be permitted to renew their licence up to the 31<sup>st</sup> March 2023.*

On the 16<sup>th</sup> March 2023, a further report was considered and approved by the Licensing and Safety Committee in relation to amendments to the Greater Manchester Minimum Licensing Standards for the Hackney Carriage and Private Hire vehicles. This report included amendments to the implementation date for the written-off vehicle to the 1<sup>st</sup> April 2026 for existing licensed vehicles. Members resolved that the implementation date for the written-off vehicle standards be extended to 1 April 2026. The amendment of to the written off policy is to permit vehicle licence holders who are currently licensed in Bury with a previously written off vehicle prior to the implementation of the Stage 2 of Common Minimum Standards in November 2021 to continue to be able to licence the vehicle until the 1<sup>st</sup> April 2026. In order to achieve compliance, the current policy now stated that from the 1<sup>st</sup> April 2025 a vehicle licence will not be renewed if the vehicle has been previously written off.

On the 11<sup>th</sup> May 2025, the Licensing Service received an application for the renewal of a Hackney Carriage Vehicle Licence.

The Hackney carriage vehicle licence was due to expire in June 2025. This was attached at Appendix 1 in the private agenda packs.

Members were requested to consider the application and determine whether to depart from current Council Policy relating to the written off vehicle standard which does not permit a written off vehicles being accepted to renew a new vehicle application as outlined in the report contained in the private agenda packs.

**Delegated decision:**

The Committee carefully considered the report and circumstances via the oral representations and evidence presented by the applicant and their representative.

Taking into account the Council's current policy and guidelines relating to an application to licence a vehicle as a hackney carriage, the Committee resolved **to apply the current licensing policy relating to written off vehicles and refuse the renewal application.**

**LSP.12 SUSPENSION / REVOCATION OF PUBLIC / PRIVATE HIRE DRIVER LICENCES**

**Licence Holder 3/2025**

The Executive Director (Operations) submitted a report relating to Licence Holder 3/2025 who was in attendance at the meeting alongside their legal representative. The Chair made introductions and alongside the legal advisor outlined the procedure to be followed and clarified that all those present had read the report. The report, which was accepted by the Licence Holder was presented by the Licensing Unit Manager and set out the reasons for the Licence Holder being before the Committee.

The Licensing Unit Manager reported and presented background information to the Committee on this case.

A number of Members asked questions in relation to the case.

The driver was before members for consideration to be given as to his suitability to be a private hire driver in Bury.

**Delegated decision:**

The Committee carefully considered the report and oral representations by the Licence Holder and their representative.

Taking into account the Council's Conviction Policy and Guidelines and in accordance with the Local Government (Miscellaneous Provisions) Act 1976, the Committee resolved **to admonish the licensee as to future conduct.**

#### **Licence Holder 4/2025**

The Executive Director (Operations) submitted a report relating to Licence Holder 4/2025 who was in attendance at the meeting alongside their legal representative. The Chair made introductions and alongside the legal advisor outlined the procedure to be followed and clarified that all those present had read the report. The report, which was accepted by the Licence Holder was presented by the Licensing Unit Manager and set out the reasons for the Licence Holder being before the Committee.

The Licensing Unit Manager reported and presented background information to the Committee on this case.

A number of Members asked questions in relation to the case.

The driver was before members for consideration to be given as to his suitability to be a private hire driver in Bury.

#### **Delegated decision:**

The Committee carefully considered the report and oral representations by the Licence Holder.

Taking into account the Council's Conviction Policy and Guidelines and in accordance with the Local Government (Miscellaneous Provisions) Act 1976, the Committee resolved **to admonish the licensee as to future conduct.**

**COUNCILLOR T RAFIQ**  
**Chair**

**(Note: The meeting started at 7.00pm and ended at 11.40pm)**