

LSC2

Contact Officer: David Gordon Tel. 01484 221714

KIRKLEES COUNCIL
LICENSING AND SAFETY COMMITTEE

Monday 19 September 2011

Present: Councillor Ahmed in the Chair
Councillors Dodds, Hardcastle, M Hussain, Iqbal, Iredale, Lawson,
Murphy, Parchment, Scott, Sokhal, Stanfield and Stubley

Apologies: Councillors Brice, Burke and Ward

- 1 Membership of the Committee**
Councillor Lawson substituted for Councillor Burke.
- 2 Minutes**
The Minutes of the meeting of the Committee held on 18 March 2011 were approved as a correct record.
- 3 Interests**
No interests were declared.
- 4 Admission of the Public**
The Committee considered the question of the exclusion of the public and determined that all the items be taken in public session.
- 5 Deputations/Petitions**
No deputations or petitions were received.
- 6 Public Question Time**
No questions were asked.
- 7 Bradford Road/Hick Lane, Batley – Hackney Carriage Rank**
The Licensing Manager submitted a report that requested the Committee to reconsider the decision taken at the last meeting (Minute 13 refers) to remove the two vehicle Hackney Carriage Rank at Bradford Road/Hick Lane, Batley.

The report indicated that since the decision taken to remove the rank, a number of representations had been made objecting to the decision taken. All the Local Batley Ward Councillors had made representations on behalf of the Hackney Carriage Trade and requested that the decision to remove the rank be reconsidered.

As background information, the Committee received a copy of the report which had been submitted to the last meeting. West Yorkshire Police did not object to the rank being reinstated, subject to the limit on numbers being adhered to. The Highways Service were opposed to the rank being re-instated and the Committee also received correspondence from the landlord of Oakwell Cars of 371 Bradford Road, Batley and the Directors of Oakwell Cars who had both opposed the reinstatement of the rank.

Under the provisions of the Council's Procedure Rule No. 37, the Committee heard representations as follows:

- Akooji Badat (Hackney Carriage/Private Hire Trade) and Idris Adam (Hackney Carriage Trade) who spoke in support of the reinstatement of the rank
- Councillors Hanif Mayet, Mahmood Akhtar and Peter O'Neill (Local Batley Ward Councillors) who spoke in support of the reinstatement of the rank.
- Councillor Peter McBride who spoke in support of the reinstatement of the rank.

RESOLVED -

(1) That the Hackney Carriage Rank at Bradford Road/Hick Lane be reinstated and that a report reviewing activities at the rank be submitted to the Committee in 6 months time.

(2) That, in the meantime, discussions take place between the Licensing Department, Highways, the Police, the Hackney Carriage and Private Hire Trade and Oakwell Cars and Street Cars.

8 Penalty Points System for Taxis and Private Hire Vehicles

Pursuant to Minute 14 of the last meeting, the Licensing Manager submitted a report which requested the Committee to consider a proposal to abandon the proposed introduction of a Penalty Points Scheme for Taxis, Private Hire Vehicles and Operators in favour of a Reward Scheme.

The report indicated that the proposed scheme, which had been timetabled for introduction and adoption in January 2012, had caused much consternation and upset amongst the Taxi Trade as it was seen as an unnecessary layer of enforcement and the Taxi Trade had argued that the current enforcement methods worked well. The report stated that a deputation by the GMB Union had attended a meeting of the Cabinet on behalf of the Taxi Trade and the report also contained details of concerns about the scheme which had been expressed at a Cabinet Briefing meeting.

The Committee was informed that extra funding of approximately £50,000 would be required for a dual IT system to implement a Penalty Points Scheme. In addition, current staffing levels could not support the scheme as the likely amount of Senior Officer time to deal with an appeal procedure was likely to be overwhelming and disproportionate.

Under the provisions of the Council's Procedure Rule No. 37, the Committee heard representations as follows:

- Councillors Peter McBride and Peter O'Neill who spoke in support of the Penalty Points Scheme being abandoned.
- Derrick Yates who spoke in support of the Penalty Points Scheme being introduced and adopted.
- Akooji Badat (Hackney Carriage/Private Hire Trade) who spoke in support of the Penalty Points scheme being abandoned.

RESOLVED - That the Penalty Points Scheme be abandoned and that a Reward Scheme be introduced.

(Under the provisions of the Council's Procedure Rule No.42(4), Councillors Iredale, Parchment, Lawson and Murphy asked for it to be recorded that they had voted against the decision taken by the Committee).

9 Advertising Material Displayed on Licensed Vehicles

The Licensing Manager submitted a report which requested the Committee to determine whether Licensed Vehicles should be allowed to display additional advertising material. The Taxi Trade had asked for the flexibility to offer advertising to companies who would pay to provide professionally applied signage to Licensed Vehicles.

The report set out what advertising was currently allowed on Licensed Vehicles and contained possible options for the Committee to consider in respect of adopting an advertising policy. The Committee also received details of examples of advertising which was allowed in a number of major UK cities and a draft Advertising Policy and Conditions to be adhered to when making an application to display additional signage on a vehicle.

RESOLVED - That approval be given to adopt an advertising policy to allow Hackney Carriage Vehicles only to display additional advertising material, which be subject to the advertising policy containing the following conditions: -

- (a) Vehicles must have a CCTV camera fitted, which complies with the approved Council system.
- (b) An annual fee to be paid to the Council.
- (c) Cigarette and alcohol advertising be not allowed.
- (d) Advertising to be restricted to a maximum of the 4 bottom door panels of vehicles.
- (e) Each application received to be submitted to the Regulatory Panel for consideration.

10

Draft House to House Collections Policy

The Licensing Manager submitted a report seeking approval to carry out a full consultation on a draft House to House Collections Policy, prior to a final draft of the policy being submitted to the Committee for formal adoption.

The report indicated that a house to house collection was a collection for charity either of money or goods. The number of house to house collections had increased significantly over the past two years so there was a need for a policy to support decisions made. The legislation concerning the refusal of applications for house to house collections was very specific and only allowed certain matters to be taken into account. The draft policy, a copy of this was attached to the submitted report, aimed to give both Officers and Members more guidance on making decisions.

It was proposed that the draft policy would be subject to a full 12 week consultation with pertinent organisations/stakeholders.

RESOLVED - That approval be given for the draft House to House Collections Policy to be circulated for consultation to all relevant organisations and that a final draft of the policy be submitted to the Committee for formal adoption.

11

Private Hire Operator Training Course

The Licensing Manager submitted a report seeking approval for Officers to develop a Private Hire Operator Training Course which be circulated for consultation and that a final draft of the Training Course be submitted to the Committee for approval for implementation.

The report indicated that Private Hire Operators were currently required to adhere to conditions to be attached to a Licence to operate a Private Hire Vehicle, a copy of which was attached to the submitted report. It had become clear that over time breaches of conditions of Licences take place and the submitted report contained details of examples of breaches which occurred.

To address the concerns of Officers, it was proposed that a Private Hire Training Course be designed and implemented which would be a compulsory requirement to be reached before being granted an Operator Licence in Kirklees. An outline of the course modules was attached to the submitted report and it was also proposed that the course would apply to any existing Operators found to be in breach of their Operator Licence.

RESOLVED - That approval be given for Officers to develop a Private Hire Operator Training Course to be circulated for consultation and that a final draft of the Training Course be submitted to the Committee for approval for implementation.