



**Service Director – Legal, Governance and
Commissioning**

Julie Muscroft

Governance and Commissioning

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Decision Summary

Committee:

Date:

Committee Clerk:

TEL:

LICENSING AND SAFETY COMMITTEE

WEDNESDAY 6 JULY 2022

Jenny Bryce-Chan

01484 221000

Chair

Councillor Amanda Pinnock

Councillors Attended

Councillor Ammar Anwar

Councillor Moses Crook

Councillor Jo Lawson

Councillor Mohan Sokhal

Councillor Adam Zaman

Councillor Adam Gregg

Councillor Michael Watson

Councillor Paola Antonia Davies

Councillor Andrew Marchington

Attendees:

Russell Williams, Operational Manager, Public Protection

Fiona Goldsmith, Public Protection, Group Leader

Martin Wood, Head of Public Protection

David Stickley, Legal Advisor to the Committee

Observers

Tahir Hanif, Senior Legal Officer

Apologies

Councillor David Hall, Councillor Kath Taylor and Councillor Karen Allison

1 Membership of the Committee

This is where Councillors who are attending as substitutes will say for whom

they are attending.

Apologies were received from the following members: Cllr David Hall, Cllr Karen Allison, Cllr Kath Taylor and Cllr James Homewood

Cllr Eric Firth and Cllr Susan Lee-Richards attended the meeting as subs.

2 Minutes of Previous Meeting

To approve the minutes of the meeting of the Committee held on the 2 March 2022.

That the minutes of the meeting held on the 2 March 2022 be approved as a correct record.

3 Interests

The Councillors will be asked to say if there are any items on the Agenda in which they have disclosable pecuniary interests, which would prevent them from participating in any discussion of the items or participating in any vote upon the items, or any other interests.

No interests were declared.

4 Admission of the Public

Most debates take place in public. This only changes when there is a need to consider certain issues, for instance, commercially sensitive information or details concerning an individual. You will be told at this point whether there are any items on the Agenda which are to be discussed in private.

All agenda items were considered in public session.

5 Deputations/Petitions

The Committee will receive any petitions and hear any deputations from members of the public. A deputation is where up to five people can attend the meeting and make a presentation on some particular issue of concern. A member of the public can also hand in a petition at the meeting but that petition should relate to something on which the body has powers and responsibilities.

In accordance with Council Procedure Rule 10 (2), Members of the Public should provide at least 24 hours' notice of presenting a deputation.

No deputations or petitions were received.

6 Public Question Time

The Committee will hear any questions from the general public.

No public questions were asked.

7 Review of Licensing Policy Statement (Gambling)

The purpose of this report is to inform Members of the results of a consultation on the Council's draft Licensing Policy Statement (Gambling) and for Members to make recommendations to Council for its adoption.

Contact: Fiona Goldsmith Group Leader, Licensing, Tel: 01484 221000

RESOLVED:

That

- a) the word "limit" be removed from Part D – 4 of the policy
 - b) the draft policy be referred to Full Council to be adopted as the Council Licensing Policy Statement (Gambling)
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8 Licensing Services Update

The purpose of the report is to inform members of the activities undertaken to discharge the Council's licensing functions from 01st October 2021 to 31st March 2022.

Contact: Fiona Goldsmith Group Leader, Licensing, Tel: 01484 221000

RESOLVED:

That the Licensing Service update report be noted.

9 Delegated Officer Decisions (Licensing)

The purpose of the report is to provide Members with an update on making decision made under the current fitness and suitability policy public.

Contact: Fiona Goldsmith Group Leader, Licensing Tel: 01484 221000

RESOLVED:

that the Delegated Officer Decision report be noted.

10 Department for Transport – Statutory Taxi and Private Hire Vehicle Standards

The purpose of the report is to inform members of the results of consultation carried out between Tuesday 14th September 2021 and 30th March 2022 on the proposed changes to the Council's current hackney carriage and private hire licensing policy in line with the recommended vehicle standards published in the statutory guidance issued by the Department for Transport (DfT) and for members to make a decision regarding the various proposals included in the report.

Contact: Fiona Goldsmith Group Leader, Licensing, Tel: 01484 221000

Question 1

Do you agree that licence holders should be required to notify the issuing authority within 48 hours of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence?

RESOLVED:

that the Department for Transport Statutory Taxi and Private Hire Vehicle Standard be adopted

Question 2

Do you agree that the if the Licensing authority make a decision to refuse or revoke a licence due to an individual being thought to be a risk of harm to a child or vulnerable adult this matter should be referred to the DBS?

RESOLVED:

that the Department for Transport Statutory Taxi and Private Hire Vehicle Standard be adopted

Question 3

If action is taken by the council as a result of information being received from the police, do you agree that the information should be then fed back to the police?

RESOLVED:

that the Department for Transport Statutory Taxi and Private Hire Vehicle Standard be adopted

Question 4

Do you agree that where an applicant has spent an extended period of three or more continuous months outside of the UK the applicant should be required, where possible to provide criminal records information or a 'certificate of good character' from the country in which they have resided?

RESOLVED:

that the existing policy requirement of six months remain in place

Question 5

Do you agree that all vehicle proprietors who do NOT hold a valid hackney carriage / private hire drivers' badge should complete a basic disclosure from the DBS (Disclosure Barring Service) at first application and a check required annually for the duration of the vehicle licence?

RESOLVED:

that the existing policy where vehicle proprietors do not require a DBS check remain in place

Question 6

Do you agree that all ancillary staff that work at private hire operator bases and have access to booking records should be required to complete an annual DBS check?

RESOLVED:

that the Department for Transport Statutory Taxi and Private Hire Vehicle Standard be adopted

Question 7

Do you agree that private hire operators should keep a register of all staff that take bookings or dispatch vehicles, including confirmation that they have completed an annual DBS check and that they provide their policy on employing ex-offenders, for those persons on the register?

RESOLVED:

that the Department for Transport Statutory Taxi and Private Hire Vehicle Standard be adopted

Question 8

Do you agree with the proposed changes to the condition in relation to the recording of bookings by private hire operators?

RESOLVED:

that the Department for Transport Statutory Taxi and Private Hire Vehicle Standard be adopted in part removing the requirement for "full" in relation to the name of the hirer

Question 9

Do you agree that there are local circumstances that indicate the installation of CCTV would have either a positive or adverse effect on the safety of taxi and private hire vehicle users?

RESOLVED:

that officers undertake further work/engagement to establish the need for a CCTV policy within Kirklees and submit a report for consideration at a future meeting of the Licensing and Safety Committee

Question 10

Do you agree that the council should have a specific policy in relation to stretch limousines?

RESOLVED:

that officers develop a specific policy in relation to stretch limousines and submit it for consideration at a future meeting of the Licensing and Safety Committee

Question 11

Do you agree that the decision making should stay delegated to the Group Leader for Licensing?

RESOLVED:

that officers undertake further work to investigate the possible options relating to decision making and prepare a detailed report and submit it for consideration at a future meeting of the Licensing and Safety Committee

11 Review of Suitability Policy

The purpose of this report is to inform Members of concerns raised about the Council's current policy on determining the fitness and suitability to hold a private hire and hackney carriage licence.

Contact: Fiona Goldsmith Group Leader, Licensing, Tel: 01484 221000

RESOLVED:

- a) that a review of Private Hire and Hackney Statement of Fitness and Suitability Policy be undertaken
 - b) Officer be formally thanked for the work they have undertaken in preparing and presenting reports to the Committee
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