

Public Document Pack



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

Samantha Lawton

Governance and Commissioning

PO Box 1720

Huddersfield

HD1 9EL

Tel: 01484 221000

Please ask for: Jodie Harris

Email: jodie.harris@kirklees.gov.uk

Tuesday 12 November 2024

Notice of Meeting

Dear Member

Environment and Climate Change Scrutiny Panel

The **Environment and Climate Change Scrutiny Panel** will meet in the **Council Chamber - Town Hall, Huddersfield** at **2.00 pm** on **Wednesday 20 November 2024**.

This meeting will be live webcast. To access the webcast please go to the Council's website at the time of the meeting and follow the instructions on the page.

The items which will be discussed are described in the agenda and there are reports attached which give more details.

A handwritten signature in black ink, appearing to read 'S Lawton'.

Samantha Lawton
Service Director – Legal, Governance and Commissioning

Kirklees Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair/Clerk of their intentions prior to the meeting.

The Panel members are:-

Member

Councillor Andrew Cooper (Chair)

Councillor David Longstaff

Councillor Will Simpson

Councillor John Taylor

Councillor Matthew McLoughlin

Councillor Susan Lee-Richards

Jane Emery (Co-Optee)

Garry Kitchin (Co-Optee)

Agenda

Reports or Explanatory Notes Attached

Pages

1: Membership of the Panel

To receive apologies for absence from those Members who are unable to attend the meeting.

2: Minutes of the Previous Meeting

1 - 6

To approve the Minutes of the meeting of the Panel held on the 25th September 2024.

3: Declaration of Interests

7 - 8

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

4: Admission of the Public

Most agenda items take place in public. This only changes where there is a need to consider exempt information, as contained at Schedule 12A of the Local Government Act 1972. You will be informed at this point which items are to be recommended for exclusion and to be resolved by the Panel.

5: Deputations/Petitions

The Panel will receive any petitions and/or 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 submit a petition at the meeting relating to a matter on which the body has powers and responsibilities.

In accordance with Council Procedure Rule 10, Members of the Public must submit a deputation in writing, at least three clear working days in advance of the meeting and shall subsequently be notified if the deputation shall be heard. A maximum of four deputations shall be heard at any one meeting.

6: Public Question Time

To receive any public questions.

In accordance with Council Procedure Rule 11, the period for the asking and answering of public questions shall not exceed 15 minutes.

Any questions must be submitted in writing at least three clear working days in advance of the meeting.

7: Public Space Protection Orders

9 - 18

The Panel will consider a report to giving an update on a revision to the Council's Public Space Protection Orders ('PSPO') and the introduction of a new PSPO.

Contact:

Neil Sidhu, Complex Enforcement Manager - Public Protection

8: Proposed Kirklees Lane Rental Scheme

19 - 24

The Panel will consider a report on the proposed Kirklees Lane Rental Scheme.

Contact:

Donna Hodgson, Operations Manager - Highways Network Management

9: Proposed Revision to Statement of Licensing Policy 2025 - 2030 and Cumulative Impact Assessment

25 - 32

The Panel will consider the Proposed Revision to Statement of Licensing Policy 2025 – 2030 and the Cumulative Impact Assessment.

Contact:

Fiona Goldsmith, Group Leader – Licensing

10: Work Programme 2024-25

33 - 42

The Panel will consider its work programme for 2024-25.

Contact:

Jodie Harris , Principal Governance and Democratic Engagement
Officer

This page is intentionally left blank

Contact Officer: Jodie Harris

KIRKLEES COUNCIL

ENVIRONMENT AND CLIMATE CHANGE SCRUTINY PANEL

Wednesday 25 September 2024

Present:

Councillor Andrew Cooper
Councillor Susan Lee-Richards
Councillor David Longstaff
Councillor John Taylor
Councillor Will Simpson
Councillor Matthew McLoughlin

In attendance:

Councillor Munir Ahmed, Cabinet Portfolio Holder for
Environment and Highways
Katherine Armitage, Service Director – Environmental
Strategy and Climate Change
Leanne Perry, Public Protection Group Leader
Judith Stones, Operational Manager
James Kaye, Public Protection Group Leader

Apologies:

Garry Kitchen (Co-optee)

Membership of the Panel

Apologies were received from Garry Kitchen (Co-optee) .

2 Minutes of the Previous Meeting

The Panel considered the Minutes of the meeting of the Panel held on 14th August 2024 and 10th September 2024.

RESOLVED: That the Minutes of the previous meetings be approved.

3 Interests

No interests were declared

4 Admission of the Public

All items were considered in the public session.

5 Deputations/Petitions

No deputations or petitions were received.

6 Public Question Time

No public questions were received.

7 Food Safety Service Delivery Plan

The Panel considered an update on the Food Safety Service Delivery Plan 24-25 presented by Leanne Perry, Public Protection Group Leader. The Panel received a presentation which outlined:

- The requirements of a Food Safety Service Plan.
- The number and types of food businesses in Kirklees and the demographics of Kirklees.
- The work undertaken and the enforcement actions taken in the previous year reporting against the priorities identified in the Food Safety Plan 2023 in compliance with the Food Standards Agency (FSA) Codes of Practice.
- The Priorities of the Food Safety Plan 2024 which were:
 - To continue to deliver official food controls in accordance with the FSA Codes of Practice and any other instruction received during the year.
 - To develop and expand the Steps to Success (STS).
 - To review the communications strategy, including a focus on use of social media.
 - To undertake place-based working in areas where there was a correlation between poor hygiene standards and areas of high deprivation.
 - To carry out consultancy work to educate business owners and support improvement.
 - To increase commercial sampling
- The STS workshops had 4 key objectives which were:
 - To improve understanding of Food Business Operators legal responsibilities.
 - To improve knowledge regarding food safety.
 - To improve understanding of what officers were looking for during an inspection and how ratings were calculated.
 - To improve understanding of the importance of a documented food safety management system and to provide guidance to businesses in completing these.
- After attending the workshop and receiving a follow up inspection, 95% of the food premises that attended an STS workshop were rated at FHR 3 or above (compliant with Food Hygiene Regulations).
- There was also a reduction in officers time in completing re-visits and enforcement action, as well as a positive reduction in non- complaint food premises.
- The FSA Audit September 2023 had a positive outcome and made 3 recommendations which had now been actioned and the audit had been formally closed.

In the discussion to follow the Panel raised the following questions and comments:

- In relation to the increase in 3 types of bacteria listed in appendix 3, the Panel wanted to understand the reasons for the increase, and it was advised that the

current increase shown in the data was largely due to travel abroad and the lifting of travel restrictions following the Covid-19 pandemic. The Panel were further informed that discussions were being held at a West Yorkshire level and further education was required around the issue going forwards.

- In response to a question from the Panel in relation to the Council's budget constraints it was advised that the team were fully staffed, and a training programme was in place to ensure that all staff could be trained in-house to become fully authorised in acknowledging national challenges around the recruitment of trained enforcement officers.
- In response to a question from the Panel in relation to the move from voluntary closures to prohibitions it was advised that this was a result of national challenges during the pandemic which had now returned to a normal position.
- In response to a question from the Panel in relation to the Councils flexibility in responding to reported allergen issues found within national chains, it was advised that the team received Food Safety Agency updates and there was a requirement of the Council to investigate and follow up on once received.
- In response to a question from the Panel in relation to in the use of mystery shoppers, it was advised that Kirklees did not take this approach and instead carried out surprise inspections as well as buying samples from businesses to identify any issues with products being sold.
- The Panel noted consistent high performance from the team and thanked Leanne Perry and the team for their hard work.

RESOLVED: The Panel noted the report Food Safety Service Delivery Plan 24-25 and recommended that Leanne Perry and the team be thanked for their positive work.

8. Statutory Health and Safety Service Plan 24-25

The Panel considered an update on the Statutory Health and Safety Service Plan 2024-25 which was presented by James Kaye, Public Protection Group Leader. The presentation outlined:

- The responsibilities of the Local Authorities and the Health and Safety Executive (HSE) in co enforcing provisions of the Health and Safety at Work Act 1974(HSAWA).
- The responsibilities of Local Authorities, which included:
 - LA enforcement within 65% of all workplaces within Great Britain, accounting for over 2million premises - a significant role in keeping workers and members of the public safe while at work.
 - Generally overseeing health and safety in leisure, retail, office and warehouse environments.
- The key aim of the work, which was to protect people's health and safety by ensuring risks in the workplace were properly managed.
- The service priorities for 2023/2024, which were to ensure risks in the workplace were managed properly by:
 - Having risk-based intervention plans focused on specific risk.
 - Use national and local Intelligence to inform service priorities.
 - Consider a wide range of interventions.

- Work in line with Enforcement Code guidance (LAC) and be transparent in the approach by welcoming review by the HSE (LAE1 statutory return) and other critical friends.
- The key outcomes for 2023/2024, which included:
 - 22 proactive investigations carried out at builders merchants and very few issues were found.
 - 18 onsite investigations carried out to address the hazard of work-related stress in residential care homes.
 - 74 reactive visits made to businesses to investigate serious accidents or serious health and safety complaints.
 - The blocking of an open mezzanine level following the serving of a prohibition notice.
- The service priorities for 2024/2025, which included:
 - To continue to investigate all major accidents and Health and Safety complaints.
 - To continue the work-related stress project, including a key focus on residential care homes.
 - Planned preventive maintenance of Tyre and Exhaust Sector.
 - Raising awareness of pressure vessels in coffee machines
 - Gas safety in commercial premises, with a focus on identifying poorly maintained gas appliances and providing advice to the duty holder.

In the discussion to follow the Panel raised the following questions and comments:

- In response to a question from the Panel in relation to the nature of injuries reported, it was advised that most incidents were minor such as slips and trips, but Kirklees would investigate any serious incidents.
- In response to a question from the Panel in relation to the focus on work related stress in residential care homes it was advised that the data suggested these workplaces were significantly affected and so this area was prioritised. This area of work also included Council owned care homes.
- In response to a question from the Panel in relation to workplace stress and the impact of workplace culture in contributing to stress, it was advised that it was Kirklees's role to alert businesses to their statutory duty and signpost them to online tools as well as to work with Public Health to promote mental health charities for example. Where workplace stress was identified in several employees the employer could carry out risk assessment followed by the implementation of specific stress policies for example. The approach taken was individual to the specific business, but the company needed to put the control in place
- In response to a question from the Panel in relation to staffing levels, it was advised that the HSE's guidance was followed. Triaging issues had increased capacity as well as working collaboratively with food safety team to have a greater impact with less resources, and it was noted that both teams were performing exceptionally well.
- In response to a question from the Panel in relation to the budget, it was advised there was no funding in relation to information technology, but due to high performance there was no need to update current technology.
- In response to a question from the Panel in relation to liaison with the health and safety executive, it was advised that legislation set out where Kirklees was

required to enforce but there could be anomalies requiring discussion between Kirklees and the health and safety executive.

- In response to a question from the Panel in relation to mitigating the risk of long serving officers leaving the service, it was advised that a 'develop our own staff' approach had been adopted to support succession planning. This included
- handovers between experienced members of staff leaving the organisation to share their valuable knowledge with the rest of the team.
- In response to a question from the Panel in relation to fees and charges, it was advised that the Council were guided by Finance and any increases were made in line with inflation.

RESOLVED: The Panel noted the report Statutory Health and Safety Service Plan 24-25 and recommended that James Kaye and the team be thanked for their positive work.

9. Work Programme 2024/25

The Panel reviewed its Work Programme for the 2024/25 municipal year.

RESOLVED: The Panel noted the Work Programme

This page is intentionally left blank

KIRKLEES COUNCIL

COUNCIL/CABINET/COMMITTEE MEETINGS ETC

DECLARATION OF INTERESTS

Environment & Climate Change Scrutiny Panel

Name of Councillor

Item in which you have an interest	Type of interest (eg a disclosable pecuniary interest or an "Other Interest")	Does the nature of the interest require you to withdraw from the meeting while the item in which you have an interest is under consideration? [Y/N]	Brief description of your interest

Signed:

Dated:

NOTES

Disclosable Pecuniary Interests

If you have any of the following pecuniary interests, they are your disclosable pecuniary interests under the new national rules. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.

Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.

Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -

- under which goods or services are to be provided or works are to be executed; and
- which has not been fully discharged.

Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.

Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.

Any tenancy where (to your knowledge) - the landlord is your council or authority; and the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.

Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -

(a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and

(b) either -

the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.



REPORT TITLE: Public Space Protection Orders

Meeting:	Environment and Climate Change Scrutiny
Date:	20th November 2024
Cabinet Member (if applicable)	Councillor Munir Ahmed
Key Decision Eligible for Call In	No No
<p>Purpose of Report</p> <p>The purpose of this report is to update Members of the Environment and Scrutiny Panel of a revision to the Council's Public Space Protection Orders ('PSPO') and the introduction of a new PSPO.</p>	
<p>Recommendations</p> <p>It is recommended that the Environment and Climate Change Scrutiny Panel note the report.</p> <p>Reasons for Recommendations</p> <p>To provide Members of the Environment and Climate Change an opportunity to comment on the changes to the PSPO's prior to formal adoption.</p>	
<p>Resource Implications:</p> <p>Resources from Greenspace Action Team to install signage.</p> <p>Currently the Council has 2 PSPO Officers to cover the whole of Kirklees, with this review it is proposed that we utilise partners such as Huddersfield Bid and ask all council officers to gather evidence and information in order for the Council to issue fixed penalty notices.</p>	
<p>Date signed off by <u>Executive Director</u> & name</p> <p>Is it also signed off by the Service Director for Finance?</p>	<p>Give name and date for Cabinet / Scrutiny reports</p> <p>Not applicable in the context of this report</p> <p>Give name and date for Cabinet reports</p> <p>Not applicable in the context of this report</p> <p>Give name and date for Cabinet reports</p>

Is it also signed off by the Service Director for Legal and Commissioning (Monitoring Officer)?	Not applicable in the context of this report
--------------------------------------------------------------------------------------------------------	----------------------------------------------

Electoral wards affected: All

Ward councillors consulted: Yes via Neighbourhood Platform and Email

Public or private: Public

Has GDPR been considered?

1. Executive Summary

The proposals set out in this report outline changes to the Councils existing PSPO's and introduction of new PSPO's to strengthen the Council position in relation to enforcement of Anti-Social Behaviour.

2. Information required to take a decision

2.1 Introduced by the Anti-Social Behaviour, Crime and Policing Act 2014, PSPO's sit amongst a range of powers designed to address anti-social behaviour (ASB) locally and provide the Council with ability to address persistent issues that are detrimental to the wider community. They are aimed at ensuring public spaces can be enjoyed by everybody and be free from ASB.

Current PSPO's

2.2 The Council's current PSPO's were initially adopted in April 2017 They were subject to a review that commenced in 2022 and following that review they were renewed without change in 2023.

2.3 The current PSPO's cover the following activities and areas of the district

PSPO Description	Areas Covered
Fouling of land by dogs	Boroughwide
Control of fires and barbeques	Council Land, National Trust Land, Yorkshire Water Land
Control of sky lanterns, fireworks and balloons including helium balloons	Footpaths and Castle Hill Nature Reserve
Dogs – Means of picking up dog faeces	Footpaths and Castle hill Nature Reserve
Dogs on leads by direction	Wilton, Beaumont, Greenhead, Crow Nest and Ravenknowle Parks
Dogs exclusion	Boroughwide in Play Areas, Games areas, skate parks
Public urination and defecation	Batley, Dewsbury, Huddersfield, Marsden and Slaithwaite Real Ale Trail
Street drinking	Batley, Dewsbury, Huddersfield, Marsden and Slaithwaite Real Ale Trail

- 2.4 Revising the current PSPO's was also an opportunity to look at the Council's scheme of delegation and look to delegate enforcement powers linked to PSPO's to other Council teams and officers from external partners. Currently powers to enforce the PSPO's sit solely with officers from the Greenspace Action Team, who have limited resources.

Proposed Changes

- 2.5 Following meetings with internal teams and external partners it is proposed to create a single new PSPO for Huddersfield, Dewsbury, Ravensthorpe and Batley Town Centres addressing, amongst other, the following issues –

Street Drinking

While the current Street Drinking PSPO goes some way to address the ASB issues linked with on street drinking. The current phrasing of this PSPO means an officer has to prove the drinking 'has had' or 'is likely to have' a detrimental effect on the quality of life.

The shifting nature of issues within town centres means it is not always possible for officers prove the effect of on street drinking, it is therefore proposed to reword the existing PSPO to remove the need to prove a 'detrimental effect' and move to a PSPO that covers being in possession of' an open vessel containing, or pertaining to contain, alcohol'. Moving to this style of PSOS would provide officers with greater flexibility to address more ASB issues linked with on street drinking.

- Bird Feeding

Feeding of birds, in particular pigeons, is an emerging issue with the town centres, which is leading to more calls for service to the Council's Pest Control team.

Introducing a PSPO that prevents bird feeding will, via education of the public in the first instance, enable officers to take relevant enforcement action where education proves unsuccessful.

- Loitering, Nuisance Behaviour and Temporary Structures

Currently the Council does not have a PSPO to cover loitering, nuisance behaviour, or ASB associated with having structures such as tents within the town centres.

Given the housing crisis, this is an emerging issue within Kirklees and is becoming more prevalent as other local authorities across West and South Yorkshire and Greater Manchester put in place PSPO's to cover this activity.

Introducing a PSPO to address this issue, will give officers the flexibility to address this issue and bring Kirklees in line with other local authorities within the region.

- 2.6 A copy of the proposed town centre PSPO can be found at **appendix 1**

- 2.7 In addition to the proposed standard town centre PSPO, a borough wide PSPO is proposed to address the issue of nuisance vehicles.

- 2.8 ASB linked to nuisance vehicles, particularly anti-social use of motorbikes, is an emerging issue. Introducing a PSPO to tackle this issue will provide West Yorkshire Police greater powers to gather evidence and issue fixed penalty notices on persistent offenders.
- 2.9 A copy of the proposed nuisance vehicle PSPO can be found at **appendix 2**

Partners – Evidence Gathering

- 2.10 As part of the revised PSPO's it is proposed that Council officers to gather evidence and information of breaches of the PSPO's and provide a more proactive approach to enforcement.

The aim of this is to increase capacity to gather evidence, which will be passed to authorised officer to issues fixed penalty notices where appropriate to do so.

Partnering Agencies / Internal Teams

- 2.11 The Council has held meetings with partner agencies and Safer Kirklees, Greenspace Action Team and West Yorkshire Police. Following those meetings, West Yorkshire Police, along with the afore-mentioned internal teams, support the revised PSPO's and the introduction of the additional PSPO's and have agreed in principle to their officers information gather in order to enforce the PSPO's should they be adopted.

Signage

- 2.12 Where a local authority introduces a PSPO there is a legal requirement to place sufficient signage at, or adjacent to, the area affected by the PSPO.

Existing PSPO's

- 2.13 The following existing PSPO's, not amended by the proposed changes, will remain in place.
- Control of fires and barbeques
 - Control of sky lanterns, fireworks and balloons, including helium balloons
 - Dog Fouling, Dog- means of picking up faeces and Dog Exclusions – no change to the wording, but amalgamated into one PSPO

3. Implications for the Council

3.1 Council Plan

The proposed PSPO's support the Council's 24 / 25 Corporate Plan and shared outcomes by ensuring the Council's PSPO's are effective in their application and promote positive outcomes for our residents and support the regeneration of our town centres.

3.2 Financial Implications

The financial implications remain unchanged, The Council currently employs two PSPO Officers and this remains the same.

3.3 Legal Implications

The power to introduce PSPO's are contained with the Anti-Social Behaviour, Crime and Policing Act 2014, and the requirement to advertise their creation is contained with the regulation made under the Act (The Anti-social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014).

Councils can use PSPOs to prohibit specified activities, and/or require certain things to be done by people engaged in particular activities, within a defined public area. PSPOs differ from other tools introduced under the Act as they are council-led, and rather than targeting specific individuals or properties, they focus on the identified problem behaviour in a specific location. The legislation provides for restrictions to be placed on behaviour that apply to everyone in that locality (with the possible use of exemptions). Breach of a PSPO without a reasonable excuse is an offence.

Powers to create PSPOs came into force in October 2014. As well as enabling local authorities to address a range of different issues, the Orders replaced Designated Public Place Orders (DPPOs), Gating Orders and Dog Control Orders. Existing DPPOs, Gating Orders and Dog Control Orders which automatically become PSPOs (as of 20 October 2017).

3.8 Other (eg Risk, Integrated Impact Assessment or Human Resources)

IIA

An IIA has been completed as part of the development of the proposed PSPO's, this has not highlighted any equality issues. [PSPO - Integrated Impact Assessment](#)

HR

There are no apparent HR issues with the proposed PSPO's,

Consultation

3.4 In line with the requirements of the legislation, public consultation took place between 9 July 2024 to the 6 August 2024 via an online survey accessed through the Council's Website.

3.5 The consultation received 371 Responses, with the majority of the responses being in favour of more enforcement and tougher sanctions, across all areas of the PSPO's

3.5.1 In relation to new PSPO's around Nuisance Vehicles 88 percent of respondents wanted the PSPO.

- Begging: The majority of respondents (84%) felt that the issue of begging had either stayed the same or got worse over the past 3 years.
- Loitering: The majority of respondents (81%) felt that the issue of loitering had either stayed the same or got worse over the past 3 years.
- Street drinking: The majority of respondents (75%) felt that the issue of street drinking had either stayed the same or got worse over the past 3 years.

- Public urination / defecation: The majority of respondents (53%) felt that the issue of street drinking had either stayed the same or got worse over the past 3 years.
- Feeding birds or vermin: The majority of respondents (59%) felt that the issue of Bird Feeding had either stayed the same or got worse over the past 3 years.
- Erecting temporary structures without land owners permission: The majority of respondents (65%) answered 'I don't know / this doesn't affect me' regarding this issue

4. Engagement

- 4.1 In developing the proposed PSPO's pre-consultation engagement took place with, Greenspace Action Team, Huddersfield Bid, Safer Kirklees and West Yorkshire Police.
- 4.2 Engagement with persons affected by the PSPO's have been visited and support offered through local charities such as Hope for Justice and Change Life Grow, working alongside Kirklees Rough Sleepers Team and the current PSPO Officers.
- 4.3 A grace period will be given and a educational process will start advising members of the public of the PSPO's along with new signage and a press release.

5. Options

5.1 Options considered

Options considered were to not review the existing PSPO and continue to work with internal teams and external partners to address ASB issues using existing powers and existing PSPO's. The main reason this option was rejected was due to feedback from engagement with partners that some of the current PSPO's are not sufficient to address the changing nature of ASB within the district, and did not provide sufficient flexibility to address issues.

5.2 Reasons for recommended option

Revising and strengthening the Council's PSPO's will introduce greater flexibility in how the Council and its partners address the changing nature of ASB within the district. In addition, the revised scheme of delegation will increase the Council's capacity to enforce the PSPO's

6. Next steps and timelines

- 6.1 The following flightpath was agreed by the Service Director for Highways and Street Scene, with a recommendation that, if agreed, the proposed PSPO's be adopted by way of the Service Director for Highways and Streetscene.
- 6.2 The Portfolio Holder was briefed on the 20th August 2024 and was supportive of the proposals

7. Contact officer

Neil Sidhu
Complex Enforcement Manager
Public Protection

8. Background Papers and History of Decisions

Officer Delegated Decision – Adoption of 2023 reviewed PSPO's - [Decision - Public Space Protection Order Review Decision | Kirklees Council](#)

20th August 2024 – briefing to portfolio holder – Cllr Ahmed, No comments made, agreed with the proposed changes.

30th October 2024 – SLT – Place – Agreed proposed changes.

12th November 2024 – ELT – Outcome TBA due to the requirements of the report deadline for scrutiny.

9. Appendices

Appendix 1 Proposed Town Centre PSPO

Appendix 2 Proposed Borough Wide Nuisance Vehicle PSPO

10. Service Director responsible

Graham West
Service Director
Highways & Street Scene

Katherine Armitage
Service Director
Environmental Strategy & Climate Change

Kirklees Council
Anti-Social Behaviour Crime and Policing Act 2014
Public Space Protection Order (Huddersfield Town Centre)

This order is made by Kirklees Council (“the Council”) and shall be known as the {insert town centre} Town Centre Public Space Protection Order (“this Order”)

1. This Order shall come into operation on XXXXXDATE and shall have effect for 3 years thereafter, unless extended by further order as set out in the Act.
2. The Council is satisfied that the conditions set out in Section 59 (2) of the Act have been met. Namely that activities carried out in a public place within the authority’s area have had or it is likely that they will have a detrimental effect on the quality of life of those in the locality.
3. The Council is also satisfied that the conditions set out in Section 59 (3) of the Act have been met. Namely, that the effect or likely effect of the activities is, or is likely to be, of a persistent or continuing nature and that these activities are unreasonable and justify the restrictions imposed by the Order and that it is in all the circumstances expedient to make this Order for the purpose of reducing crime and/or anti-social behaviour in a public place.
4. The Outlined Plan marked in red applies to all the orders below,

The Order

Prohibitions	Requirements	Area Affected
Begging	No person shall make any verbal, non-verbal or written request for money, donations or goods, including the placing of hats, clothing or containers so as to cause or is likely to cause harassment, alarm, distress, nuisance, or annoyance	Within Huddersfield Town Centre
Loitering	No person shall loiter, sit or lay on the floor or on temporary structures in or adjacent to doorways or around pay machines (including banks, supermarkets) in a manner causing or likely to cause harassment, alarm, distress, nuisance	Within Huddersfield Town Centre

	or annoyance to any person within the Town Centre.	
No return within a 24 hour period	No person shall, after being requested to leave by an authorised officer due to them behaving in a manner causing or likely to cause harassment, alarm, distress, nuisance or annoyance to any person within the Town Centre without reasonable excuse, remain or return to the Town Centre within a period of 24 hours.	Within Huddersfield Town Centre
Street Drinking	No person shall consume alcohol in any public place in the Town Centre other than at licensed premises or shall be in possession of any opened vessel containing or appearing to contain alcohol in any public place save for those places identified by Section 62 of the Act	Within Huddersfield Town Centre
No urinating or defecating in public places	No person shall urinate or defecate in any public place; this does not include public toilets.	Within Huddersfield Town Centre
No Feeding of Birds and / or Vermin	No Person shall feed the birds or vermin	Within Huddersfield Town Centre
No Temporary Structures without the Land Owners Permission	No Person shall erect temporary structures in any public place within the Town Centre	Within Huddersfield Town Centre

Kirklees Council
Anti-Social Behaviour Crime and Policing Act 2014
Public Space Protection Order (Nuisance Vehicles)

This order is made by Kirklees Council (“the Council”) and shall be known as
Nuisance Vehicles Public Space Protection Order (“this Order”)

1. This Order shall come into operation on **XXXXXDATE** and shall have an effect for 3 years thereafter, unless extended by further order as set out in the Act.
2. The Council is satisfied that the conditions set out in Section 59 (2) of the Act have been met. Namely that activities carried out in a public place within the authority’s area have had or it is likely that they will have a detrimental effect on the quality of life of those in the locality.
3. The Council is also satisfied that the conditions set out in Section 59 (3) of the Act have been met. Namely, that the effect or likely effect of the activities is, or is likely to be, of a persistent or continuing nature and that these activities are unreasonable and justify the restrictions imposed by the Order and that it is all the circumstances expedient to make this Order for the purpose of reducing crime and/or anti-social behaviour in a public place.
4. The Outlined Plan marked in red applies to all the orders below,

The Order

Prohibitions	Requirements	Area Affected
Performing Stunts	Performing stunts using a motorised vehicle, (including but not limited to performing doughnuts, drifting, skidding, handbrake turns and wheeling. Including Public Right of Ways is prohibited	Kirklees Wide
	Causing danger or risk of injury to road users including pedestrians is prohibited	Kirklees Wide
Cat Calling from motorised vehicles	Shouting, or unsolicited sexualised or offensive comments or gestures cat calling from vehicles is prohibited	Kirklees Wide



Report title: PROPOSED KIRKLEES LANE RENTAL SCHEME

Meeting	E & CC Scrutiny
Date	20 November 2024
Cabinet Member (if applicable)	Councillor Munir Ahmed
Key Decision Eligible for Call In	No
<p>Purpose of Report</p> <p>To inform E&CC Scrutiny of the proposal to develop a Kirklees Lane Rental Scheme to better manage street and road works across the district.</p>	
<p>Recommendations</p> <p>E&CC Scrutiny is requested to:</p> <ul style="list-style-type: none"> Note the intention to develop a Lane Rental Scheme for Kirklees district. <p>Reasons for Recommendations</p> <ul style="list-style-type: none"> To enable continued progress to be made towards the development and potential implementation of the Kirklees Lane Rental Scheme. 	
<p>Resource Implication:</p> <p>Financial implications - £77,000 consultancy commission (fixed price) plus additional internal staff time to develop the Lane Rental Scheme up to a total of £100k.</p>	
<p>Date signed off by <u>Strategic Director</u> & name:</p> <p>Ms K Armitage, Interim Service Director Highways and Streetscene, on behalf of the Strategic Director.</p>	<p>Give name and date for Cabinet / Scrutiny reports</p> <p>E&CC Scrutiny Committee</p> <p>Give name and date for Cabinet reports</p> <p>Lane Rental Scheme 5 December 2024</p>

Electoral wards affected: All wards affected.

Ward councillors consulted: Ward members have not been consulted on the proposed Kirklees Lane Rental Scheme.

Public or private: Public

There are no GDPR implications associated with this report.

1. Executive Summary

Highways officers have been working on the development of a Lane Rental Scheme (LRS) for Kirklees with a specialist external consultant since December 2023.

The project is developing well, and it is anticipated that a submission will be made to the Secretary of State for Transport before 31 March 2025 to apply for the relevant Statutory Instrument to bring the Lane Rental Scheme into effect from approximately October 2025.

This report is intended to inform Scrutiny Members of the Lane Rental Scheme proposals, prior to seeking approval from Cabinet in December 2024.

If approved by Cabinet, the intention is to make an application for powers to implement a Lane Rental Scheme to the Secretary of State for Transport before 31 March 2025. If it is not possible to achieve this submission date, that the Council applies at the next available opportunity, currently identified as October 2025.

2. Background

The Traffic Management Act 2004 (TMA) imposes a duty on all local traffic authorities to secure the expeditious movement of traffic on their road networks, and to facilitate the expeditious movement of traffic on other authorities' networks. Additionally, the New Roads and Street Works Act (NRSWA) 1991 places a duty to coordinate street and road works on the highway.

This is commonly known as the highways network management duty.

Section 74A of the NRSWA and the Street Works (Charges for Occupation of the Highway) (England) Regulations 2012 provide the legislative basis for Lane Rental schemes to be implemented.

Kirklees Council already operates a Permit Scheme to manage and coordinate works and activities on the highway.

There is no duty to implement a Lane Rental Scheme, although a growing number of local authorities are implementing a Lane Rental Scheme

A Lane Rental Scheme is effectively an enhancement to the Permit Scheme on a predetermined network of *critical streets* across the district, whereby works promoters would be encouraged and incentivised to carry out their works at times that are less disruptive to the public.

If roadworks on the designated Lane Rental network are carried out during the restricted times, then a daily charge of up to £2500 can be levied by the council.

Lane Rental charges will apply to works promoted by utility companies, highway authorities and private (developer) works.

There is a requirement in the regulations for exemptions, fee waivers and reductions to be included in the Lane Rental Scheme for matters such as emergencies (up to 48 hours), to support projects of national importance, and for activities where genuine collaboration has taken place to reduce the impact of works on the local community.

Lane Rental Scheme activities to date include:

- The appointment of a specialist consultant to guide the Council's officers through a complex process of engagement, document production, cost benefit analysis processes.
- Commissioned and reported on the evaluation of the existing Permit Scheme, which has determined that Kirklees' performance is 'excellent'. Available here [Kirklees Council Permit Scheme Year 3 Evaluation Report](#).
- Established a Kirklees Council Steering Group and met with key internal officers (including Finance, Legal, Environmentally Health) to identify and address any concerns with the proposal.
- Agreed a Memorandum of Understanding with Environmental Health Officers regarding concerns about noise impacts for works carried out at night or during weekends.
- Established a Joint Development Group (JDG), made up of key works promoters and council highways officers.
- Developed a suite of scheme documents and consulted upon these with the JDG. No objections were received and no significant cause for concern has been raised by the representatives.
- It is a requirement of the submission to DfT that the council's network of traffic sensitive streets is up to date. Under section 64 of NRSWA, streets may be designated by the Street Authority as 'traffic sensitive' i.e. defined as one on which any work will create unacceptable delays and disruption to highway users at specified times. A review of this network is currently underway and must be completed before the Lane Rental application is concluded.
- The identification of the Lane Rental network of streets and the respective days/times when restrictions would be applied; this task is underway.
- The preparation of the Cost Benefit Analysis (CBA) calculations is currently underway to enable Cabinet to determine whether the Lane Rental Scheme will deliver good value for money.

Next Steps:

- To commence the formal consultation of the Scheme including the scheme documentation with affected parties in the next few weeks.
- Prior to implementation, additional staffing levels and changes to existing staff structures and processes will have to be identified to operate the Scheme effectively. It is important for the success of the project that appropriate staff resources are in place at the start of the project 'go live' period. It is anticipated that the increase in staffing will be in the region of in the region of 4 to 5 full time equivalent positions.
- The Council will also be required to establish a Surplus Income Revenue Plan and Board to manage and allocate any monies received over the operating costs. The Surplus Income Revenue Board is required to consist of equal representatives of both Highway Authority and utility company representatives, with an independent chair. The operational costs of running such a Board can be funded from the Lane Rental Scheme income.
- Currently any surplus income (after all operating costs have been met) can only be directed to Highways projects that deliver investment in innovative materials, processes, or products; enhancements in the quality of data and asset information, measures to abate noise, pollution, or highway safety. It can be used for projects that support either the highway authority, a statutory undertaker, or other parties, so long as it can be demonstrated that the solution reduces the impact of street works.
- The regulations say the surplus income is not to provide training of staff, or for the repair of potholes or general wear and tear of the highway asset.

- In the Plan for Drivers, the previous government encouraged all highway authorities to develop lane rental schemes, and in October 2024 the DfT introduced a fixed period for applications for lane rental scheme approvals each year, starting with applications before 31 March 2025: the next opportunity being before 31 October 2025, due to the anticipated demand from highway authorities across the country.
- The intention is for Kirklees officers to aim for the 31 March 2025 submission date, although it is recognised that this is a very tight timeframe. If this is not achieved, then an application would not be considered by DfT until the 31 October 2025 application date.
- If approved, the Lane Rental Scheme would be expected to come into effect 6 months after the application, so October 2025 or April 2026.

3. Implications for the Council

3.1 Council Plan

A Lane Rental Scheme is a modern approach to highway network management, promoted by the government to bring about real behavioural change in works promoters' activities.

Lane Rental scheme objectives are linked to existing Transport Strategy objectives that aim to deliver a cleaner and greener environment, and one that contributes to the climate action objectives.

The implementation of a Lane Rental Scheme would contribute to all the Council's 2024/25 priorities – ensuring that those parties that cause the most disruption to the traveling public, pay a premium for taking that approach.

Any surplus income from a Lane Rental Scheme must be reinvested in highways projects.

3.2 Financial Implications

The Council has committed £77,000 for consultancy fees and additional internal staff time to develop the proposals. A Cost Benefit Analysis calculation is currently being developed with the consultants to ascertain the likely operating costs and potential income, relative to the volume of works in the district and our proposed Lane Rental network, and the forecasted degree of behavioural change to non-chargeable periods.

It should be noted that 100% compliance from works promoters would mean that no additional income would be generated by the scheme whilst additional operating costs would still apply due to the effectiveness of the additional staff redirecting these works to less disruptive times.

Looking at examples from those authorities that already operate a Lane Rental Scheme, the consultant has advised that it is very unlikely that this level of compliance would be achieved despite being the fundamental reason for the scheme.

The consultant's initial scoping document suggested that a surplus would be achievable from such a scheme in Kirklees. The full CBA and expected operating costs will be reported to Cabinet in December 2024.

3.3 Legal Implications

Section 74A of the NRSWA and the Street Works (Charges for Occupation of the Highway) (England) Regulations 2012 provide the legislative basis for Lane Rental schemes to be implemented. There are no legal implications associated with this report anticipated.

3.4 Other (e.g. Risk, Integrated Impact Assessment or Human Resources)

The implementation of the LRS will bring with it additional and more intensive discussions with works promoters that cannot be achieved with the existing Permit Scheme structure.

levels. It is anticipated that there will be a need for a small number of additional staff at a range of levels, to manage the scheme, assess permit applications, negotiate with works promoters, coordinate, and inspect their works. The operational costs including for the additional staff required are fully recoverable from the LRS income

There is the potential for the LRS applications and charges to reduce the income of the existing Permit Scheme (it is not permitted to charge for Permit Scheme and Lane Rental fees). As the two schemes will be delivered by the same Highways team (Streetworks) the expectation is that an increase in income in one area will offset the decrease in the other.

There is a requirement to charge all works promoters, including the council's own works promoters if they occupy a Lane Rental designated street during the restricted period. The Lane Rental Scheme documentation provides for some waivers for works that support investment in the highway asset and where safety or active travel benefits are being realised. Where waivers are not appropriate, the council's works promoters will also be required to amend their working practices to reduce the disruptive impact of their works or pay the Lane Rental charges. This may increase the cost of delivering the council's own works but it demonstrates parity to the other works promoters, and sets the expectation that there is a cost to disruption that all works promoters should look to minimise.

4 Consultation and engagement

There are two stages of engagement: the initial establishment of a Joint Working Group and Steering Group to help develop a scheme that affected parties are content with, and then the formal statutory consultation, prior to applying to the DfT.

Invitations to participate in the Joint Working Group were distributed to approximately 200 relevant parties including neighbouring authorities, WYCA, the utility providers, Network Rail, and other special interest groups. The Joint Development Group representatives have worked together to develop a suite of documents that address everyone's concerns.

The Steering Group consists of colleagues from internal teams including Legal, Finance, Environmental Health colleagues.

An MOU has been agreed with Environmental Health colleagues to ensure that complaints associated with noise from road works during the evening or weekends is addressed.

It should be noted that the Kirklees Council Lane Rental Scheme is being developed concurrently with the Leeds City Council Lane Rental Scheme. This approach has been welcomed by the utility companies both in time saving and consistency of scheme documentation. Wakefield Council have recently started developing their Lane Rental scheme, using the same documentation as Kirklees and Leeds.

5 Options

5.1 Options Considered

Kirklees Council is not required to implement a Lane Rental Scheme and can continue to use the existing Kirklees Permit Scheme to manage and coordinate activities on the highway. This approach would not however deliver the greater controls and behavioural changes that are desired to improve highways safety and journey times, reduce air and noise pollution and carbon usage, and deliver the quality-of-life benefits that these controls can deliver.

5.2 Reasons for recommended Option

These proposals align with the Council's vision to be a district that combines a strong, sustainable economy with a great quality of life - leading to thriving communities, growing businesses, high prosperity, and low inequality where people enjoy better health throughout their lives. Additionally, the proposals contribute to the corporate outcomes, most notably those related to 'sustainable economy', 'safe and cohesive', 'clean and green' and 'efficient and effective'.

6 Next steps and timelines

Next steps are highlighted in point 2 of this report. A report to determine whether to make an application to the Secretary of State for Transport will be presented to Cabinet in December 2024.

7 Contact officer

Mrs D Hodgson

Operations Manager (Highways Network Management)

donna.hodgson@kirklees.gov.uk

8 Background Papers and History of Decisions

[Lane rental schemes: guidance for English highway authorities - GOV.UK](#)

9 Appendices

None

11 Service Director responsible

Ms K Armitage

Job Title: Interim Service Director Highways and Streetscene

E-mail: katherine.armitage@kirklees.gov.uk



REPORT TITLE: Proposed Revision to Statement of Licensing Policy 2025 – 2030 and Cumulative Impact Assessment

Meeting:	Environment and Climate Change Scrutiny Panel
Date:	Wednesday 20 th November 2024
Cabinet Member (if applicable)	Cllr Tyler Hawkins
Key Decision Eligible for Call In	No No
<p>Purpose of Report To brief members of the Environment and Climate Change Scrutiny Panel about two Licensing and Safety Committee Reports.</p> <ul style="list-style-type: none"> • Statement of Licensing Policy (Licensing Act 2003) • Cumulative Impact Assessment 	
<p>Recommendations</p> <ul style="list-style-type: none"> • It is recommended that the Environment and Climate Change Scrutiny Panel note the report. <p>Reasons for Recommendations</p> <ul style="list-style-type: none"> • The Environment and Scrutiny Panel are not being asked to adopt these policies or view the consultation responses, the adoption of the policies is dictated by the Licensing Act and is by means of the Licensing and Safety Committee considering the amendments and results of the consultation then recommending approval and adoption to Full Council. 	
<p>Resource Implications: There are no resource implications relating to this report.</p>	
Date signed off by <u>Executive Director</u> & name	David Shepherd – 6 th November 2024
Is it also signed off by the Service Director for Finance?	Kevin Mulvaney – N/A
Is it also signed off by the Service Director for Legal and Commissioning (Monitoring Officer)?	David Stickley on behalf of Samantha Lawton – 6 th November 2024

Electoral wards affected: All

Ward councillors consulted: None

Public or private: Public

Has GDPR been considered? Yes, any personal data has been redacted for the purposes of this report.

1. Executive Summary

Statement of Licensing Policy (Licensing Act 2003)

1.1 There is a statutory requirement for the Licensing Authority to prepare and publish a Statement of Licensing Policy at least every five years. The Statement was previously approved and adopted by the Council in January 2020.

Cumulative Impact Assessment

1.2 At the meeting of the Licensing and Safety committee on Wednesday 19th July 2023, members were asked to consider the information in their report and whether there was sufficient indicative evidence to consult on proposals to introduce a 'Cumulative Impact Assessment' for both Huddersfield and Dewsbury Town Centres. Members resolved to authorise officers to commence a formal consultation, with the results of the consultation being presented to a future Committee.

2. Information required to take a decision

2.1 There is no decision required from the Environment and Climate Change Scrutiny Panel, the report is for information only due to the statutory requirement for both the Statement of Licensing Policy and the Cumulative Impact Assessment to be referred to Council for adoption.

2.2 The consultation's for both the Statement of Licensing Policy and Cumulative Impact Assessment have closed and the results have been collated and will be taken to the Licensing and Safety Committee on Wednesday 18th December 2024 for consideration and referral to Council for adoption in January 2025. Members will not be provided with the results of the consultation in this report as the requirement is for this information to be considered by the members of the Licensing and Safety Committee only.

Statement of Licensing Policy (Licensing Act 2003)

2.3 Prior to the statutory consultation of the policy taking place, the licensing service engaged with key stakeholders via online drop-in sessions. Which provided key amendments to the policy.

2.4 The proposed amendments to the policy, reflect the amendments to the Secretary of State Guidance issued under S182 of the Licensing Act 2003, in addition, Section 18, Enforcement, of the revised policy has been updated. The Service has also taken the opportunity to include further additional sections to the policy, namely: -

- Section 8 – Alcohol Toolkit
- Section 14 – Spiking Prevention
- Section 15 – Sustainable Event Management
- Section 16 – Martyn's Law
- Section 17 – Safer Night-time Economy

2.5 There is a legal requirement for the Licensing Authority to consult the persons listed in Section 3(5) of the Act, the full list of those persons consulted can be found in Section 4 of this report.

Cumulative Impact Assessment

2.6 Cumulative Impact is the potential impact, on the promotion of the licensing objectives, of a significant number of licensed premises concentrated in one area. It must set out the evidence to support the authority's opinion, must be consulted upon before it is published, must be reviewed every three years.

2.7 The publishing of an Assessment, it sets down a strong statement of the Local Authority's intent about its approach to considering applications for the grant/variation of a premises licence and the Council must have regard to the Assessment when determining or revising the Statement of Licensing Policy. This is the reason for carrying out both consultations at the same time.

2.8 The introduction of an Assessment does not change the fundamental way in which a licensing authority deals with applications, and the matter will only be considered by way of member hearing if an application is in receipt of valid representations which provide reasons why the licensing objectives will not be upheld.

2.9 Consultation was carried out in accordance with the requirement as set out in the Licensing Act, the list of those consulted can be found in Section 4 of this report.

3. Implications for the Council

3.1 Council Plan

The issuing of licences supports the Council's vision for a strong and sustainable economy, playing a key role in the management of the evening and night-time economy.

3.2 Financial Implications

The fees charged under the Licensing Act 2003 are statutory, and as such are not set by the Local Authority, and the fee levels are intended to provide full cost recovery of all licensing functions including the preparation and publication of a Statement of Licensing Policy, which is based on the statutory requirements. Where a Licensing Authority exceeds these requirements, they will be required to absorb those costs themselves.

3.3 Legal Implications

Statement of Licensing Policy (Licensing Act 2003)

There is a legal requirement for the Licensing Authority to prepare and publish a statement of its licensing policy every five years, in January 2025 it will be five years since the previous revised policy was adopted.

When reviewing responses to the consultation, due weight and consideration must be given to all representations including, where appropriate, why some (if any) have been disregarded. This is so in the event the policy is challenged, the Authority can evidence to a Court the rationale for the decision.

Cumulative Impact Assessment

The introduction of any policy opens the Council to risk of Judicial Review.

As the introduction of a Cumulative Impact Assessment will not impact existing operators, only new applications or applications to vary a premises licence, officers consider the risk of Judicial Review to be low.

3.8 **Other (eg Risk, Integrated Impact Assessment or Human Resources)**

An Integrated Impact Assessment has been completed for both the Licensing Act Policy and the Cumulative Impact Assessment.

4. **Consultation**

Statement of Licensing Policy (Licensing Act 2003)

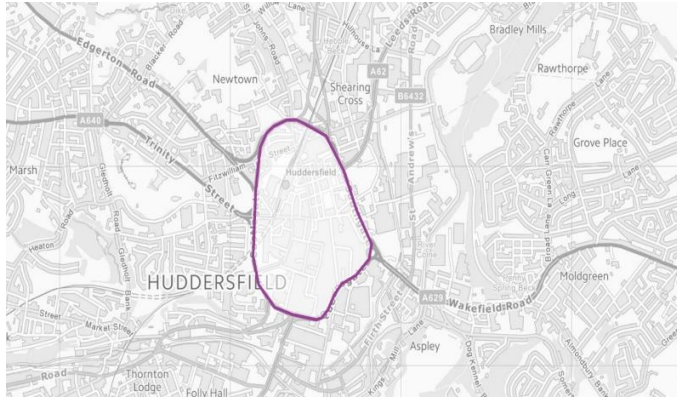
4.1 Consultation has been carried out in accordance with the requirements as set out in the Licensing Act 2003. The consultation period was 8-weeks from Thursday 18th July 2024 to Wednesday 11th September 2024. Those consulted are follows: -

- All Elected Members
- All Local MPs
- Parish and Town Councils
- All licence holders
- All Responsible Authorities:
 - West Yorkshire Police
 - West Yorkshire Fire Service
 - Environmental Health and Health and Safety at Work
 - Planning
 - Public Health
 - West Yorkshire Joint Services (Trading Standards)
 - Secretary of State (Immigration Enforcement)
 - Kirklees Safeguarding Children Partnership
- The Council's Climate Team
- Community Safety Partnership
- Chamber of Commerce
- Huddersfield BID
- Huddersfield University
- Huddersfield NHS
- Members of the Public and local businesses via Council Comms

Cumulative Impact Assessment

4.2 The purpose of the consultation was to seek a wider view on the impact the number of premises licensed to sell alcohol is having (relating to off-sales only), within Huddersfield Town Centre and Dewsbury Town Centre, and whether those consulted feel that there is a need to publish a Cumulative Impact assessment for the areas shown below: -

Huddersfield Town Centre



© Crown Copyright and database right 2024. Ordnance Survey AC0000851069.

Dewsbury Town Centre



© Crown Copyright and database right 2024. Ordnance Survey AC0000851069.

4.3 Consultation has been carried out in accordance with the requirements as set out in the Licensing Act 2003. The consultation period was 8-weeks long from Thursday 18th July 2024 to Wednesday 11th September 2024. Those consulted are as follows:

- All Elected Members
- All Local MPs
- Parish and Town Councils
- All licence holders
- All Responsible Authorities:
 - West Yorkshire Police
 - West Yorkshire Fire Service
 - Environmental Health and Health and Safety at Work
 - Planning
 - Public Health
 - West Yorkshire Joint Services (Trading Standards)
 - Secretary of State (Immigration Enforcement)
 - Kirklees Safeguarding Children Partnership
- The Council's Climate Team
- Community Safety Partnership
- Chamber of Commerce
- Huddersfield BID
- Huddersfield University
- Huddersfield NHS

- Members of the Public and local businesses via Council Comms
- Letters hand delivered to local businesses in both Huddersfield and Dewsbury Town Centre.

5. Engagement

Statement of Licensing Policy (Licensing Act 2003)

5.1 Prior to the commencement of the statutory consultation engagement sessions were held with the following, which involved input into the proposed revisions within the policy. Those involved in the engagement process were as follows: -

- Police / Counter Terrorism Officers
- Environmental Health
- Public Health
- Emergency Planning
- Climate Team
- Safer Kirklees Council
- West Yorkshire Joint Services – Trading Standards

Cumulative Impact Assessment

Prior to consultation the licensing service engaged with colleagues in public health and with data provided by West Yorkshire Police found there was indicative evidence to support the theory that there are links between crime and the sale of alcohol in both Huddersfield and Dewsbury Town Centres.

6. Options

6.1 Options considered

Members of the Environment and Climate Change Scrutiny Panel are asked to note the report.

6.2 Reasons for recommended option

The Environment and Climate Change Scrutiny Panel are not being asked to adopt these policies, the adoption of the policies is dictated by the Licensing Act 2003 and is by means of the licensing and safety committee considering the amendments and results of the consultation then recommending approval and adoption to Full Council.

7. Next steps and timelines

7.1 The road map for the Reports is as follows:

- Engagement with Responsible Authorities and other partners pre consultation Licensing Act Policy only. {Completed}
- 8-week statutory consultations for both Licensing Act Policy and Cumulative Impact Assessment– commenced Thursday 18th July 2024 and ended Wednesday 11th September 2024. {Completed}
- Collation of consultation responses and drafting of both Licensing and Safety Reports. {Completed}
- Tuesday 8th October 2024, brief DLT. {Completed}

- Wednesday 6th November - brief SLT {Completed}.
- Tuesday 19th November – brief ELT
- Wednesday 20th November – brief Scrutiny
- Thursday 21st November circulation of Licensing and Safety Committee reports to Finance, Legal, Executive Director for sign off (this includes the Licensing Services Update Report as well as the Licensing Policy and CIA reports).
- Friday 6th December deadline for reports to go to Governance.
- Wednesday 18th December 2024, present report's to Licensing and Safety Committee with recommendation that committee recommend to Council that the Statement of Licensing Policy and Cumulative Impact Assessment are adopted.
- Wednesday 15th January 2025, Full Council for policy adoption.

8. Contact officer

Fiona Goldsmith
 Group Leader – Licensing
 Tel 01484 221000
Fiona.goldsmith@kirklees.gov.uk

9. Background Papers and History of Decisions

[Agenda for Licensing and Safety Committee on Monday 6th January 2020, 10.00 am | Kirklees Council](#)

[Agenda for Licensing and Safety Committee on Wednesday 19th July 2023, 10.00 am | Kirklees Council](#)

10. Appendices

N/A

11. Service Director responsible

Katherine Armitage
 Service Director – Environment Strategy and Climate Change
 Tel: 01484 221000
 Email: Katherine.armitage@kirklees.gov.uk

This page is intentionally left blank

ENVIRONMENT AND CLIMATE CHANGE SCRUTINY PANEL

Work programme 2024/2025

Members: Cllr Andrew Cooper (Chair), Cllr David Longstaff, Cllr Susan Lee-Richards, Cllr Will Simpson, Cllr John Taylor, Cllr Matthew McLoughlin, Jane Emery (Co-Optee), Garry Kitchen (Co-Optee)

FULL PANEL DISCUSSION		
THEME/ISSUE	APPROACH / AREAS OF FOCUS	OUTCOMES / ACTIONS
Cleansing Performance Update	<p><u>Meeting of the Panel to be held 14th August 2024</u></p> <p>A report setting out an update on progress to address issues raised by Panel Members around waste collection.</p>	<p>RESOLVED: The Panel noted the report Cleansing Performance Update and recommended that:</p> <ol style="list-style-type: none"> 1. Thanks be given to the ward councillors involved for their support to the council and the public around missed collections. 2. When re-routing the South Councillors should be made aware of changes in advance to help support the dialogue with residents. 3. Learning should be taken from the best performers in waste collection across all Local Authorities. 4. The possibility of a joint tender for narrow track vehicles be investigated with neighbouring local authorities. 5. A heat map be used to monitor performance and track missed collections by area. 6. An update be presented to the Panel on the steps taken to reduce contamination. 7. Opportunities for Education for the Student population be explored (i.e.- Freshers Fairs) and working with

		<p>students agencies to best support their management of household waste.</p> <p>8. Opportunities for engagement around the introduction of Food Waste Collection be explored through liaising with the Local Government Association.</p> <p>9. A communications/education campaign be used to show the journey of a recycled item from bin to reuse demonstrating to the individual the impact they had through recycling and recycling correctly.</p>
Statutory Food Hygiene Plan 2024 – 2025	<p><u>Meeting of the Panel to be held 25th September 2024</u></p> <p>The Panel will consider the Statutory Food Hygiene Plan 2024 – 2025.</p>	
Statutory Health & Safety Plan 2024 – 2025	<p><u>Meeting of the Panel to be held 25th September 2024</u></p> <p>The Panel will consider the Statutory Health & Safety Plan 2024 – 2025</p>	
Lane Rental Scheme	<p><u>Meeting of the Panel to be held 20th November 2024</u></p> <p>The Panel will consider a report on the Lane Rental Scheme for pre-decision scrutiny.</p>	
Public Space Protection Orders	<p><u>Meeting of the Panel to be held 20th November 2024</u></p>	

	<p>The Panel will consider an update on Public Space Protection Orders.</p>	
<p>Kirklees Statement of Licensing Policy under the Licensing Act 2003 and Cumulative Impact Assessment under the Licensing Act 2003</p>	<p><u>Meeting of the Panel to be held 20th November 2024</u></p> <p>The Panel will consider a report on the Kirklees statement of licensing policy and CIA (under the licensing Act 2003)</p>	
<p>Events Update</p>	<p><u>Meeting of the Panel to be held 29th January 2025</u></p> <p>The Panel will consider a report on Kirklees Events, to include a focus on climate impact and value vs resources.</p>	
<p>Highway Safety Strategy</p>	<p><i>Background:</i></p> <p><i>The former Economy and Neighbourhoods Scrutiny Panel received a presentation around Highways Safety which set out The Councils statutory responsibilities, (as per the Highways Safety Act), (i.e.- Safe vehicles, speeds, roads and behaviours as well as Post collision learning and care). The presentation also covered issues in relation to capital funding, and the Vision Zero ambition to eliminate road deaths and serious injuries (KSI's) to zero by 2040 and improve road safety for everyone using a safe systems approach. The Panel</i></p>	

	<p><i>recommended that more emphasis be placed on enforcement and that the council continue to promote, persuade and influence driver behaviour as well as maintaining strong partnership work with the Police.</i></p> <p><i>At its meeting held 10th January 2024 the Panel received a report on Highways Safety Update and recommended that work be undertaken around collision data, and that this be filtered to differentiate between avoidable and unavoidable casualties and to help identify trends and differences. It was also recommended that the recording and consideration of locations where there were multiple minor incidents be investigated and that examples of successful interventions made in high-risk areas are showcased to demonstrate which schemes were effective.</i></p> <p><u>Meeting of the Panel to be held 29th January 2025</u></p> <p>The Panel will consider a report on Road Safety to include a focus on achieving Vision 0.</p>	
<p>Waste Procurement Update</p>	<p><i>Background:</i></p> <p><i>At its meeting held 27th March 2024 the Panel considered an update on Waste Disposal Contract Procurement in relation to the recommended option to extend the interim arrangements. The Panel noted the report 'Waste Disposal Contract Procurement' and recommended that:</i></p>	

	<ul style="list-style-type: none"> • <i>The Panel’s feedback with regards to tetra pack recycling and occurrences of the receptacles being too full regularly be communicated to the HWRC’s.</i> • <i>More workshops in relation to the action taken to address missed waste collection services be offered to all elected members as a priority.</i> • <i>An update on waste collection services be provided to the Panel.</i> • <i>An update on following the development of the full business case for the HDEN be considered for the scrutiny 2024/24 work programme.</i> <p><u>Meeting of the Panel to be held 12th March 2025</u></p> <p>The Panel will consider a progress report on Waste procurement.</p>	
<p>2-year Highway Capital Plan 2024-25 25-26</p>	<p><i>Background:</i></p> <p><i>At its meeting of the Panel held 10 January 2024 the Panel considered an update in relation to the 2 year Highways Capital Plan and it was recommend that:</i></p> <ol style="list-style-type: none"> <i>1. That clarity around the location and future planned moves of Speed Indicator Devices (SIDS) be investigated provided to the Panel.</i> <i>2. The Panel be provided with information about the potential impact the recent changes to national policy and climate change targets may have on local schemes following discussion with Transportation Officers.</i> <i>3. The issue of blocked drains in the specific location raised by Co-optee (Garry Kitchen) be investigated.</i> 	

	<p>4. <i>The road name A636 Denby Dale Road be amended in the report to Wakefield Road for clarity.</i></p> <p>5. <i>Further opportunities for pre-decision scrutiny in respect of the Capital Plan be considered.</i></p> <p><u>Meeting of the Panel to be held 12th March 2025</u></p> <p>The Panel will consider the 2-year Highway Capital Plan 2024-25 25-26.</p>	
<p>Air Quality Update (Action Plan, Strategy and Annual Status Report)</p>	<p><i>Background:</i></p> <p><i>The former Economy and Neighbourhoods Scrutiny Panel received an update in October 2019 and a number of areas to monitor were identified following implementation of the Action Plan. At its meeting held on 25th October 2023 the Panel considered the 2023 Air Quality Annual Status Report (ASR)) and recommended that:</i></p> <ol style="list-style-type: none"> <i>1. The documents identified in the report as opportunities for pre-decision scrutiny be presented to the Panel going forwards.</i> <i>2. It be confirmed with the air quality lead, if the output from the incinerator had any impact on AQMA No.9</i> <i>3. Work be undertaken to investigate Gas to Liquid fuel to increase understanding of any potential benefits as part of the refresh of the Air Quality Action Plan and Air Quality Strategy</i> 	

	<p>4. <i>To maintain a good relationship with Highways England as a key external stakeholder and to continue building on this partnership as part of the refresh of the Air Quality Action Plan and Air Quality Strategy.</i></p> <p>5. <i>The scientific literature review in relation to the potential benefits of Roadvent be shared with the Panel.</i></p> <p>6. <i>Clear, effective, and positive communications be developed with regards to the Roadvent project to increase public understanding of the benefit</i></p> <p><u>Meeting of the Panel to be held 16th April 2025</u></p> <p>The Panel will consider the Air Quality Update (Action Plan, Strategy and Annual Status Report)</p>	
<p>Fly tipping Update</p>	<p><u>Meeting of the Panel to be held 16th April 2025</u></p> <p>The Panel will consider a report on Fly tipping Enforcement.</p>	
<p><u>Informal Briefings</u></p>		

<p>Future of Bereavement Services</p> <p>Air Quality Update (Action Plan, Strategy and Annual Status Report)</p> <p>Fleet Replacement Programme and O Licence compliance (to include link to particulate matter impact on air quality)</p>	<p><u>Informal meeting of the Panel held on 5th November 2024:</u></p> <p>To consider an update in relation to Bereavement Services</p> <p>To consider an update and for opportunity for scrutiny to have early input.</p> <p>To consider an update and for opportunity for scrutiny to have early input.</p>	<p>The Panel noted the update.</p> <p>The Panel noted the update</p> <p>The Panel noted the update</p>
<p>Kirklees Internal Carbon Reporting</p>	<p>Date TBC</p>	
<p>Kirklees Enforcement Policy</p>	<p>February</p>	
	<p>November</p>	

Golden Threads:

The Panel will consider and would like to receive information around the following themes throughout its programme of work

- Climate Impact
- Risks and Opportunities
- Partnership work, links to other opportunities and engagement
- Communications; i.e.- how is the council using communications to deliver messaging, raise awareness of issues and provide information

Items not yet scheduled:

- Flood Risk (Panel to monitor and consider recent reports/outcomes from scrutiny prior received at OSMC – may request an update later in the year)
- Kirklees Internal Carbon Reporting

Panel Visits: TBC

This page is intentionally left blank