

Contact Officer: Jenny Bryce-Chan

KIRKLEES COUNCIL

LICENSING AND SAFETY COMMITTEE

Thursday 3rd July 2025

Present: Councillor Eric Firth (Chair)
Councillor Zarina Amin
Councillor Donna Bellamy
Councillor Charles Greaves
Councillor Andrew Marchington
Councillor Mohan Sokhal
Councillor Alex Vickers

Apologies: Councillor Ali Arshad
Councillor Paola Antonia Davies
Councillor Vivien Lees-Hamilton

1 Membership of the Committee

Apologies were received from Councillor V Lees-Hamilton, Councillor P Davies and Councillor A Arshad.

Councillor J Lawson attended as sub on behalf of Councillor A Arshad.

2 Minutes of Previous Meeting

RESOLVED -

That the meeting held on 18th December 2024 be approved as a correct record.

3 Declaration of Interests

No interests were declared.

4 Admission of the Public

All items were considered in public session.

5 Deputations/Petitions

No deputations or petitions were received.

6 Public Question Time

No public questions were asked.

7 Review of the Council's Gambling Act 2005 Statement of Licensing Principles

The Committee received a report highlighting the results of the consultation on the Council's draft Gambling Act 2005 Statement of Licensing Principles.

Fiona Goldsmith, Public Protection Group Leader advised the Committee that it was a statutory requirement to review and publish a Statement of Licensing Principles every three years.

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The Licensing Service had previously undertaken a full review of the gambling policy and implemented considerable changes. There had been no further guidance from the Gambling Commission to Local Authorities. The Licensing Service had consulted with the Gambling Commission and only made local changes to the policy. The Committee was advised that in accordance with the statutory requirement of the Gambling Act a two-week formal statutory consultation had taken place in May 2025 and no responses were received regarding the consultation.

RESOLVED -

That the proposed draft of the Council's Gambling Act 2025, Statement of Licensing Principles 2025-2028, be formally submitted to Council on 16th July 2025 for adoption.

8 Hackney Carriage and Private Hire Vehicle Specification Policy Review

The Committee received a report regarding the Hackney Carriage and Private Hire Vehicle Specification Policy.

Fiona Goldsmith, Public Protection Team Leader, advised the Committee that in February 2024, there had been a full revision of the Kirklees Council Vehicle Specification Policy. Members of the Committee had previously asked officers to complete additional work in relation to Sports Utility Vehicles (SUVs) and as part of the review the Licensing Service also looked at Multiple-Purpose Vehicles (MPVs).

Ms Goldsmith, referred to appendix one of the policy and advised the Committee that the Hackney Carriage and Private Hire Vehicle Dimensions had been removed from the policy. This was removed due to how vehicles were measured which had been recorded in inches since 2008 and it did not reflect vehicles today. A vehicle would now be licensed based on how many seats the vehicle logbook stipulated. The Licensing Service now accepted SUVs due to a large volume of vehicles being recorded as small SUV's, which had previously restricted such vehicles being licensed. Ms Goldsmith advised the Committee that the situation would be monitored in terms of applications received and the vehicle sizes.

A questioned was asked whether there have ever been any stipulations in the policy regarding accessibility in private hire vehicles for people who did not have a physical disability. In response, Ms Goldsmith advised that the Best Practice Guidance for Licensing Authorities in England refers to accessibility and the Licensing Service will shortly be reviewing the policy to ensure it meets the requirements around accessibility. The Committee was further advised that when vehicles were being booked, the operator would consider the type of vehicle required to ensure it would be suitable for the needs of the travelling customer.

RESOLVED -

That the Hackney Carriage and Private Hire Vehicle Specification Policy be adopted.

9 Licensing Services Update Report

The Committee received a report which provided an update on the activities undertaken to discharge the Council's Licensing functions between 1st April 2024 and 31st March 2025.

In summary, the Committee was advised that the current number of hackney carriage and private hire licences in force as of the 2nd May 2025 were 6086. Prior to the pandemic the last update report to the Committee was in October 2018, which stated that the number of hackney carriage/private hire drivers licensed were 2,950. The next update report to the Committee was in December 2020 and the figure had dropped to 2,896. As of 2nd May 2025, the figure had increased to 3351 and the Council had seen a high demand for licenses within the service.

Ms Goldsmith highlighted vehicle testing and referred to tables contained in the report which provided the number of vehicle compliance tests taken at the Council's two testing stations between 1st April 2024 and 31st March 2025. Further details were highlighted in the report regarding the reasons for vehicle test failures and the numbers of vehicles that had failed in each category. A question was asked by the Committee regarding the high percentage failure rates of vehicles and the retest process. Ms Goldsmith advised the Committee that the Council's compliance test was similar to an MOT test. Vehicles had to meet the MOT standard as well as additional checks which did not fall within the remit of a MOT. The compliance test failed vehicles on either major or minor matters. If a vehicle failed on a minor fault, a certain amount of time would be given for the vehicle to be repaired and be retested at a garage with no additional charge. If a vehicle failed on a major fault, then the garage could suspend the vehicle licence and this would trigger a full retest and payment fee.

A question was asked by the Committee if there were any obligations on drivers and taxi companies to undertake their own vehicle tests to ensure vehicles met the required standard. Ms Goldsmith advised that currently there was no statutory requirement in place, and it was just one annual vehicle test which had been previously decided by the Committee in 2014. Members were advised that drivers were expected to check their vehicles and keep an accurate record. The Council's enforcement team were proactive in checking vehicles on the road and if vehicles were identified as not up to standard an additional test could be requested, or a Prohibition Order could be served by the Driver and Vehicle Standards Agency.

In August 2021, The Licensing Service introduced its Service Standards, and table in the report detailed how the service had performed against the standards between 1st April 2024 and 31st March 2025. Ms Goldsmith reported that the service had streamlined its processes and were now managing applications within the service standards. The report also provided a full breakdown of the type of offence/issues and decision/reasons.

In relation to the Licensing Act 2003 and general Licensing the report set out the total number of Licensing Act and general Licenses in force as of 12th May 2025, which were 2,309. The number of Licensing Act applications processed by the

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service between 1st April 2024 and 31st March 2025 had decreased compared to the previous two years.

Ms Goldsmith advised the Committee the reason for the decline in applications was due to the economy. In the period of 1st April 2024 and 31st March 2025 the service received a total of 6,268 applications. In comparison to the period of 1st April 2023 and 31st March 2024 the service received a total of 5,982 applications. This was an increase of 286 applications from the previous year.

Ms Goldsmith advised the Committee of relevant legislation that had come into force. The Terrorism Protection of Premises Act 2025 (Martyn's Law) which was given the Royal Assent on 3rd April 2025 and be implemented within the next two years. The aim of the Act was intended to improve protective security and organisational preparedness across the UK. Ms Goldsmith explained that the Act would have an impact on the Licensing Act and the Licenses the Council issued and the Committee would be kept informed of any changes.

The Committee was informed of the Environmental Protection (Single-use Vapes) England Regulations 2024 which came into effect in June 2025, makes it illegal for a person to supply or offer to supply or have in their possession for supply a single-use vape. The Committee was informed that the enforcement of the regulations did not fall within the scope of the Licensing Service but came under the West Yorkshire Joint Services Trading Standards.

The Committee was further advised that the Tobacco and Vapes Bill was currently being debated on in Parliament. The Bill made provision regarding the supply of tobacco, vapes and other products, including prohibiting the sale of tobacco to people born after the 1st January 2009 and the licensing of retail sales and the registration of retailers. The Bill was yet to receive the Royal Assent and the Licensing Service would monitor the situation to see if it fell within the licensing function. The Committee would be kept informed of any updates.

The Licensing Service works with key partners, such as, West Yorkshire Joint Services, Trading Standards and the report highlighted several visits to premises within Kirklees.

The Committee was provided with information on staffing within the Licensing Service and enforcement activity. Licensing Officers undertook proactive enforcement activity both during and outside normal working hours. Such activities varied and included, vehicle checks, licensed operator base checks, premises licence compliance checks, gambling licence compliance checks. Between the 1st April 2024 and 31st March 2025 52 proactive enforcement visits/inspections, which was an average of 4 per month were undertaken.

RESOLVED -

That the Licensing Service Update Report be noted.