

Public Document Pack



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

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Wednesday 25 June 2025

Notice of Meeting

Dear Member

Licensing and Safety Committee

The **Licensing and Safety Committee** will meet in the **Council Chamber - Town Hall, Huddersfield** at **10.00 am** on **Thursday 3 July 2025**.

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 Licensing and Safety Committee members are:-

Member

Councillor Eric Firth (Chair)
Councillor Zarina Amin
Councillor Ali Arshad
Councillor Timothy Bamford
Councillor Donna Bellamy
Councillor Aafaq Butt
Councillor Paola Antonia Davies
Councillor Charles Greaves
Councillor Yusra Hussain
Councillor Vivien Lees-Hamilton
Councillor Andrew Marchington
Councillor Mohan Sokhal
Councillor Alex Vickers

When a Member of the Licensing and Safety Committee member cannot attend the meeting, a member of the Substitutes Panel (below) may attend in their place in accordance with the provisions of Council Procedure Rule 35(7).

Substitutes Panel

Conservative	Green	Labour	Liberal	Community	Kirklees
B Armer	K Allison	J Homewood	Democrat	Alliance	Community
D Hall	A Cooper	S Ullah	C Burke	C Scott	Independents
C Holt	S Lee-	B Addy	D Longstaff	A Zaman	JD Lawson
J Taylor	Richards	M Crook	A Munro		
M Thompson		A Sewell	A Pinnock		
		M Ahmed	A Robinson		
		J Rylah	A Smith		
		H McCarthy	J Lawson		

Agenda

Reports or Explanatory Notes Attached

Pages

1: Membership of the Committee

To receive apologies for absence from those Members who are unable to attend the meeting and details of substitutions and for whom they are attending. to the Committee membership.

2: Minutes of Previous Meeting

1 - 4

To approve the minutes of the meeting of the Panel held on the 18th December 2024.

3: Declaration of Interests

5 - 6

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 Board.

5: Deputations/Petitions

The Committee 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: Review of the Council's Gambling Act 2005 Statement of Licensing Principles 7 - 44

The purpose of this report is to inform members of the results of the consultation on the Council's draft Gambling Act 2005 Statement of Licensing Principles and for members to make a recommendation to Council for its adoption.

Contact: Fiona Goldsmith, Public Protection Group Leader,
Licensing – 01484 221000

8: Hackney Carriage and Private Hire Vehicle Specification Policy Review 45 - 70

This is a follow up report following the decision made by members of the Licensing and Safety Committee meeting on Wednesday 14th February 2024.

Contact: Fiona Goldsmith, Public Protection Group Leader,
Licensing – 01484 221000

9: Licensing Services Update Report

71 - 92

The purpose of the report is to inform members of the activities undertaken to discharge the Council's licensing functions from 1st April 2024 to 31st March 2025.

Contact: Fiona Goldsmith, Public Protection Group Leader,
Licensing – 01484 221000

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Contact Officer: Jenny Bryce-Chan

KIRKLEES COUNCIL

LICENSING AND SAFETY COMMITTEE

Wednesday 18th December 2024

Present: Councillor Eric Firth (Chair)
Councillor Zarina Amin
Councillor Mohan Sokhal
Councillor Timothy Bamford
Councillor Andrew Marchington
Councillor Paola Davies
Councillor Ali Arshad
Councillor Alex Vickers
Councillor Jane Rylah

In attendance: Fiona Goldsmith, Public Protection Group Leader
David Stickley, Senior Legal Officer

Apologies: Councillor Donna Bellamy
Councillor Yusra Hussain

1 Membership of the Committee

Apologies were received on behalf of Councillor D Bellamy and Councillor Y Hussain.

2 Minutes of Previous Meeting

RESOLVED: That the minutes of the meeting held on 14th February 2024 be approved as a correct record.

3 Declaration of Interests

An 'other' interest was declared by Councillor Timothy Bamford in relation to being a member of the West Yorkshire Joint Services Committee.

4 Admission of the Public

All agenda items were considered in public session.

5 Deputations/Petitions

No deputations or petitions were received.

6 Public Question Time

No questions were asked.

7 Proposed Revision to Statement of Licensing Policy 2025 - 2030

The Committee received a report highlighting the proposed revisions to the Statement of Licensing Policy.

Licensing and Safety Committee

Fiona Goldsmith, Public Protection Group Leader advised the Committee that it was a statutory requirement to prepare and publish a Statement of Licensing Policy at least every 5 years, and that the previous policy had been approved and adopted at Council in January 2020. Changes to the policy reflected the Secretary of State Guidance under Section 182 of the Licensing Act 2003 as amended in December 2023 and provided more guidance in relation to public safety. Additional information had been added to the enforcement section of the Policy, as well as additional sections relating to the Alcohol Toolkit, Spiking Prevention, Sustainable Events Management, Martin's Law and a Safer Nighttime Economy for Kirklees.

Engagement had taken place with key stakeholders, the Chief Officer of Police, the Fire and Rescue Authority, each Local Authorities Director of Public Health, Premises License Holders, Local Club Premises Certificate Holders, businesses and residents within the area, via written correspondence. Information had also been shared through social media platforms and on the Kirklees website to ensure a robust policy.

An eight-week formal statutory consultation had taken place between July 2024 and September 2024, of which 9 responses were received. This included four members of the public, four existing license holders and one Parish Council.

The Committee queried the low number of responses to the consultation and were advised that the Licensing Department had gone above and beyond the statutory requirements for consultation.

RESOLVED:

The Committee agreed that the proposed revisions to the Council's Statement of Licensing Policy for the period 2025 – 2030 be formally submitted to full Council on Wednesday 15th January 2025 for adoption.

8 Cumulative Impact Assessment – Consultation Results

The Committee received a report detailing the results of the consultation for Cumulative Impact Assessments to be introduced in Huddersfield and Dewsbury Town Centres.

Fiona Goldsmith, Public Protection Group Leader, advised that at a meeting on the 19th July 2024, the Licensing and Safety Committee were asked to determine if there was sufficient evidence presented to them, for the Licensing Authority to proceed with the consultation on the proposal to introduce Cumulative Impact Assessments within the boundaries of Huddersfield and Dewsbury Town Centres. Members resolved that the Licensing Department commenced formal consultation and returned to the Licensing and Safety Committee with the results.

Ms Goldsmith shared that the Cumulative Impact Assessments helped to identify the potential impact on the promotion of one or more of the licensing objectives, on a significant number of licensed premises concentrated within one area. Work had been undertaken with Public Health Colleagues, and data provided by West Yorkshire Police provided indicative evidence that offences were linked to off licenses, with off sales, in both areas. However, the Cumulative Impact Assessment

Licensing and Safety Committee

was not purely based on hard data, but also perception and public views, which were included within the report.

An eight-week consultation had been carried out between July 2024 and September 2024, alongside the Review of the Statement of Licensing Policy, so that it could be incorporated into the Policy if it was adopted. In total 135 people responded to the consultation.

The Committee queried the cost of the consultation and the implementation of the Policy. Ms Goldsmith advised that there would be no extra cost to adopt the Policy, but that it would be a useful tool for members to use when considering new applications and variations to existing licences within those areas.

Ms Goldsmith advised that the Cumulative Impact Assessment did not change the way licensing applications were dealt with. The Licensing Department and the Police would consider the Operating Schedule and if it did not fall within an area with particular issues, an objection would not be submitted. However, the Cumulative Impact Assessment would strengthen any decisions to refuse an application, within problem areas, if objections were received.

The Committee queried the results of the Cumulative Impact Assessment. Ms Goldsmith advised that it was a statutory requirement to review it every three years, however if crime statistics dropped dramatically, or increased issues elsewhere, a review could be held sooner.

RESOLVED:

The Committee agreed that a Cumulative Impact Assessment be introduced in both Huddersfield and Dewsbury, and that it be formally recommended to full Council on Wednesday 15th January 2025 for adoption.

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 October 2023 and 31st March 2024.

Fiona Goldsmith, Public Protection Group Leader advised that the current number of hackney carriage and private hire licenses was 5820 as of the 21st October 2024. There had been 2304 applications received which was an increase compared to the previous two years; however, the number of driver renewal applications was less, this was due to a change from issuing annual licenses to issuing 3-year licences.

Ms Goldsmith highlighted that in August 2021, the Licensing Service introduced Service Standards with the aim to process vehicle applications within 5 working days, and driver and operator applications within 10 working days, following receipt of completed applications. Progress towards these standards identified that 75% of driver application were processed within target, 92% of vehicle applications were processed within target and 84% of operator applications were processed within target.

Licensing and Safety Committee

The figures highlighted that customer service had improved considerably and would continue to improve with the effective processes that had been put in place.

Ms Goldsmith highlighted the information in relation to the number of delegated decisions that had been taken by the Group Leader for Licensing with regards to new and existing hackney carriage / private hire driver's fitness and suitability.

RESOLVED:

The Committee noted the Licensing Services Update Report from 1 October 2023 to 31 March 2024, and agreed that officers be commended for the work they have undertaken.

KIRKLEES COUNCIL				
COUNCIL/CABINET/COMMITTEE MEETINGS ETC				
DECLARATION OF INTERESTS				
Licensing and Safety Committee				
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: Review of the Council’s Gambling Act 2005 Statement of Licensing Principles.

Meeting:	Licensing and Safety Committee
Date:	3 rd July 2025
Cabinet Member (if applicable)	Cllr Amanda Pinnock
Key Decision Eligible for Call In	No No
<p>Purpose of Report The purpose of this report is to inform members of the results of the consultation on the Council’s draft Gambling Act 2005 Statement of Licensing Principles and for members to make a recommendation to Council for its adoption.</p>	
<p>Recommendations</p> <ul style="list-style-type: none"> That members recommend to Council that the proposed draft policy shown at Appendix 1 be formally adopted as the Council’s Gambling Act 2005 Statement of Licensing Principles. <p>Reasons for Recommendations</p> <ul style="list-style-type: none"> The Gambling Act 2005 requires Licensing Authorities to publish at least every three (3) years a statement of their licensing policy (gambling) 	
<p>Resource Implications: There are no resource implications in relation to this report.</p>	
Date signed off by <u>Executive Director</u> & name	David Shepherd – 23.05.2025
Is it also signed off by the Service Director for Finance?	Kevin Mulvaney – 27.05.2025
Is it also signed off by the Service Director for Legal Governance and Commissioning (Monitoring Officer)?	Samantha Lawton – 06.06.2025

Electoral wards affected: All

Ward councillors consulted: None

Public or private: Public

Has GDPR been considered? Yes, there is no personal data contained in this report.

1. Executive Summary

1.1 This report details the outcome of the consultation process in respect of the review of the Council's Gambling Act 2005 Statement of Licensing Principles and recommends the policy be referred to Council for its adoption.

2. Information required to take a decision

2.1 The Gambling Act 2005 (the "Act") licences and regulated commercial gambling, and under the Act Local Authorities are responsible for licensing premises where gambling takes place.

2.2 The Gambling Act sets out three (3) licensing objectives: -

- i. Preventing gambling from being a source of crime and disorder, being associated with crime and disorder, or being used to support crime.
- ii. Ensure that gambling is conducted in a fair and open way.
- iii. Protecting children and other vulnerable persons from being harmed or exploited in gambling.

2.3 The Gambling Act 2005 requires Licensing Authorities to publish a Statement of Gambling Principles every three (3) years.

2.4 Applications for licences under the Gambling Act are made in accordance with the Licensing Authority's Statement of Licensing Principles and the Regulations made under the 2005 Act.

2.5 The Council's Current policy came into effect in 2022 following its review, statutory consultation and adoption at Council.

2.6 Since the previous review of the policy there have been no updates by the Gambling Commission to the statutory guidance issued to Local Authorities, therefore, there are no changes to the policy adopted in 2022.

2.7 Although no significant changes are proposed following the review of the policy, other than changes to the date of the policy and the information about the Council's priorities, there was still a requirement to carry out a short consultation seeking any comments.

2.8 The Gambling Act requires that the following parties are consulted by Licensing Authorities:

- The Chief Officer of Police
- One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area.
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005.

2.9 The full list of those persons consulted can be found on page 3 of the draft policy at **Appendix 1**, and the consultation was for a period of 2 weeks and ended on Sunday 18th May 2025, following agreement to consult from the Chair of the Licensing and Safety Committee.

2.9 No responses were received to the consultation. The consultees were informed that there were no significant changes to the policy due to there being no updates to the Local Authority Statutory Guidance, however, they were given a period of two weeks to make any comments regarding the revised policy.

3. Implications for the Council

3.1 Council Plan

The adoption of the Gambling Act Statement of Principles satisfies the statutory requirement and also assists the Council's vision which is for Kirklees to be a district which 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, by setting out the Council's local issues, priorities and risks that inform and underpin our approach to local regulation

3.2 Financial Implications

There are no direct financial implications associated with this report.

3.3 Legal Implications

It is a Legal requirement of the Gambling Act 2005 that the Council is required to review and publish a Statement of Licensing Principles every three (3) years.

3.4 Climate Change and Air Quality

There are no climate change or air quality implications associated with this report.

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

In preparing this report due consideration has been given to the Council's equality duties under the Equality Act 2010 and an Integrated Impact Assessment has been completed and can be accessed on the Council's website here [Integrated Impact Assessments | Kirklees Council](#)

4. Consultation

4.1 The Gambling Act requires that the following parties are consulted by Licensing Authorities:

- The Chief Officer of Police
- One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area.
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005.

5. Engagement

5.1 There is no requirement under the Gambling Act 2005 which requires engagement to be carried out.

6. Options

6.1 Options considered

Members are asked to recommend to Council that the proposed draft policy at **Appendix 1** be formally adopted as the Council's Gambling Act 2005 Statement of Licensing Principles.

6.2 Reasons for recommended option

The Gambling Act 2005 requires Licensing Authorities to publish at least every three (3) years a statement of their licensing policy (gambling)

7. Next steps and timelines

Following consideration by Members of the Licensing and Safety Committee the policy will need to be referred to Council for adoption.

Once adopted by Council the policy will remain in place until January 2028.

8. Contact officer

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

9. Background Papers and History of Decisions

[Agenda for Licensing and Safety Committee on Wednesday 6th July 2022, 10.00 am | Kirklees Council](#)

[Agenda for Council on Wednesday 7th September 2022, 5.30 pm | Kirklees Council](#)

10. Appendices

Appendix 1 – Gambling Act 2005 Statement of Principles

11. Service Director responsible

Katherine Armitage
Service Director – Environmental Strategy and Climate Change
Tel: 01484 221000
Email: Fiona.goldsmith@kirklees.gov.uk

Gambling Act 2005 Statement of Principles

~~2022-2025~~

2025-2028

This policy will remain in effect until January 2028

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Part A – The Gambling Act 2005

1. The Licensing Objectives

In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

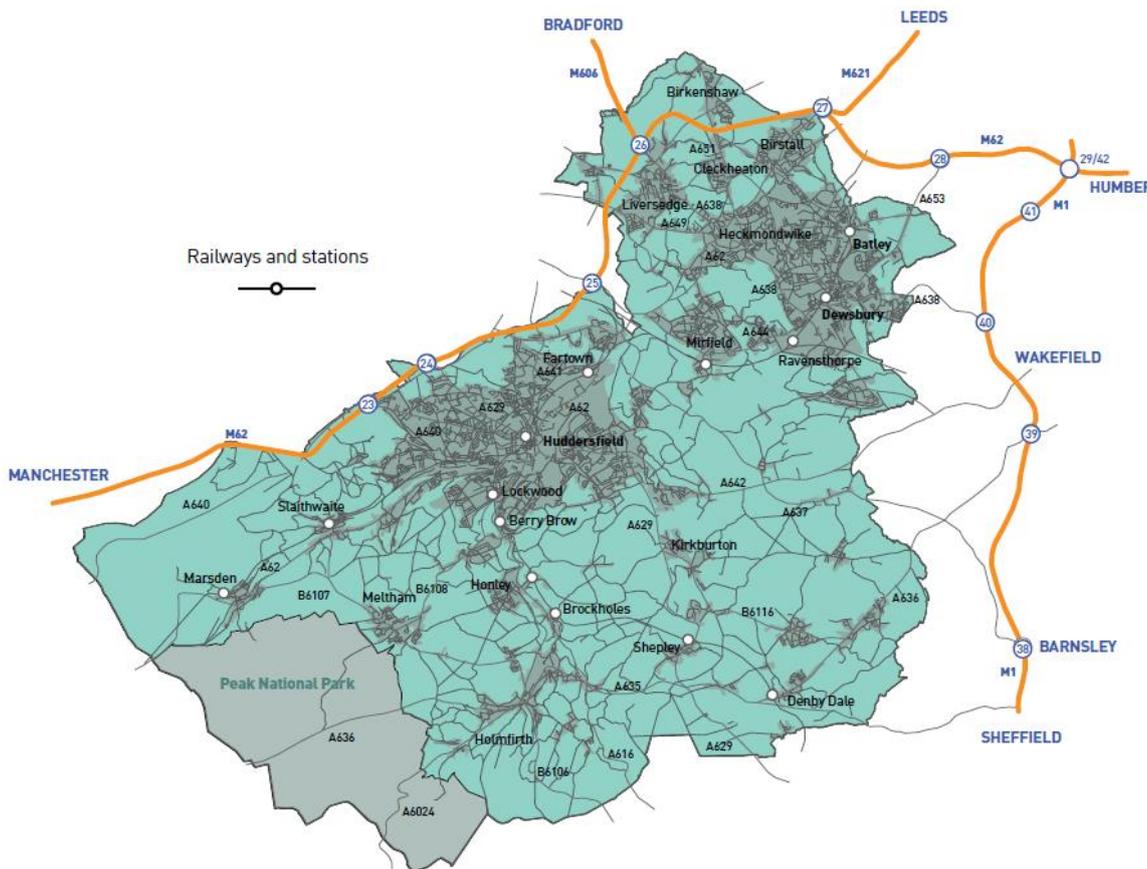
It should be noted that the Gambling Commission has stated: "The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling".

The council is aware that, as per Section 153, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it is:

- in accordance with any relevant code of practice issued by the Gambling Commission
- in accordance with any relevant guidance issued by the Gambling Commission
- reasonably consistent with the licensing objectives and
- in accordance with the authority's statement of licensing policy

2. Introduction

Kirklees Council is situated in West Yorkshire, which contains 5 metropolitan councils in total. The council area has a population of approximately 440,000¹ making it the largest metropolitan district not based on a city in terms of population. In terms of area, it is the third largest in West Yorkshire, covering 157 square miles. The council area is mainly rural in the south with a central urban area around large towns. The area also comprises of several smaller towns of varying sizes. These areas are shown on the map below.



Kirklees has a varied population – many ethnicities are represented, speaking a range of languages and bringing a cultural diversity to the region. A thriving student community based around the University of Huddersfield attracts students from around the world. Life expectancy and healthy life expectancy (the number of years lived in good health) are increasing across Kirklees.

Kirklees Council has issued a Corporate Plan which outlines the Council’s vision for

~~‘We’re Kirklees’~~. The priorities, throughout the transformation programme to ‘We’re Kirklees’, will remain focused on achieving the best for Kirklees, its communities, businesses and residents. “Our Council”. The plan has four key areas of focus:

- Getting the basics right and balancing the budget
- Protecting the vulnerable and achieving inclusion
- Thriving people and communities – now and over the longer-term
- Local economic growth, working with regional and national partners

Integration with other guidance, policies, objectives, and strategies

The Gambling Policy aims to promote the licensing objectives within the overall context of the Kirklees Corporate Plan.

The vision for Kirklees is to be a district which 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

The Corporate Plan sets out the council's outcomes, what it is trying to achieve, key actions underway and planned, and the measures it will use to check whether it has been successful.

Supporting vulnerable people and promoting inclusion and diversity is woven throughout the plan and shared outcomes.

The key outcomes that underpin this policy are set out below:

- **Shaped by People – We make our places what they are**
- Best Start - Children have the best start in life
- Well – People in Kirklees area as well as possible for as long as possible
- Independent – People in Kirklees live independently and have control over their lives
- Aspire and Achieve – People in Kirklees have aspiration to achieve their ambitions through education, training, employment and lifelong learning
- Sustainable Economy – Kirklees has sustainable economic growth and provides good employment for and with communities and businesses
- Safe and Cohesive – People in Kirklees live in cohesive communities, feel safe and are safe/protected from harm
- Clean and Green – People in Kirklees experience a high quality, clean, sustainable and green environment
- ~~Efficient and Effective – Kirklees Council works smart and delivers efficiently and effectively~~

Purpose of Statement of Licensing Policy

Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from "time to time" and any amended parts re-consulted upon. The statement must then be re-published.

Consultation

The Gambling Act requires that the following parties are consulted by Licensing Authorities:

- The Chief Officer of Police.

- One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area.
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005.

List of persons this authority consulted:

- West Yorkshire Police
- The Local Safeguarding Children Board
- Representatives of local businesses
- Local Chambers of Commerce
- Town Centre Associations
- Residents of Kirklees and their representatives
- Kirklees Federation of Tenants & Residents Association
- Town Councils in the district
- Parish Councils in the district
- Local Members of Parliament
- Ward Councillors
- National bodies representing the gambling trade
- National charities concerned with the social impact of gambling
- Representatives of existing license holders
- West Fire and Rescue
- Community Safety Partnership
- Huddersfield University
- Local financial/debt management agencies
- Holders of Club Premise Certificates
- Holders of Lottery Permits
- Holders of Permits for Amusement Arcades

Consultation for this proposed policy ~~commenced on 1st April 2022~~ ended on Sunday 18th May 2025.

The Council will publish the consultation responses within 12 weeks of the consultation closing in accordance with best practice as set out by the Department for Business, Energy and Industrial Strategy.

3. Declaration

It should be noted that this policy statement will not override the right of any person to make an application, make representations about an application, or apply for a review of a license, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

In producing the final statement, the council declares that it has had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission, and any responses from those consulted on the statement.

4. Responsible Authorities

The Act empowers certain agencies to act as responsible authorities so that they can employ their particular area of expertise to help promote the licensing objectives. Responsible authorities will also offer advice and guidance to applicants.

Responsible Authorities are generally public bodies that must be notified of all applications, they are entitled to make representations about licence applications, or apply for a review of an existing licence, providing representations and / or a review are relevant to the licensing objectives. They have no obligation to respond to applications for premises licences if they wish not to do so.

Section 157(h) of the Act defines Responsible Authorities as:

- The Gambling Commission
- The Police
- The Fire Service
- The Local Safeguarding Children Board
- The Local Planning Authority
- Environmental Health
- HM Revenue and Customs
- The licensing authority (the council)

Each representation will be assessed with regard to the licensing objectives and be taken on its own individual merits.

The Licensing Authority will also consult with the Director of Public Health on all premises licence applications.

The council is required by regulations to state the principles it will apply to designate, in writing, to a body which is competent to advise the authority about the protection of children from harm.

The principles are:

- the need for the body to be responsible for an area covering the whole of the licensing authority's area.
- and the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

In accordance with the suggestion in the Gambling Commission's Guidance for local authorities, this authority designates the Local Safeguarding Children Board for this purpose.

The contact details of all the Responsible Authorities under the Gambling Act 2005 are available via the Council's website at: www.kirklees.gov.uk

The Secretary of State may prescribe other responsible authorities by means of regulations.

5. Interested parties

Interested parties are certain types of people or organisations who have the right to make representations about licence applications or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

- "For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the applications is made, the person
- lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- has business interests that might be affected by the authorised activities, or
- represents persons who satisfy paragraph (a) or (b)"

The council is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:

Each case will be decided upon its merits. The council will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance to local authorities. It will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.

The Gambling Commission has recommended that the licensing authority states that interested parties include trade associations and trade unions, and residents' and tenants' associations.

However, the council emphasises that it will not generally view these bodies as interested parties unless they have a member who can be classed as an interested person under the terms of the Gambling Act 2005 i.e. lives sufficiently close to the premises to be likely to be affected by the activities being applied for.

Interested parties can be persons who are democratically elected such as Councillors and MPs. No specific evidence of being asked to represent an interested person will be required if the Councillor / MP represent the ward likely to be affected. Likewise, parish councils likely to be affected will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate / relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

If individuals wish to approach councillors to ask them to represent their views, then care should be taken that the councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts, then please contact

Licensing Service, Flint Street, Fartown, Huddersfield, HD1 6LG

Email: licensing@kirklees.gov.uk

Tel [01484 221000](tel:01484221000)

6. Exchange of Information

Licensing authorities are required to include in their statements the principles to be applied by the authority in exercising the functions with respect to the exchange of information between it and the Gambling Commission, and the functions with respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.

The principle that the council applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection and Freedom of Information Acts will not be contravened. The licensing authority will also have regard to any Guidance issued by the Gambling Commission to local authorities on this matter when it is published, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

Should any protocols be established as regards information exchange with other bodies then they will be made available.

7. Enforcement

The council will work closely with responsible authorities in undertaking its enforcement duties under the Gambling Act 2005, be guided by the Gambling Commission's Guidance for local authorities and will endeavour to be:

- Proportionate: regulators should only intervene when necessary: remedies
- should be appropriate to the risk posed, and costs identified and minimised;

- **Accountable:** regulators must be able to justify decisions, and be subject to public scrutiny;
- **Consistent:** rules and standards must be joined up and implemented fairly;
- **Transparent:** regulators should be open, and keep regulations simple and user friendly; and
- **Targeted:** regulation should be focused on the problem and minimise side effects.

The council will endeavour to avoid duplication with other regulatory regimes so far as possible.

The main enforcement and compliance role for the council in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for the operating and personal licences.

Dealing with illegal poker or illegal/illegally sited machines in a specific premises will be dealt with by way of a multi-agency coordinated approach with the council licensing authority officers leading the operation with the police and on occasion HMRC providing support, advice and expertise. The Gambling Commission will be contacted to agree if such a multi-agency approach is appropriate.

The Council will also consult with the Gambling Commission before planning enforcement exercises such as test purchasing and age verification.

This council will also keep itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.

8. Licensing Authority functions

Licensing Authorities are responsible under the Act for:

- Licensing premises where gambling activities are to take place by issuing Premises Licences
- Issuing Provisional Statements
- Regulating members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- Issuing Club Machine Permits to Commercial Clubs
- Granting permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres
- Receiving notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
- Issuing Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines

- Registering small society lotteries below prescribed thresholds
- Issuing Prize Gaming Permits
- Receiving and Endorsing Temporary Use Notices
- Receiving Occasional Use Notices
- Providing information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange')
- Maintaining registers of the permits and licences that are issued under these functions

The council will not be involved in licensing remote gambling at all. This will fall to the Gambling Commission via operating licences.

The council has the responsibility for licensing gambling premises within Kirklees, as well as undertaking functions in relation to lower stake gaming machines in clubs and miners' welfare institutes. The Act also provides a system of temporary and occasional use notices. These enable licensing authorities to authorize premises that are not licensed generally for gambling purposes, to be used for certain types of gambling for limited periods.

Part B – Premises Licences

1. General Principles

The council will issue premises licences to allow premises to be used for certain types of gambling. The types of premises to which licences will be issued include amusement arcades, bingo halls, bookmakers and casinos.

Premises licences will be subject to the requirements set out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. Licensing authorities can exclude default conditions and also attach others, where it is believed to be appropriate.

The council is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it is:

- in accordance with any relevant code of practice issued by the Gambling Commission.
- in accordance with any relevant guidance issued by the Gambling Commission
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing policy.

It is appreciated that as per the Gambling Commission's Guidance for local authorities "moral objections to gambling are not a valid reason to reject applications for premises licences"

(except as regards any 'no casino resolution') and also that unmet demand is not a criterion for a licensing authority.

Applications

An application for a premises licence may only be made by persons (including companies or partnerships):

- Who are aged 18 or over and
- Who have the right to occupy the premises and
- Who have an operating licence which allows them to carry out the proposed activity or
- Who have applied for an operating licence to allow them to carry out the proposed activity. The application can only be determined once an operating licence has been issued.

Definition of "premises"

Premises is defined in the Act as "any place". Different premises licences cannot apply in respect of a single premise at different times. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact in the circumstances.

The council will take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware that entrances and exits from parts of a building covered by one or more licences should be separate and identifiable so that the separation of different premises is not compromised, and that people do not 'drift' into a gambling area.

The council will pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). Clearly, there will be specific issues that authorities should consider before granting such applications, for example, whether children can gain access; compatibility of the two establishments; and ability to comply with the requirements of the Act. But, in addition an important consideration should be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise may compromise the licensing objectives.

An applicant cannot obtain a full premises licence until the premises in which it is proposed to offer the gambling are constructed. The Gambling Commission has advised that references to "the premises" are to the premises in which gambling may now take place. Thus, a licence to use premises for gambling will only be issued in relation to premises that are ready to be used for gambling. It is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence. The Gambling Commission emphasises that requiring the building to be complete ensure that the authority can, if necessary, inspect it fully, as can other responsible authorities with inspection rights.

Where premises are not yet built or are about to be altered for the purpose of gambling and ultimately a premises licence will be required, the applicant should first consider making an application for a provisional statement (see section 9).

Local Risk Assessment

The council is aware that demand issues cannot be considered regarding the location of premises but that considerations in terms of the licensing objectives can. The council will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as health information and data related to gambling related harm as well as issues of crime and disorder. The term "vulnerable persons" includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.

Should any specific policy be decided upon as regards areas where gambling premises should not be located, this statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

Licensees are required to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks and must consider relevant matters identified in this policy statement.

Licensees are required to undertake a local risk assessment when applying for a new premises licence and share their risk assessment with the licensing authority. Risk assessments must also be updated:

- when applying for a variation of a premises licence.
- to take account of significant changes in local circumstances, including those identified in this policy.
- when there are significant changes at a licensee's premises that may affect their mitigation of local risks.

In undertaking a local risk assessment, the Council will expect the operator, as a minimum to consider:

- whether the premises is in an area of deprivation
- whether the premises is in an area subject to high levels of crime and/or disorder
- the ethnic profile of residents in the area
- the demographics of the area in relation to vulnerable groups
- the location of services for children such as schools, playgrounds, toy shops, leisure centres and other areas where children will gather

- health information and data relating to gambling related harm

The Council's local area profile should be the starting point for operators when developing their local risk assessments as many of the concerns listed above form part of the local area profile.

The local risk assessment should also show how vulnerable people, including people with gambling dependencies, are protected.

The Council also consider the following matters are of importance for operators to consider in developing their local risk assessments:

- The training of staff in brief intervention when customers show signs of excessive gambling, the ability of staff to offer brief intervention and how the manning of premises affects this.
- Details as to the location and coverage of working CCTV cameras, and how the system will be monitored.
- The layout of the premises so that staff have an unobstructed view of persons using the premises
- The number of staff that will be available on the premises at any one time. If at any time that number is one, confirm the supervisory and monitoring arrangements when that person is absent from the licensed area or distracted from supervising the premises and observing those persons using the premises.
- Arrangements for monitoring and dealing with underage persons and vulnerable persons, which may include dedicated and trained personnel, leaflets, posters, self-exclusion schemes, window displays and advertisements not to entice passers-by etc.
- The provision of signage and documents relating to games rules, gambling care providers and other relevant information be provided in both English and the other prominent first language for that locality.
- Where the application is for a betting premises licence, other than in respect of a track, the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence.

Such information may be used to inform the decision the council makes about whether to grant the licence, to grant the licence with special conditions or to refuse the application.

This policy does not preclude any application being made and each application will be decided on its merits, with the onus being upon the applicant to show how the concerns can be overcome.

Local Area Profile

Each locality within Kirklees has its own character and challenges. In order to assist applicants in completing their local risk assessments, the Council may, where relevant information exists, publish a local area profile. Any local area profile will be published on the Council's website, and applicants should refer to the Council's website for this information.

If published the local area profile should be given careful consideration when making an application. Applicants may be asked to attend a meeting with licensing officers to discuss the profiles, appropriate measures to mitigate risk in the area and how they might be relevant to their application. The local area profile will be presented to any subsequent licensing sub-committee when they determine an application that has received representations.

The Council recognises that it cannot insist on applicants using the local area profile when completing their risk assessments. However, an applicant who decides to disregard the profile may face additional representations and the expense of a hearing as a result.

Duplication with other regulatory regimes

The council will seek to avoid any duplication with other statutory / regulatory systems where possible, including planning. The council will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

Licensing objectives

Premises licences granted must be consistent with the licensing objectives. With regard to these objectives, the council has considered the Gambling Commission's Guidance to local authorities and some comments are made below.

Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime

The Gambling Commission will be taking a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime the council will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. The council is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was, to those who could see it, so as to make that distinction.

Ensuring that gambling is conducted in a fair and open way

The council has noted that the Gambling Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. There is however, more of a role with regard to tracks which is explained in more detail in the 'tracks' section.

Protecting children and other vulnerable persons from being harmed or exploited by gambling

Protection of children

The Kirklees Safeguarding Children Board has a webpage dedicated to providing local information about child safety, child sexual exploitation, policies and procedures including risk factors and signs and symptoms: [Kirklees Safeguarding Children's Partnership](#).

The council is aware that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The council will therefore consider whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.

The Act provides the following definition for child and young adult in Section 45:

Meaning of "child" and "young person"

1. In this Act "child" means an individual who is less than 16 years old.
2. In this Act "young person" means an individual who is not a child but who is less than 18 years old.

For the purpose of this section protection of children will encompass both child and young person as defined by the Act.

The council will also make itself aware of the Codes of Practice which the Gambling Commission issues as regards this licensing objective, in relation to specific premises such as casinos.

Protection of vulnerable people

As regards the term "vulnerable persons" it is noted that the Gambling Commission is not seeking to offer a definition but states that "it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs." The council will consider this licensing objective on a case-by-case basis. Should a practical definition prove possible in future then this policy statement will be updated by way of a revision.

Problem gambling can affect anyone at any time and there are some groups who are more likely to experience problems. Operators, using the information available in the Council's Local Area Profile, should consider these groups in their Local Risk Assessments, especially in relation to identifying people in these groups and mitigating harm experienced by them. Examples of vulnerable groups include, the unemployed and those living within deprived areas, children / young adults, those with drug / alcohol issues and those with mental illness.

Conditions

Any conditions attached to licences will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility;

- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects.

Decisions upon individual conditions will be made on a case-by-case basis, although there will be a number of measures the council will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. The council will also expect the licence applicant to offer his/her own suggestions as to way in which the licensing objectives can be met effectively.

The council will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives.

This authority will also ensure that where category C or above machines are on offer in premises to which children are admitted that:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

These considerations will apply to premises including buildings where multiple premises licences are applicable.

There are conditions which the council cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated; and
- conditions in relation to stakes, fees, winning or prizes.

Door Supervisors

The Gambling Commission advises in its Guidance for local authorities that licensing authorities may consider whether there is a need for door supervisors in terms of the licensing objective of protection of children and vulnerable persons from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime.

Where operators and the council decide that supervision of entrances / machines is appropriate for particular cases, it will need to be decided whether these need to be Security Industry Authority (SIA) licensed or not. It will not be automatically assumed that they need to be.

2. Adult Gaming Centres

The council will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18-year-olds do not have access to the premises.

The council may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes – all holders of general operating licences for adult gaming centres must offer self-exclusion schemes to customers requesting such a facility
- Provision of information leaflets / helpline numbers for organisations such as GamCare.
- Documented procedures on how employees will monitor the licensed area to ensure they are not being used by persons under the age of 18
- Occasional spot checks for children / young persons in adult only areas

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

Gaming Machines

The holder of an ACG premises licence may make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises and any number of category C or D machines.

3. (Licensed) Family Entertainment Centres:

The council will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18-year-olds do not have access to the adult only gaming machine areas.

The council may consider measures to meet the licensing objectives such as:

- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.
- Measures / training for staff on how to deal with suspected truant school children on the premises
- Documented procedures on how employees will monitor the licensed area to ensure they are not being used by persons under the age of 18
- Occasional spot checks for children / young persons in adult only areas

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

A betting premises licence in respect of a track may not authorise pool betting to take place, other than in respect of dog or horse racing and only where the acceptance of bets is by the holder of the betting premises licence, or in accordance with arrangements made by them. In the case of dog racing, this preserves the existing arrangements at dog tracks where the totalizer is operated by or on behalf of the occupier of the track.

The council will refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. The council will also make itself aware of any mandatory or default conditions on these premises' licences, when they have been published.

Changes on the numbers of machines permitted came into force in 2011. Please see appendix one for limits on numbers of machines at the above type of premises.

4. Gaming Machines

For a premises to site gaming machines some form of authorisation is normally required. Typically, this is:

- An operating licence from the commission and a gambling premises licence from a Licensing Authority
- An alcohol premises licence from a licensing authority
- A gaming machine permit from a licensing authority.

The meaning of 'available for use'

S.242 of the Act makes it an offence for any person to make a gaming machine available for use where they do not hold an operating licence or other permission covering gaming machines and where no other exemption applies.

The Act does not define what 'available for use' means, but the Commission considers that a gaming machine is 'available use' if a person can take steps to play it without the assistance of the operator.

More than the permitted number of machines may be physically located on the premises, but the onus is on the licensees to demonstrate that no more than the permitted number are 'available for use' at any one time.

5. Casinos

The council has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005 but is aware that it has the power to do so. Should the council decide in the future to pass such a resolution, it will update this policy statement with details of that resolution. Any such decision will be made by the full council.

Casinos and competitive bidding

The council is aware that where a licensing authority is empowered to grant a premises licence for a new style casino (i.e. the Secretary of State has made such regulations under Section 175 of the Gambling Act 2005) there are likely to be a number of operators which will want to run the casino. In such situations the local authority will run a 'competition' under Schedule 9 of the Gambling Act 2005. The council will run such a competition in line with any regulations / codes of practice issued under the Gambling Act 2005.

Licence considerations/conditions

The Gambling Commission has stated that "further guidance will be issued in due course about the particular issues that licensing authorities should take into account in relation to the suitability and layout of casino premises". This guidance will be considered by the council when it is made available.

Betting machines

The council will take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of betting machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

Category B gaming machines may only be made available in licensed gambling premises and not in locations which may prompt more ambient gambling such as pubs. The Council will satisfy ourselves that a premises applying for or licensed as a casino is operating or will operate in a manner which a customer would reasonably be expected to recognize as a premises licensed for the purposes of providing facilities for casino games and/or games of equal chance.

6. Bingo premises

The council is aware that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted the council will ensure that:

- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where the machines are located;
- access to the area where the machines are located is supervised;
- the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and
- at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

This council is also aware that the Gambling Commission has stated that it is going to issue further guidance about the particular issues that licensing authorities should take into account in relation to the suitability and layout of bingo premises. This guidance will be considered by the council once it is made available.

Gaming machines

The Council will ensure that gambling machines are made available for use in a manner consistent with the Gambling commission guidance within part 16. Gaming machines will only

be counted if they can be played simultaneously by different players without physical hindrance, including tablets.

7. Betting premises

Betting premises are premises such as bookmakers and betting offices where various types of gambling are authorised to take place. Children and young persons will not be able to enter such premises.

The holder of a betting premises licence may make available for use up to four gaming machines of category B (B2, B3 and B4), C or D.

8. Tracks

Tracks are sites (including racecourses and dog tracks) where races or other sporting events take place. The Act does not define what constitutes a sporting event or race and the Council will decide this on a case-by-case basis. There are currently no tracks within this council area.

The Act wholly prohibits the employment of children and young people on tracks.

Should the need arise the council is aware that such tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. The council will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

The council will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

The council may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours

- Self-exclusion schemes

Provision of information leaflets / helpline numbers for organisations such as GamCare. This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

Betting on Tracks

There are various types of betting which take place in relation to tracks:

- On-course betting
- Off-course betting

Further information can be found in the Guidance for Licensing Authorities – April 2021 update at [Gambling Commission](#).

Pool Betting

A track premises licence may only authorise the acceptance of bets by way of pool betting on horseracing or dog racing, and if the bets are accepted by the holder of the track premises licence or in accordance with arrangements made by hm. Additionally pool betting on a licensed greyhound track will only be permitted while the public are admitted to the track for the purpose of attending greyhound races, and no other sporting events are taking place.

Gaming machines

The council will consider the location of gaming machines at tracks, and applications for track premises licences will need to demonstrate that, where the applicant holds a pool betting operating licence and is going to use his entitlement to four gaming machines, these machines are located in areas from which children are excluded. Children and young persons are not prohibited from playing category D gaming machines at a track.

The council is aware that the Gambling Commission is preparing guidance as regards where gaming machines may be located at tracks and any special considerations that should apply in relation, for example, to the supervision of the machines and preventing children from playing them.

Betting machines

The council will take into account the size of the premises and the expectation of how staff will monitor the use of the betting machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer. It will also take note of the Gambling Commission's suggestion that licensing authorities will want to consider restricting the number and location of such machines in respect of applications for track betting premises.

Conditions on rules being displayed

In line with guidance from the Gambling Commission the council will consider attaching a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the racecard or made available in leaflet form from the track office."

9. Travelling fairs

Travelling fairs have traditionally been able to provide various low stakes gambling without the need for a licence or permit provided that certain conditions are met. This provision continues in a similar fashion in the new Act.

The council will decide whether, where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

The council will also consider whether the applicant falls within the statutory definition of a travelling fair.

It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. The council will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

10. Provisional statements

A provisional statement application is a process which allows a developer to examine the likelihood of whether a building which has yet to be constructed or altered for the purpose of gambling, would be granted a premises licence when the building work is complete. It is not a licence and merely gives the holder some form of assurance that a premises licence would be granted. Once works are complete a full premises licence would still be required.

In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances. In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- a) which could not have been raised by objectors at the provisional licence stage; or
- b) which in the authority's opinion reflect a change in the operator's circumstances.

The council will not take into account irrelevant matters e.g. the likelihood of the applicant obtaining planning permission or building regulations approval for the proposal."

11. Reviews

Requests for a review of a premises licence can be made by interested parties or responsible authorities; however, it is for the council to decide whether the review is to be carried out. This will be on the basis of whether the request for the review is:

- in accordance with any relevant code of practice issued by the Gambling Commission.
- in accordance with any relevant guidance issued by the Gambling Commission.
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing policy.

Consideration will also be given as to whether the request is frivolous, vexatious, will certainly not cause this authority to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

The council can also initiate a review of a licence on the basis of any reason which it thinks is appropriate.

PART C – Permits / Temporary & Occasional Use Notice

1. Unlicensed Family Entertainment Centre gaming machine permits (Statement of Principles on Permits)

The term 'unlicensed family entertainment centre' is one defined in the Act and refers to a premises which provides category D gaming machines along with various other amusements such as computer games and penny pushers. The premises is 'unlicensed' in that it does not require a premises licence but does require a permit to be able to provide its category D machines. It should not be confused with a 'licensed family entertainment centre' which does require a premises licence because it contains both category C and D gaming machines. They are premises which are 'wholly or mainly' used for making gaming machines available.

The Gambling Act 2005 contains a provision for local authorities to prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit. Schedule 10, Para 7 of the Act states, "in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under Section 25."

In accordance with Gambling Commission guidance the council will give weight to child protection issues when considering applications for permits.

The council will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but

includes wider child protection considerations. The council will assess these policies and procedures on their merits; however, they may include appropriate measures / training for staff as regards suspected truant school children on the premises, measures / training covering how staff would deal with unsupervised children being on the premises, or children causing problems on or around the premises. The council will also expect applicants to demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs, that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and that staff are trained to have a full understanding of the maximum stakes and prizes.

The council is aware that an application for a permit may only be granted if the chief officer of police has been consulted on the application.

In line with the Act the council cannot attach conditions to this type of permit and the "Statement of principles" only applies to initial applications and not to renewals.

2. Gaming machine permits in premises licensed for the sale of alcohol

There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines of categories C and/or D. The premises merely need to notify the licensing authority. The council can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives.
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with).
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the council must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and "such matters as they think relevant." The council considers that "such matters" will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the council that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines.

Measures which will satisfy the council that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be help. As regards the

protection of vulnerable persons applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for and dealt with as an Adult Gaming Centre premises licence.

The council can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

The holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

3. Prize Gaming Permits - (Statement of Principles on Permits)

The council will expect the applicant to set out the types of gaming that he or she is intending to offer and be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations;
- and that the gaming offered is within the law.

In making its decision on an application for this permit the council does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

There are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

4. Club gaming and club machines permits

Members clubs and miners' welfare institutes (but not commercial clubs) may apply for a Club Gaming Permit or a Clubs Gaming machines permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in forthcoming regulations. A Club Gaming machine

permit will enable the premises to provide gaming machines (3 machines of categories B, C or D).

To qualify for club permits members clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations."

The council may only refuse an application on the grounds that:

- a) the applicant does not fulfill the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- b) the applicant's premises are used wholly or mainly by children and/or young persons;
- c) persons;
- d) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- e) a permit held by the applicant has been cancelled in the previous ten years; or
- f) an objection has been lodged by the Commission or the police.

There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003. Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an authority can refuse a permit are reduced. The grounds on which an application under the process may be refused are:

- a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12.
- b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."

There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

5. Temporary use notices

Temporary use notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing

facilities for gambling. Premises that might be useful for a temporary use notice would include hotels, conference centres and sporting venues.

The Act makes a special reference, in the context of temporary use notices, to a "set of premises" to try and ensure that large premises which cannot reasonably be viewed as separate are not used for more temporary use notices than permitted under the act. The council considers that the determination of what constitutes "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In considering whether a place falls within the definition of a "set of premises", the council will look at, amongst other things, the ownership/occupation and control of the premises. The council will be ready to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises.

6. Occasional use notices for tracks

There is a special provision in the Act which provides that where there is betting on a track on eight days or less in a calendar year, betting may be permitted by an occasional use notice without the need for a full premises licence. Track operators and occupiers need to be aware that the procedure for applying for an occasional use notice is different to that for a temporary use notice.

The council has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The council will though consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

More information relating to this can be found in the Guidance to licensing authorities April 2021 update at [Gambling Commission](#).

PART D – Public Health

1. Gambling related harm

The Local Government Association defines gambling related harm as:

“Any type of repetitive gambling that disrupts or damages personal, family or recreational pursuits. It can have many and varied impact, including on an individual’s physical and mental health, relationships, housing and finances, and affect a wide range of people, such as families, colleagues and wider local communities.” [Tackling gambling related harm a whole council approach \(local.gov.uk\)](#).

People can engage in gambling activities activity without experiencing any harm. However, over the years, the prevalence of harmful gambling has increased and is now widely accepted to be a serious and worsening Public Health concern. The harm from gambling can exacerbate existing vulnerabilities and inequalities and is seen at an individual, societal and community level. [Faculty of Public Health Gambling Policy Statement June 2018](#).

It is with this in mind that Kirklees Council seeks to ensure that gambling premises and license holders are aware of and committed to ensuring that gambling activity is carefully monitored and that those at risk of gambling related harm are identified and offered appropriate support.

2. Who is most at risk?

The harm caused by gambling is unequal in distribution. Research and evidence show that there are a number of population groups who are more at risk of gambling related harm.

- [Tackling gambling related harm a whole council approach \(local.gov.uk\)](#).
- [Gambling-related harms: evidence review GOV.UK](#)

These are:

- Children, adolescents and young adults (including students)
- People with mental health issues, including those at risk of suicide and self-harm, those experiencing substance abuse problems
- Individuals from certain minority ethnic groups, such as Asian/Asian British, Black/Black British and Chinese/other ethnicity
- The unemployed
- The homeless
- Those with low intellectual functioning
- Problem gamblers seeking treatment
- People with financially constrained circumstances
- Those living in deprived areas
- Those engaged in criminal activity
- Males

Gambling harm affects not only the individual, but also the family and wider society. Children in particular are heavily impacted both financially and emotionally by a family member gambling. [Faculty of Public Health Gambling Policy Statement June 2018](#).

The risk factors for harmful gambling among children and young people include:

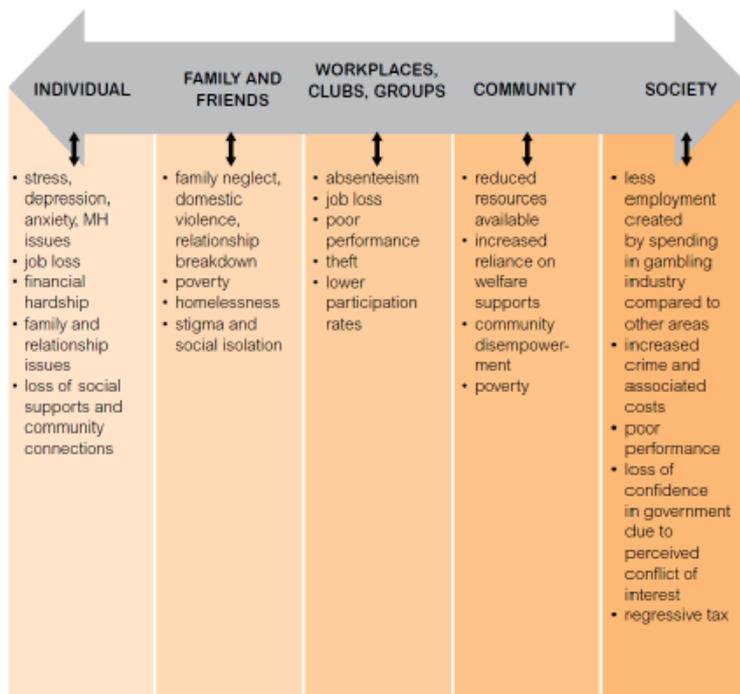
- Impulsivity
- Substance use (alcohol, tobacco, cannabis and other illegal drugs)
- Being male

- Depression
- Source: [Gambling-related harms: evidence review GOV.UK](#)

3. What is the impact?

The impact of gambling can have a significant effect on an individual’s physical, mental and social health. Gambling is associated with stress, depression, and alcohol and substance misuse [Faculty of Public Health Gambling Policy Statement June 2018](#). However, the impact can also extend beyond an individual – affecting relationships, families, friends, education, workplaces, culture and communities. There are wider impacts of harm from gambling including fraud, theft, loss of productivity in the workforce and the cost of treating this addiction [Faculty of Public Health Gambling Policy Statement June 2018](#).

This is demonstrated below:



Source: Health promotion resource guide for problem gambling prevention in Melbourne North¹²

- [Tackling gambling related harm a whole council approach \(local.gov.uk\)](#).

4. Reducing gambling harms through a public health approach

- Monitor the number of gambling premises in areas where deprivation and/or rates of problematic gambling are highest.
- Improve awareness of gambling harms and promote support and treatment options in gambling settings.

- Ensure access to advocacy and information in relation to gambling related harms is readily available in areas where the impact of gambling related harms are highest.

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REPORT TITLE: Hackney Carriage and Private Hire Vehicle Specification Policy Review

Meeting:	Licensing and Safety Committee
Date:	3 rd July 2025
Cabinet Member (if applicable)	Cllr Amanda Pinnock
Key Decision Eligible for Call In	No No
Purpose of Report This is a follow up report following the decision made by members of the Licensing and Safety Committee meeting on Wednesday 14 th February 2024.	
<p>Recommendations</p> <ul style="list-style-type: none"> It is recommended that members agree the further amendments to the Hackney Carriage and Private Hire Vehicle Specification Policy having considered the consultation responses. <p>Reasons for Recommendations</p> <ul style="list-style-type: none"> At the meeting of the Licensing and Safety Committee on Wednesday 14th February 2024 members asked officers to complete additional work in relation to multi-purpose vehicles and provide further information at a future meeting. 	
<p>Resource Implications: There are no resource implications relating to this report.</p>	
Date signed off by <u>Executive Director</u> & name	David Shepherd – 5 th June 2025
Is it also signed off by the Service Director for Finance?	Kevin Mulvaney – 5 th June 2025
Is it also signed off by the Service Director for Legal Governance and Commissioning (Monitoring Officer)?	Samantha Lawton – 6 th June 2025

Electoral wards affected: All

Ward councillors consulted: None

Public or private: Public

Has GDPR been considered? Yes, there is no personal information contained in this report.

1. Executive Summary

1.1 This report details the further changes to the Council' Hackney Carriage and Private Hire Vehicle Specification policy following the Licensing and Safety Committees Previous consideration of the responses to the consultation.

1.2 Members are asked to consider and agree to the proposed changes to the policy.

2. Information required to take a decision

2.1 At the Licensing and Safety Committee meeting on Wednesday 14th February 2024, members agreed to adopt the proposed Hackney Carriage and Private Hire Vehicle Specification Policy with amendments, being:

- i. That all licensed vehicles, regardless of age be subject to annual testing
- ii. That multi-purpose vehicles continue to be licensed, and sports utility vehicles remain to be barred
- iii. That officers provide further information relating to sports utility vehicles not being licensed at a future committee meeting
- iv. That licensed vehicles be allowed to tow trailers

2.2 Officers have, following this meeting, reviewed the policy further and further amendments have been made to the policy to address the matter relating to Sports Utility Vehicles and to further clarify matters relating to multi-purpose vehicles. The draft policy can be seen at **Appendix 1**.

2.3 Members will note that in relation to Part C of the policy Vehicle dimensions, has been removed from the policy. The reason for the removal of the dimensions is due to the continuous development and changes to vehicles.

2.4 In place of the dimensions the policy now states that the number of passenger seats that can be licensed will correspond with the number of seats shown on the V5 (logbook) minus one (1) seat to account for the drivers seat. If the customer feels the vehicle is not suitable for their needs, then the driver is required to arrange for a suitable vehicle at the request of the customer, at no additional cost, this is something that we would expect currently should a passenger be dissatisfied with any vehicle they are sent; we have just clarified the point in the policy.

2.5 Similarly for SUV (Sport Utility Vehicles) the policy has been amended to state we will accept SUV's. If the customer feels the vehicle is not suitable for their needs, then the driver is required to arrange for a suitable vehicle at the request of the customer, at no additional cost, this is something that we would expect currently should a passenger be dissatisfied with any vehicle they are sent; we have just clarified the point in the policy.

2.6 **Appendix 2** Shows the responses from the consultation regarding SUV's and MPV's for members to consider.

3. Implications for the Council

3.1 Council Plan

The Council's vision is 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.

Public safety is the paramount consideration for the licensing service, licensing policies ensure that public safety is the highest priority, however, the service also considers the impact of the requirements within the policies on the licence holders to ensure the policy requirements are fair and are not unnecessarily constraining.

3.2 Financial Implications

There are no financial implications relating to this report.

3.3 Legal Implications

No Legal Implications.

3.4 Climate Change and Air Quality

Climate change is one of the biggest issues we face, increased carbon emissions caused by human activity, such as driving vehicles, are causing the rise in global temperatures. Kirklees Council's vision is to make Kirklees carbon neutral by 2048. Consideration regarding this was taken prior to drafting the policy and the Climate Change and Air Quality Team were involved in pre-consultation discussions.

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

There are no other implications for the Council.

4. Consultation

4.1 The consultation was carried out for a period of 12 weeks, and it closed on Wednesday 22nd November 2023. There were 374 respondents to the survey. The results of the survey relating to this report specifically can be seen at **Appendix 2**.

5. Engagement

5.1 Prior to consultation the service carried out 4 drop-in sessions for the hackney carriage and private hire trade to discuss any suggestions they put forward. The sessions were held in 4 venues throughout the borough namely, Cleckheaton Town Hall, Dewsbury Town Hall, Hudawi Centre Huddersfield and Batley Town Hall.

5.2 Discussions were also held with both the hackney carriage and private hire trade association representatives.

5.3 In addition, meetings were held with the Council's Transport Service and the Council's Climate Change and Air Quality Team.

6. Options

6.1 Options considered

Members are asked to consider the amendment within the Hackney Carriage and Private Hire Vehicle Specification Policy, shown at **Appendix 1**, and resolve to adopt the policy.

Options: -

- i. Resolve to adopt the policy as shown at **Appendix 1**
- ii. Resolve to adopt the proposed policy shown at **Appendix 1**, with amendments, please confirm which sections are to be amended and reasons for the decision.

6.2 **Reasons for recommended option**

At the meeting of the Licensing and Safety Committee on Wednesday 14th February 2024 members asked officers to complete additional work in relation to multi-purpose vehicles and provide further information at a future meeting.

7. **Next steps and timelines**

7.1 Following consideration of the report, if members resolve to adopt the policy it will take effect immediately.

8. **Contact officer**

Fiona Goldsmith
Group Leader – Licensing
Tel: 01484 221000 (ext 79921)
Email: Fiona.goldsmith@kirklees.gov.uk

9. **Background Papers and History of Decisions**

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

[Agenda for Licensing and Safety Committee on Wednesday 14th February 2024, 10.00 am | Kirklees Council](#)

10. **Appendices**

Appendix 1 Hackney Carriage and Private Hire Vehicle Specification Policy

Appendix 2 Consultation results relating to Multi-purpose Vehicle's (MPV's) and Sports Utility Vehicles (SUV's)

11. **Service Director responsible**

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

Kirklees Council Vehicle Specification

Amended February 2024

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Part A – Vehicle Specification – Hackney Carriage Vehicles

Above the normal requirements for an MOT test, the Authority's Hackney Carriage Vehicle test examines the following items.

Hackney Carriages

- 1.1 Local Authority conditions for licensing.
- 1.2 The whole of the vehicles paint work must be coloured white (two tone paint work, coloured mouldings or insignia will not be permitted).
- 1.3 For Hackney carriage vehicles to be considered for first licensing, they must meet the following emissions criteria:

Petrol engines – must meet Euro 5 standards.

Diesel engines – must meet Euro 6 standards.

The authority recognises the need for additional wheelchair accessible vehicles (WAV's) within the licensed trade. New licensed WAV's powered by a diesel engine will be allowed to meet the lower euro 5 diesel standards and not euro 6 standards.

- 1.4 The vehicle must have Kirklees Council's official door sign displayed on top panel of the two front doors. The official door signs for Hackney Carriage vehicle are produced in house by the licensing service, unless otherwise agreed. The door signs to be of the adhesive type and securely attached to doors. Any sign not securely fitted i.e. placed on magnetic backing or any other temporary measure may result in the failure of the compliance test or suspension of the vehicle licence. It is however accepted that some Hackney Carriage drivers also obtain work through private hire operators. Should this be the case, then a logo displaying the name of the private hire operator can be fixed to the vehicle via a magnetic backing (**this must not cover at any part the official door sign**). This logo will be provided by the driver and not the licensing service.

Any tampering or cutting up of the signs may result in the failure of the compliance test or the suspension of the vehicle licence and new ones required. Any signs that become damaged or defaced will require new ones.

- 1.5 The vehicle must have a roof mounted illuminated taxi sign, with the exception of London type cabs. The roof sign must be clearly visible from both the front and the rear of the vehicle.

- 1.6 The vehicle must be fitted with a tariff meter approved by the Authority. The meter must be fitted securely, horizontally, clearly visible to all passengers, in working condition, professionally installed and set to the Authority's current tariff. The tariff cars to be clearly displayed on nearside window.
- 1.7 The vehicle must have a fire extinguisher (minimum weight of 0.95kg) and of a dry powder type. The fire extinguisher to be replaced after three years or carry a twelve-monthly service label to indicate extinguisher is still serviceable. The fire extinguisher may be securely fixed within the driver's compartment or rear boot area; it may also be stowed in the glove box but must be clearly marked.
- 1.8 All Hackney Carriage vehicles must have a seat belt that meets British safety standards fitted to each seat.
- 1.9 All diesel-powered Hackney Carriage Euro 5 vehicles, with the exception of Wheelchair Accessible Vehicles (WAV's) will cease to be licensed at 10 years old.
- 1.10 All Hackney Carriage vehicles except for WAV's, Ultra-Low Emission Vehicles or fully electric vehicles will cease to be licensed at 13 years old. To be licenced until the vehicle is 13 years old it must meet the euro 5 petrol and euro 6 diesel requirements.
- 1.11 All Wheelchair-accessible hackney carriage vehicles will cease to be licensed at 16 years old.

Definition of Wheelchair Accessible Vehicles (WAV's)

A WAV is a vehicle constructed or converted specifically so that it can accommodate one or more person(s) seated in a wheelchair(s) when travelling on the road.

- 1.12 All Hackney Carriage ultra-low emission vehicles (ULEV's) will cease being licensed at 16 years old.

Definition of Ultra-Low Emission Vehicles (ULEV's)

ULEV's are currently defined as having less than 75 grams of CO₂ per kilometer (g/km) from the tail pipe. The CO₂ count can be ascertained using the following website [GOV.UK Get vehicle information from DVLA](https://gov.uk/get-vehicle-information-from-dvla)

- 1.13 The Authority recognises the natural and industry wide push for the greater use of environmentally friendly all electric vehicles. This is especially so given that new vehicles fitted with internal combustion engines are due to be phased out from sale in the UK from 2030. It is anticipated that within the coming years, all electric vehicles will start to be used within the licensed trade as the charging infrastructure and battery technology improves.
- 1.14 There is currently no requirement for CCTV to be installed within Hackney Carriage vehicles, however, the licensing service will allow drivers to install CCTV in their vehicles should they desire. Any installation of CCTV must not interfere

with the normal operation of the vehicle and/or visibility out of the vehicle windows. If a driver decides to install CCTV, they must ensure that they are registered with the Information Commissioner's Office and abide by their rules. Further information on this can be found at the [Information Commissioner's Office \(ico\)](#).

- 1.15 All licensed Hackney Carriage vehicles are tested at the Council's testing stations. Tests are conducted at the time of being licensed and upon renewal. The test carried out is a compliance test and not an MOT. Should licence holders/vehicle proprietors wish to have an MOT at the time of the compliance test, this must be requested prior to the test commencing and will result in an additional charge. Failure to do so will result in the issuing of an MOT certificate not being possible.
- 1.16 48 hours notification of a test cancellation must be given, failure to do so will result in a further payment for a test being charged and no refund will be provided.
- 1.17 Where the Council is not satisfied with the roadworthiness of a Hackney Carriage vehicle, it may request a HPI check at a cost to the licence holder. Should that HPI check reveal that the vehicle is an insurance total loss, then the vehicle may have to undergo an independent inspection and an 'Autolign' report produced at the cost of the licence holder.
- 1.18 Where a Hackney Carriage vehicle fails its test and the tester is not satisfied as to the roadworthiness of the vehicle, the vehicle licence may be suspended by an authorised officer of the Council.
- 1.19 Should a Hackney Carriage vehicle licence be suspended, then it cannot lawfully be driven on the public highway without a valid MOT test certificate in place.
- 1.20 Any Hackney Carriage vehicle whose licence has been suspended due to accident damage may have to be taken to the council's testing stations to be examined. This is to ensure that any repairs have been completed satisfactorily, and the vehicle is roadworthy. This will be at a cost to the licence holder.
- 1.21 The law requires that front vehicle windscreens must permit a minimum of 75% light transmission and front passenger windows 70%. The Council will allow manufacturers standard tints on all other windows, excluding the front vehicle windscreen and the front passenger windows. This must only be the standard level of window tint. Blackout or privacy glass is not permitted. Self-applied material/film is not permitted.
- 1.22 There are three types of Hackney Carriage vehicle licence, these are:
 - **A new licence** – A licence that is issued when the vehicle is first licensed following an application for a new vehicle licence being submitted.
 - **A renewal** – a renewal licence is issued annually following an application to renew being submitted.
 - **A transfer** – A transfer is an application to transfer the vehicle and its current licence to a new proprietor (owner).

Interior

- 2.1 All controls must be in a serviceable and working order (drivers pedals, all switches and controls etc).
- 2.2 No left-hand drive vehicles to be authorised.
- 2.3 The vehicles interior condition must be clean and free from damage.
- 2.4 All seat belts must be secure and operational, of a lap and diagonal type fitted to all Hackney carriage vehicles. Except for a lap belt only fitted to middle rear seat of a saloon type vehicle.
- 2.5 All windows, sunroofs, locks and handles must be secure and operational.
- 2.6 Interior lights and instrument lights must be operational.
- 2.7 Where automatic boot and fuel locks are fitted, they must be operational.
- 2.8 The vehicles heating and ventilation systems must be operational (including heated windows).
- 2.9 Where electric mirrors are fitted, they must be operational.

Exterior

- 3.1 All fitted lights must be clean and in working order.
- 3.2 All windows must have full visibility and free of stickers etc (other than the legal requirements of a licence disc). Except for a company name/logo to the front screen visor.
- 3.3 When fitted rear wash wiper and headlight wash wiper systems must be operational.
- 3.4 All body fitments must be in place, secure and free from damage.

- 3.5 Vehicles must have a matching set of wheel trims fitted (except for alloy or chrome wheels).
- 3.6 All road tyres must be of the same size and speed rating
- 3.7 Tyre side wall repairs will not be acceptable.
- 3.8 Wiring of meter equipment/radios must be of a professional standard (correct cable, fastenings and inline fuses to be fitted).
- 3.9 Engine and gearbox mountings must be secure and of a serviceable condition, gearbox and gear change mechanism must be in good working order.
- 3.10 Paint work must be to manufactures standards (no blemishes, blistering, discolouration, runs, no visible rust spots and have a polished finish).
- 3.11 The legal VIN (Vehicle Identification Number) plate and chassis plate must be fitted in a legible state.
- 3.12 Vehicle must display the Authorities licence plate which when viewed from the rear is clearly visible. The plate to be permanently attached to the vehicle.
- 3.13 The suspension must not be modified or lowered in any way that could adversely affect the handling, ride comfort or safety of the vehicle.
- 3.14 The fitting of bull bar type attachments is strictly prohibited.
- 3.15 ~~No jeep type vehicles to be allowed.~~

Multi-purpose vehicles (MPV's) and Sport Utility Vehicles (SUV's)

~~With the introduction of multi-purpose vehicles that can carry more than four passengers, the acceptance criteria may vary from vehicle to vehicle depending on luggage space, seating layout and measurements. Each vehicle will be assessed individually for acceptance to carry adult passengers.~~

- 4.1 It is accepted that vehicle designs, and specifications have changed and varied throughout the years, vehicles are larger and can offer more seats than they did in previous years.
- 4.2 The licensing authority will accept vehicle passenger numbers subject to the number of passengers corresponding to the number of seats as stated in the logbook, for example, six (6) seats on the logbook means the vehicle will be licensed for five (5) passengers. This is also subject to the production of an IVA certificate if modification has happened following the vehicles manufacture.
- 4.3 Should a driver attend a job, and the customer states the vehicle is not acceptable for their needs, i.e. the seats will not accommodate the size of the passengers for example, the driver is to arrange for a suitable vehicle to complete the fare at the request of the customer for no additional charge.
- 4.4 Sport Utility Vehicles (SUV's) will be accepted, however, should a driver attend a job and the customer states that the vehicle is not acceptable for their needs, for example, it is too high for them to get in, the driver is required to arrange for a suitable vehicle to complete the fare at the request of the customer for no additional charge.

Additional

- 5.1 Above the annual test vehicles can be subject to 3 compliance checks per year for safety and condition when required.
- 5.2 The London Cab on some models is equipped with a vinyl roof which will be accepted.
- 5.3 All accident damage must be repaired before test/checks can be carried out.
- 5.4 Where a vehicle is presented for a test for the first time, i.e. new application or change of vehicle class, the test may be carried out without side door signs, roof lights, meter, a limpet for hire sign and fire extinguisher although a pass certificate/licence will not be issued until all the appropriate items above have been fitted and checked.

Part B – Vehicle Specification – Private Hire Vehicles

Above the normal requirements for an MOT test, the Authority's Private Hire test examines the following items.

Private Hire

- 1.1. The vehicle must not resemble a Hackney Carriage.
- 1.2. The licensing service understands the importance that members of the public can differentiate between Hackney Carriage Vehicles and Private Hire vehicles. Within Kirklees all Hackney Carriage vehicles are white in colour and display a 'taxi' roof sign. No 'new' vehicle licences will be issued to Private Hire vehicles that are white in colour. Any existing Private Hire vehicles that are white in colour will be allowed to remain licensed and renewed until they reach the upper age limit of a licensed Private Hire vehicle.
- 1.3. The vehicle must have Kirklees Council's official door sign displayed on the top panel of the two front doors. The official door signs for Private Hire vehicles are produced in house by the licensing service, unless otherwise agreed. The door signs to be of the adhesive type and securely attached to the doors. Any sign not securely fitted i.e. placed on magnetic backing or any other temporary measure may result in the failure of the compliance test or suspension of the vehicle licence. Any tampering or cutting up of the signs may result in the failure of the compliance test or the suspension of the vehicle licence and new ones required. Any signs that become damaged or defaced will require new ones. It is acknowledged however, that many Private Hire drivers obtain work through more than one Private Hire Operator. The licensing service will allow drivers to utilise the logo of the Private Hire Operator for whom they are working through at the time and attach it to the vehicle via a magnetic backing. The word 'taxi' is not permitted to be used on the logo. The logo will be provided by the driver and not the licensing service.
- 1.4. The vehicle must have a fire extinguisher (minimum weight of 0.95 kg and of a dry powder type). The fire extinguisher to be replaced after three years or carry a twelve-monthly service label to indicate extinguisher is still serviceable. The fire extinguisher may be securely fixed within the driver's compartment or rear boot area; it may also be stowed in the glove box but must be clearly marked.
- 1.5. All private hire vehicles must have a seat belt that meets British safety standards fitted to each seat.
- 1.6. For Private Hire vehicles to be considered for first licensing, they must meet the following emissions criteria:

Petrol engines – Must meet Euro 5 standards.

Diesel engines – Must meet Euro 6 standards.

The authority recognises the need for additional wheelchair accessible vehicles (WAV's) within the licensed trade. New licensed WAV's powered by a diesel engine will be allowed to meet the lower Euro 5 diesel standards and not Euro 6 standards.

Definition of Wheelchair Accessible Vehicles

A WAV is a vehicle constructed or converted specifically so that it can accommodate one or more person(s) seated in the wheelchair(s) when travelling on the road.

- 1.7. All diesel-powered Private Hire Euro 5 vehicles, except for WAV's will cease to be licensed at 10 years old.
- 1.8. All Private Hire vehicles except for WAV's, Ultra-low emission and full electric vehicles will cease to be licensed at 13 years old. To be licenced until the vehicle is 13 years old it must meet the euro 5 petrol and euro 6 diesel requirements.
- 1.9. All wheelchair-accessible private Hire vehicles will cease to be licensed at 16 years old.
- 1.10. All Private Hire Ultra Low Emission vehicles (ULEV's) will cease to be licensed at 16 years old.

Definition of Ultra-Low Emission Vehicles (ULEVs)

ULEVs are currently defined as having less than 75 grams of CO2 per kilometer (g/km) from the tail pipe. The CO2 count can be ascertained using the following website - [GOV.UK Get vehicle information from DVLA](https://www.gov.uk/get-vehicle-information-from-dvla)

- 1.11. The authority recognises the national and industry-wide push for the greater use of environmentally friendly all electric vehicles. This is especially so given that new vehicles fitted with internal combustion engines are to be phased out from sale in the UK from 2030. It is anticipated that within the coming years, all electric vehicles will start to be used within the licensed trade as the charging infrastructure and battery technology improves. Any all-electric Private Hire vehicles used within the licensed trade can remain licensed until 20 years of age.
- 1.12. There is currently no requirement for CCTV to be installed in private Hire vehicles. However, the licensing service will allow drivers to install CCTV in their vehicles should they desire. Any installation of CCTV must not interfere with the normal operation of the vehicle and/or visibility out of the vehicle windows. If a driver decides to install CCTV, they must ensure they are registered with the Information Commissioner's Office and abide by their rules. Further information can be found at [Information Commissioner's Office \(ico\)](https://ico.org.uk).

- 1.13. All licensed Private Hire vehicles are tested at the Council's testing stations. Tests are conducted at the time of being licensed and upon renewal. The test carried out is a compliance test and not an MOT. Should Licence holders/vehicle proprietors wish to have an MOT at the time of the compliance test this must be requested prior to the test commencing and will result in an additional charge. Failure to do so will result in the issuing of an MOT certificate not being possible.
- 1.14. 48 hours' notification of a test cancellation must be given, failure to do so may result in a further payment for a test being charged.
- 1.15. Where the Council is not satisfied with the roadworthiness of a Private Hire vehicle, it may request a HPI check at a cost to the licence holder. Should that HPI check reveal that the vehicle is an insurance total loss, then the vehicle may have to undergo an independent inspection and an 'Autolign' report produced at the cost of the licence holder.
- 1.16. Where a Private Hire vehicle fails its test, and the tester is not satisfied as to the roadworthiness of the vehicle, the vehicle licence may be suspended by an authorised officer of the Council.
- 1.17. Should a Private Hire vehicle licence be suspended, then it cannot lawfully be driven on the public highway without a valid MOT certificate in place.
- 1.18. Any Private Hire vehicle whose licence has been suspended due to accident damage, may have to be taken to the Council's testing stations to be examined. This is to ensure any repairs have been made satisfactorily and that the vehicle is roadworthy.
- 1.19. The law requires that front vehicle windscreens must permit a minimum of 75% light transmission and front passenger windows 70%. The Council will allow manufacturers standard tints on all other windows, excluding the front vehicle windscreen and the front passenger windows. This must only be of the standard level of window tint/ Blackout or privacy glass is not permitted. Self-applied material/film is not permitted.
- 1.20. There are three types of Private Hire vehicle licence, these are:
 - **A new licence** – a licence that is issued when the vehicle is first licensed following an application for a new vehicle licence being submitted.
 - **A renewal** – a renewal licence is issued annually following an application to renew being

submitted.

- **A transfer** – A transfer is an application to transfer the vehicle and its current licence to a new proprietor (owner).

Interior

- 2.1 All controls must be in a serviceable and working order (drivers pedals, all switches and controls etc).
- 2.2 No left-hand drive vehicles to be authorised.
- 2.3 The vehicles interior condition must be clean and free from damage.
- 2.4 All seat belts must be secure and operational, of a lap and diagonal type fitted to all Private Hire vehicles. Except for a lap belt only fitted to the middle front compartment seat and middle rear seat of a saloon-type vehicle.
- 2.5 All windows, sunroofs, locks and handles must be secure and operational.
- 2.6 Interior lights and instrument lights must be operational
- 2.7 Where automatic boot and fuel locks are fitted, they must be operational
- 2.8 The vehicles heating and ventilation systems must be operational (including heated windows.
- 2.9 Where electric mirrors are fitted, they must be operational.
- 2.10 Seating capacity to be no more than eight passengers (maximum).
- 2.11 Where short wave radios are fitted, they must be securely attached to the vehicle in a position which does not interfere with all driving controls (all foot controls, steering, etc) of that vehicle. The wiring must also be installed to a professional standard and should not interfere with the same driving controls.

Exterior

- 3.1 All fitted lights must be clean and in working order.

- 3.2 All windows must have full visibility and free of stickers other than the licence disc.
- 3.3 When fitted rear wash wipe and headlight wash wiper systems must be operational.
- 3.4 All body fitments must be in place, secure and free from damage.
- 3.5 Vehicles must have a matching set of wheel trims fitted (with the exception of alloy or chrome wheels).
- 3.6 All road tyres must be of the same size and speed rating.
- 3.7 Tyre side wall repairs will not be acceptable.
- 3.8 Wiring of meter equipment/radios must be of a professional standard (correct cable, fastenings and inline fuses to be fitted).
- 3.9 Engine and gearbox mountings must be secure and of a serviceable condition, gearbox and gear change mechanism must be in good working order.
- 3.10 Paint work must be to manufactures standards (no blemishes, blistering, discolouration, runs, no visible rust spots and have a polished finish).
- 3.11 The legal VIN (Vehicle Identification Number) plate and chassis plate must be fitted in a legible state.
- 3.12 Vehicle must display the Authorities licence plate which when viewed from the rear is clearly visible. The plate to be permanently attached to the vehicle.
- 3.13 The suspension must not be modified or lowered in any way that could adversely affect the handling, ride comfort or safety of the vehicle.
- 3.14 The fitting of bull bar type attachments is strictly prohibited.

Trailers

- 4.2 Trailers must be of an all-metal construction with a secure lockable hardtop cover.
- 4.3 Trailer weight not to exceed 750kg gross vehicle weight.

- 4.4 Must have all relevant lights fitted and working.
- 4.5 Trailer must be licensed to one specific vehicle only (no multi vehicle use allowed).
- 4.6 Trailer to be tested annually with relevant vehicle.
- 4.7 Towing vehicle must have two side entry doors for ease of escape in the event of an emergency.
- 4.8 National speed limits apply when towing trailer.
- 4.9 Trailers to be used by MPV type vehicles only.

Multi-Purpose Vehicles (MPV's) and Sport Utility Vehicles (SUV's)

~~With the introduction of multi-purpose vehicles that can carry more than four passengers, the acceptance criteria may vary from vehicle to vehicle depending on luggage space, seating layout and measurements. Each vehicle will be assessed individually for acceptance to carry adult passengers.~~

- 5.1 It is accepted that vehicle designs, and specifications have changed and varied throughout the years, vehicles are larger and can offer more seats than they did in previous years.
- 5.2 The licensing authority will accept vehicle passenger numbers subject to the number of passengers corresponding to the number of seats as stated in the logbook, for example, six (6) seats on the logbook means the vehicle will be licensed for five (5) passengers. This is also subject to the production of an IVA certificate if modification has happened following the vehicles manufacture.
- 5.3 Should a driver attend a job, and the fare customer states the vehicle is not acceptable for their needs, i.e. the seats will not accommodate the size of the passengers for example, the driver is to arrange for a suitable vehicle to complete the fare at the request of the customer for no additional charge.
- 5.4 Sport Utility Vehicles (SUV's) will be accepted, however, should a driver attend a job and the customer states that the vehicle is not acceptable for their needs, for example, it is too high for them to get in, the driver is required to arrange for a suitable vehicle to complete the fare at the request of the customer for no additional charge.

Additional

- 6.1 Above the annual test vehicles can be subject to 3 checks per year for safety and condition when required.
- 6.2 All accident damage must be repaired before test/checks can be carried out.

~~Part C — Hackney Carriage and Private Hire Vehicle Dimensions~~

~~Saloon Type Cars~~

- ~~A. The width of the rear part of the body, measured six inches below the top and six inches in front of the rear back seat shall not be less than 52 inches. The measurement made with the doors closed.~~
- ~~B. The rear seat shall not be less in width than the full interior width of the vehicle, provided that wheel covers forming permanent armrests may reduce the seat length to 48 inches.~~
- ~~C. The front seat shall not be less than 18 inches in width.~~
- ~~D. The front and rear door entry width measured from the inside of the door seal aperture shall not be less than 24 inches.~~
- ~~E. Rear seat headroom shall not be less than 33 inches.~~
- ~~F. The depth of any fixed seat shall not be less than 18 inches~~
- ~~G. The distance between the front and rear seats shall be a minimum distance of 6 inches with the front seat fully retracted with the seat back in a normal driving position.~~
- ~~H. Minimum height from ground 5.75 inches to main structure of vehicle, i.e height ground to undersill (structural member) or subframe/front box section. Sufficient clear and clean internal luggage capacity for maximum number of passengers.~~

~~Vans, Minibuses and MPV's~~

- ~~A. Internal floor-to-roof height 52 inches~~
- ~~B. Seat bases 16.5 x 16.5 inches~~
- ~~C. Wheelchair access door height 46 inches~~
- ~~D. Wheelchair access door width 27 inches~~
- ~~E. Wheelchair floor space and method of securing to comply with all relevant legislation.~~
- ~~F. Luggage space compatible with seating capacity~~
- ~~G. Taxi hire sign to be mounted at the centre of the roof in the front position (as with a London cab)~~

- ~~H. A fire extinguisher to be a minimum of 1kg accessible from the driver's seat.~~
- ~~I. Seat base to roof height 33 inches~~

~~The above are the current dimensions which we use but due to changing vehicle types may be reviewed and changed periodically.~~

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Question 14

Do you agree that MPV's (multi-purpose vehicles) and SUV's (Sports Utility Vehicles or 4x4s) should not be licensed?

	Percentage	Number
Agree	57%	211
Disagree	30%	111
Don't know	13%	50

Comments	Council Response
I see no reason why MPVs should not be used as per manufacturers approval. I agree that SUVs and off road type vehicles are inappropriate	Comment noted
They are easy to get in	Comment noted
Should be licenced	Comment noted
From my perspective any vehicle should be allowed especially in ph as supply and demand is changing with customers and many do inquire about mpv and suv infact I was thinking mercedes gls or x5 as an executive transport there is a market out there.	Comment noted
Some customer with back pain illness can sit in and out from MPV easily than saloon cars	Comment noted
There more roomy than a car so I don't understand why not	Comment noted
Drivers discretion	Comment noted
Should be driver's choice end of the day its driver's who pay for there vehicles not council	Comment noted
All cars should be allowed	Comment noted
No	Comment noted
If vehicles can carry passengers and their luggage then any vehicle should be permitted. I've had hips replaced and have problems with some standard cars. 4x4's might just be an advantage round here in	Comment noted

winter.	
What is wrong with larger vehicles like MPV's able to carry more passengers at once for larger groups?	Comment noted
I think there might be a need for these types of vehicle	Comment noted
too much pollution	Comment noted
However I might add that oap struggle to get in to these cars.	Comment noted
MPVs are impractical when it comes to seating people in the rearmost seats and SUVs shouldn't be licensed as we don't need more SUVs in our town centres or near schools.	Comment noted
It's down to each individual owner and what his customers like	Comment noted
Again depends on emissions and meeting safety standards	Comment noted
I can't se many being needed but for airport runs, group hire etc they are useful	Comment noted
Why not if the owner wants to he can	Comment noted
Every driver has his own needs should beeb given plates	Comment noted
They are too big and take up too much room on the road	Comment noted
Mpv are usually more seating capacity needed for School runs. It would affect the local community. No driver I have known is going to license an SUV anyway. 4x4 now a days can be more eco friendly then standard vehicles, so assess case by case. Also if there is a licensed vehicle which is 4x4 serving community in a rural area may still need licensing.	Comment noted
theres nothing wrong with them, some people actually find getting in and out of higher vehicles easier	Comment noted
The type of vehicle is irrelevant	Comment noted
Mpv should be allowed 5/6 seater because buying mini busses cost is very high and customer paying extra for mini bus when there are only people	Comment noted
Should be licensed	Comment noted
Difficult to define SUV/MPV	Comment noted
Such vehicles are vital to the transport of small groups	Comment noted
There is no reason for suv etc...to be used a taxi	Comment noted
No need for them	Comment noted

These types of vehicles are just as useful as minibuses	Comment noted
both have a place, rules around age as above	Comment noted
Are they safe yes Can they carry passengers yes Then should be allowed	Comment noted
SUVs should be allowed but not MPVs	Comment noted
As these can provide a more accessible service for the user ie disabled, less mobile and depending on terrain access, ie if someone lives off a main road.	Comment noted
In Yorkshire 4 x 4 vehicles are useful in times of ice and snow	Comment noted
What about more than 4 passengers?	Comment noted
So long as it's suitable for use on the road and can carry passengers who cares what shape it is? In more rural areas a 4x4 may actually be beneficial for certain passengers	Comment noted
As 5 seater cars are getting smaller aruis corolla.....an alternative is 4x4s	Comment noted
Alot of drivers need 7 seater mpv for private home use should be allowed	Comment noted
So long as it can get me from A to B faster than a bus i don't care what car it is	Comment noted
SUVs may be useful especially especially for travel to rural locations	Comment noted
Drivers with big family's will needs mpvs for there private use not just for taxis	Comment noted
many drivers like the higher driving position of such vehicles, as it allows them to see the road ahead much clearer, furthermore, the DFT best practice guidance of 2010 clearly stated that no vehicle should be automatically excluded from being licensed	Comment noted
Driver needs it for personal use	Comment noted
They should be licensed	Comment noted
In snow do need 4x4 vehicles.	Comment noted

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REPORT TITLE: Licensing Services Update Report

Meeting:	Licensing and Safety Committee
Date:	3 rd July 2025
Cabinet Member (if applicable)	Cllr Amanda Pinnock
Key Decision Eligible for Call In	No No
Purpose of Report The purpose of the report is to inform members of the activities undertaken to discharge the Council’s licensing functions from 1 st April 2024 to 31 st March 2025	
Recommendations <ul style="list-style-type: none"> Members are asked to note the report. Reasons for Recommendations <ul style="list-style-type: none"> The report is for information only 	
Resource Implications: There are no resource implications relating to this report.	
Date signed off by <u>Executive Director</u> & name	David Shepherd – 23.05.2025
Is it also signed off by the Service Director for Finance?	Kevin Mulvaney – 27.05.2025
Is it also signed off by the Service Director for Legal Governance and Commissioning (Monitoring Officer)?	Samantha Lawton – 06.06.2025

Electoral wards affected: All

Ward councillors consulted: None

Public or private: Public

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

1. Executive Summary

1.1 This report is to provide members of the Licensing and Safety Committee with an update on the activities undertaken by the Council's Licensing Service between 1st April 2024 and 31st March 2025.

2. Information required to take a decision

Hackney Carriage and Private Hire Licensing

2.1 The overriding aim of the licensing service, when carrying out its functions relating to the licensing of hackney carriage and private hire drivers, vehicles and operators, is the safety of the travelling public and others who use (or can be affected by) hackney carriage and private hire services.

Current Licence Numbers

2.2 The number of current hackney carriage and private hire licences in force as of 2nd May 2025 are set out in the table below: -

Type	No.
Hackney Carriage Vehicles	201
Dual Drivers Licence	3351
Private Hire Operators	208
Private Hire Vehicles	2326
Total	6,086

2.3 The following table sets out the number of hackney carriage and private hire applications received by the service between 1st April 2024 and 31st March 2025.

Licence Type	Application Type	2024/2025	2023/2024	2022/2023
Hackney Carriage Vehicle	New/Renewal	247	259	252
Dual Drivers Licence	New	481	426	245
	Renewal	1,010	1,110	1,352
Private Hire Operator	New	70	62	50
	Renewal	95	83	71
Private Hire Vehicle	New	892	768	516
	Renewal	1,717	1,673	1,601
	Transfer	153	130	133
Total		4,665	4,511	4,220

2.4 Members will note that the number of new driver applications and new vehicles is still steadily increasing following the reduction in numbers we had during the pandemic.

2.5 Prior to the pandemic the last update report to members in October 2018 stated that the number of hackney carriage / private hire drivers licensed were 2,950 and then the next update report to members in December 2020 the numbers had dropped to 2,896, we are now at 3351.

Vehicle Testing

2.6 The tables below show the numbers of vehicle compliance tests taken at the Council's two testing stations between 1st April 2024 and 31st March 2025.

George Street Testing Station												
	April 24	May 24	June 24	July 24	Aug 24	Sept 24	Oct 24	Nov 24	Dec 24	Jan 25	Feb 25	Mar 25
No of Tests	111	114	168	97	114	103	96	146	78	151	101	128
Passed	57	80	120	68	73	62	67	104	52	104	64	90
Failed	54	34	48	29	41	41	29	42	24	47	37	38
% Passed	51%	70%	71%	70%	64%	60%	70%	71%	69%	69%	63%	70%
% Failed	49%	30%	29%	30%	36%	40%	30%	29%	31%	31%	37%	30%

Vine Street Testing Station												
	April 24	May 24	June 24	July 24	Aug 24	Sept 24	Oct 24	Nov 24	Dec 24	Jan 25	Feb 25	Mar 25
No of Tests	74	69	87	92	93	97	104	62	70	94	100	89
Passed	51	56	66	81	78	80	76	54	58	80	81	72
Failed	23	13	21	11	15	17	28	8	12	14	19	17
% Passed	69%	81%	76%	88%	84%	82%	73%	87%	83%	85%	81%	81%
% Failed	31%	19%	24%	12%	16%	18%	27%	13%	17%	15%	19%	19%

Vine Street and George Street Combined												
	April 24	May 24	June 24	July 24	Aug 24	Sept 24	Oct 24	Nov 24	Dec 24	Jan 25	Feb 25	Mar 25
No of Tests	185	183	255	189	207	200	207	208	148	245	201	217
Passed	108	136	186	149	151	142	151	158	110	184	145	162
Failed	77	47	69	40	56	48	56	50	38	61	56	55
% Passed	58%	65%	63%	73%	63%	66%	63%	68%	65%	75%	61%	75%
% Failed	42%	35%	37%	27%	37%	34%	37%	32%	35%	25%	39%	25%

2.7 Further details regarding the reasons for the failure of tests and numbers of vehicles that have failed in each category are shown in the table below: -

(Please note some vehicles may have failed on more than one item which will account for the numbers being higher than the failure rates above).

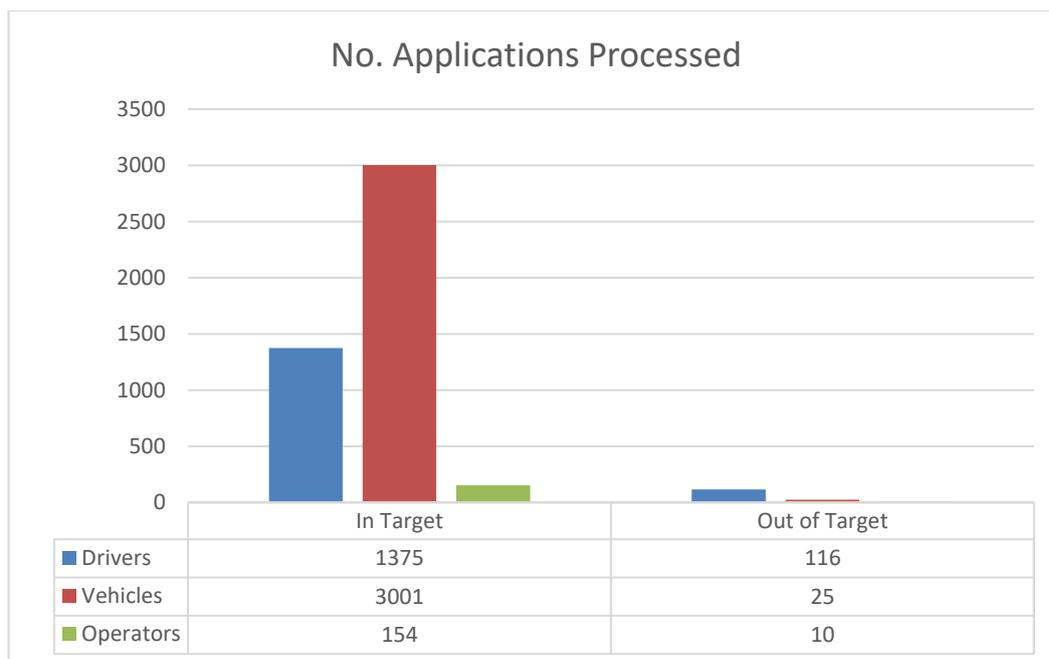
Reason for Failure	Vine Street and George Street	Percentage of total failures (653)	Percentage (Total number of tests 2,445)
Lighting	308	47%	13%
Steering/Suspension	171	26%	7%
Brakes	119	18%	5%
Wheels/Tyres	152	23%	6%

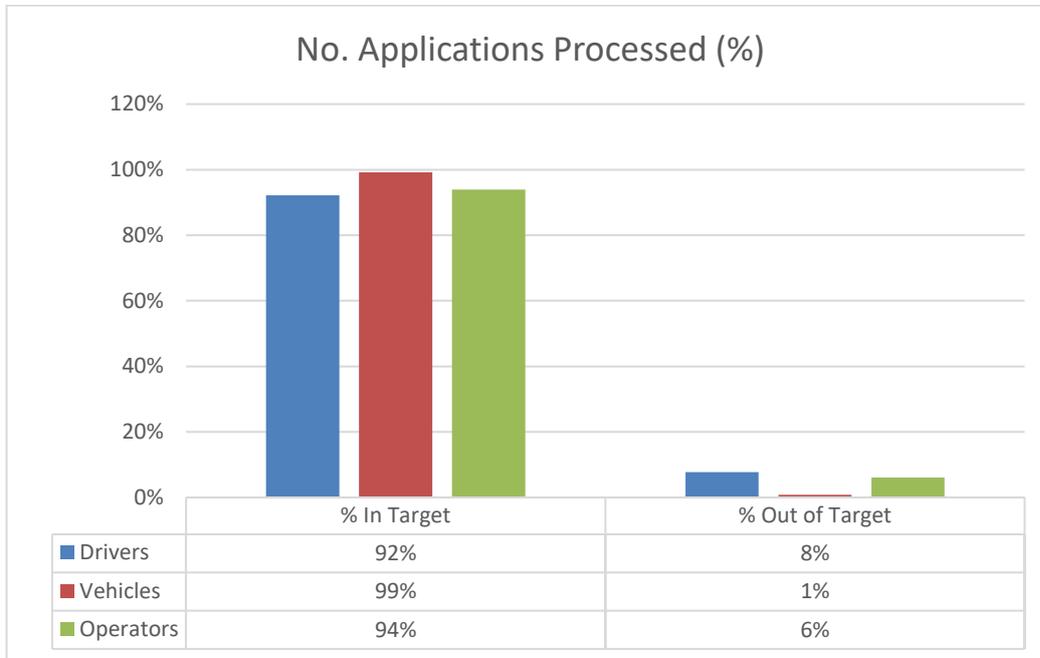
Emissions Diesel	56	9%	2%
Emissions Catalyst	2	0.3%	0.08%
Meter Tests	1	0.2%	0.04%
Body Work	5	1%	0.2%
Fire Extinguisher	34	5%	1%
Interior	29	4%	1%
Other	89	14%	4%

Service Standards

2.8 In August 2021, the licensing service introduced its service standards, the following tables show how the service have performed against the standards between 1st April 2024 and 31st March 2025.

	April 24 - March 25				
	No. Processed	In Target	% In Target	Out of Target	% Out of Target
Drivers	1491	1375	92%	116	8%
Vehicles	3026	3001	99%	25	1%
Operators	164	154	94%	10	6%





Delegated Decisions

<u>Offence/Issue</u>	<u>Decisions and Reasons</u>
1. Crimes resulting in death of another person or was intended to cause the death or serious injury to another person.	N/A
2. Exploitation – any crimes involving, related to, or has any connection with abuse, exploitation, use or treatment of another individual irrespective of whether the victims were adults or children including, for example: slavery, child sexual exploitation, grooming, psychological, emotional, or financial abuse.	N/A
3. Offences involving violence (including arson, riot, terrorism offences, harassment, common assault & criminal damage) or connected	<ol style="list-style-type: none"> 1. New applicant Battery conviction 2018 Consideration of circumstances and information from Police. Decision – Grant with Warning. 2. New Applicant Conviction for common assault.

<p>with any offence of violence.</p>	<p>No exceptional circumstances demonstrated for deviation against policy. Decision – Application Refused.</p> <p>3. New Applicant Caution for battery. Consideration given to information provided by applicant and police. Decision – Grant with Warning.</p> <p>4. New Applicant Battery conviction December 2017. Consideration of circumstances surrounding conviction from applicant and police. Plus length of time since offence date and conviction. Decision – Grant with Warning.</p>
<p>4. Possession of a weapon or any other weapon related offence.</p>	<p>N/A</p>
<p>5. Sex and indecency offences – any offence involving or connected with illegal sexual activity or any form of indecency.</p>	<p>1. New Applicant Sexual Assault conviction showing on DBS, no exceptional circumstances to deviate from policy demonstrated by applicant. Decision – Application refused.</p> <p>2. Existing Driver Allegation of sexual assault x2 Decision – Immediate Suspension.</p> <p>3. Existing Driver Allegation of sexual assault. 2nd allegation of sexual assault in 12 months. Decision – Immediate Suspension Information gathered following police investigation. Final Decision – Revocation</p> <p>4. Existing Suspended Driver Previous allegation from a passenger, police decision no further action. Decision – Licence reinstated.</p>
<p>6. Dishonesty – any offence of dishonesty, or any offence where dishonesty is an element of the offence.</p>	<p>1. Existing Driver Conviction for perverting the course of justice. No exceptional circumstances demonstrated to deviate from policy. Decision – Licence Revoked.</p> <p>2. Existing Driver Caution for theft.</p>

	<p>Consideration given to the circumstances resulting in the caution being issued, from information provided by the police and the driver. Decision – Issue Warning</p> <p>3. Existing Driver and Operator Conviction for perverting the Course of Justice. Consideration given to information provided by the police and driver/operator. No exceptional circumstances provided by licence holder. Decision – Driver and Operator Licence's Revoked.</p>
<p>7. Drugs supply – any conviction for, or related to, the supply of drugs, or possession with intent to supply or connected with possession with intent to supply.</p>	<p>1. Existing Driver Information supplied by the police; DBS status updated. Driver arrested for possession with intent to supply drugs. Decision – Immediate Suspension.</p> <p>2. Existing Driver Arrested for possession with intent to supply drugs. Decision – Immediate Suspension Decision Appealed to Magistrates – Appeal Dismissed.</p> <p>3. New Applicant Conviction for intent to supply drugs 2017 and caution for assault 2017. January 2022 SP50 motoring conviction (Speeding on the motorway) Decision – Application Refused.</p>
<p>8. Drugs use – any conviction for possession of drugs or related to possession of drugs.</p>	N/A
<p>9. Discrimination – any conviction involving or connected with discrimination in any form.</p>	N/A
<p>10. Drink driving/driving under the influence of drugs.</p>	<p>1. Existing Driver Driving motor vehicle with a proportion of a specified controlled drug above the specified limit. Decision – Immediate Suspension.</p> <p>2. Existing Driver Arrested for drink driving in licensed vehicle and multiple speeding offences.</p>

<p>11. Driving whilst using a hand-held telephone or other device.</p>	<p>Decision – Immediate Suspension.</p> <ol style="list-style-type: none"> 1. Existing Driver – CU80 motoring conviction (using mobile phone) No exceptional circumstances demonstrated for deviation from policy. Decision – Licence Revoked. Decision Appealed to Magistrates – Appeal Dismissed 2. Existing Driver CU80 motoring conviction (using mobile phone) No exceptional circumstances demonstrated for deviation from policy. Decision – Licence Revoked 3. New Applicant CU80 Motoring conviction Exceptional circumstances shown for reason for answering call. Previous licence holder with the Authority – no adverse history. Decision – Grant with Warning. 4. Existing Driver CU80 motoring conviction, failure to notify in accordance with conditions of licence. No exceptional circumstances demonstrated for deviation from policy. Decision – Licence Revoked 5. Existing Driver CU80 motoring conviction – Police statement stated driver was watching cricket on mobile phone in cradle whilst driving. Driver was not truthful in interview. Decision – Licence Revoked. 6. New Applicant CU80 motoring conviction Jan 2024. Having considered the information provided by the applicant and the information provided by the police including footage of the incident. Applicant was not truthful in interview. Decision – Application Refused. 7. New Applicant CU80 motoring conviction August 2024. No exceptional circumstances demonstrated for deviation from policy. Decision – Application Refused.
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	<p>8. Existing Driver CU80 motoring conviction and SP30 motoring conviction. Failure to declare. No exceptional circumstances demonstrated by the driver. Police information, video playing while driver had phone in hand. Decision – Licence Revoked.</p> <p>9. Existing Driver CU80 motoring conviction, failure to declare motoring conviction. Dishonesty in interview when asked to provide his version of events this differed from the police officer’s statement. Decision - Licence Revoked.</p>
<p>12. Minor traffic or vehicle related offences – offences which do not include offences involving: -</p> <ul style="list-style-type: none"> • loss of life, • driving under the influence of drink or drugs, • driving whilst using a handheld telephone or other device • No Insurance • Offences which have resulted in injury to any person or damage to any property (including vehicles) 	<p>1. Existing Driver 9 points on DVLA driving licence, 6 points for failure to disclose identity of driver. Initial decision – requirement to complete and pass refresher driving test and receive final written warning. Case reopened as driver failed to book onto the driving test within the required timescale and subsequently stated would not take the test. Decision – Licence Revoked.</p> <p>2. Existing Driver TT99 motoring conviction resulting in DVLA driving licence being revoked. Decision – Immediate Revocation</p> <p>3. Existing Driver 9 points for minor motoring convictions: TS10 failure to comply with traffic light signals SP30 exceeding the speed limit on a public road CU30 using vehicle with defective tyres. Decision – Warning letter and requirement to undertake and pass practical driving test.</p> <p>4. Existing Driver 9 Points for minor motoring convictions. Decision – Warning Letter and requirement to undertake and pass practical driving test within 3 months.</p> <p>5. New Applicant</p>

	<p>TT99 (totting up) May 2022. Decision – Grant with warning</p>
<p>13. Major traffic or vehicle related offences – offences not covered under minor traffic or vehicle related offences and also any offence which resulted in injury to a person or damage to any property (including vehicles), driving without insurance or any offence relating to motor insurance.</p>	<ol style="list-style-type: none"> 1. New applicant DBS showed conviction for using vehicle whilst uninsured and driving whilst disqualified. Other motoring convictions included TT99 (totting up) and SP10 exceeding goods vehicle speed limits. No exceptional circumstances demonstrated for deviation from policy. Decision – Application Refused. 2. New applicant Motoring conviction – No insurance July 2020. Consideration of circumstances provided by applicant. Decision – Grant with warning. 3. New applicant Motoring conviction – No insurance June 2020. Consideration of circumstances provided by applicant. Decision – Grant with warning. 4. Existing Driver MS90 Motoring offence conviction date May 2024. Intentionally provided false declaration to the police regarding the driver details at the time of the motoring offence. Decision – Licence Revoked. 5. Existing (Suspended) Driver Received Driving ban for previous incident resulting in immediate suspension for injury of elderly female. Decision – Licence Revoked. 6. New Applicant Motoring conviction May 2018 using vehicle whilst uninsured and dangerous driving. Policy is 7 years, conviction at time of decision was 6 years 7 months. No further motoring convictions since and no other issues. Decision – Grant with Warning. 7. Existing Driver

	<p>Motoring conviction – No Insurance Consideration given to the circumstances surrounding the motoring conviction, decision is they were exceptional. Decision – Issue Warning.</p> <p>8. Existing Driver Motoring Conviction for no insurance, failure to declare motoring conviction. No exceptional circumstances provided by driver. Decision – Licence Revoked.</p> <p>9. New Applicant Conviction for no insurance, failure to declare on application. No exceptional circumstances provided. Decision – Application Refused.</p> <p>10. Existing Driver No insurance motoring conviction. No exceptional circumstances demonstrated by driver to deviate from policy. Decision – Licence Revoked.</p> <p>11. New Applicant No insurance motoring conviction. Consideration of length of time since motoring conviction and reasons given by the applicant. Decision – Grant with Warning.</p>
14. Hackney carriage and private hire offences.	<p>1. Existing Driver Using an unlicensed vehicle to completed private hire licensing jobs. Prosecution completed by a licensing authority. No exceptional circumstance demonstrated for deviation against policy. Decision – Licence Revoked.</p> <p>2. Existing Driver Prosecuted for plying for hire. Previously cautioned for plying for hire. Decision – Licence Revoked.</p>
15. Vehicle use offences, for example being carried in vehicle without the owner’s consent.	N/A
16. General standard of behaviour/repeat	<p>1. Existing Driver Conviction for causing unnecessary suffering to a protected animal Aug 2024.</p>

<p>complaints regarding attitude/driving standard and any other reason they may be deemed not 'fit and proper' to hold/continue to hold a hackney carriage/private hire driver's licence and not resulting in conviction.</p>	<p>Consideration given to all aspects of conviction and information provided by driver and other sources, conviction does not feature in our policy Decision – Issue final written warning.</p> <p>2. Existing Driver Medical Fitness – does not currently meet group 2 requirement. Decision – Immediate Suspension</p> <p>3. Existing Driver Notification from DBS that DBS status had changed. No conviction received but driver added to Children's barred list. Consideration given to circumstances for driver being added to Children's barred list. In addition, two previous complaints from lone female passengers about inappropriate behaviour. Decision – Licence Revoked with immediate effect.</p> <p>4. Existing Driver Driver involved in road traffic collision, was breathalysed at the roadside and blew over the legal limit, when arrested and taken to police station blew under the legal limit – police no further action. Decision – Warning letter issued.</p>
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Licensing Act 2003 and General Licensing

2.9 The total number of Licensing Act and General Licences in force as of 12th May 2025 are set out in the table below: -

Type	No.
Premises Licences	1357
Club Premises Certificate	168
Gambling Licences	646
Sexual Entertainment Venue/Sex Shop	2
Scrap Metal Dealer / Collector	26
Pavement Licence	15
Other General licences/permits	95
Total	2,309

2.10 The following table sets out the number of Licensing Act applications processed by the service between 1st April 2024 and 31st March 2025, with a comparison for the two years prior.

Application Type	2024/2025	2023/2024	2022/2023
New	42	58	50
Full Variation	13	13	9
Minor Variation	32	13	17
Transfer	79	76	79
Temporary Event Notices	508	536	594
Personal Licences	218	204	164
Total	892	900	913

2.11 The following applications were considered by the Licensing Panel between 1st April 2024 and 31st March 2025.

Application Type	Premises	Outcome
Licensing Act 2003 Full Variation – Premises Licence	Le Sorelle, 5 Pickford Street, Milnsbridge Huddersfield	Refused
Licensing act 2003 New Grant – Premises Licence	Oi Dumplings, 9 Peel Street, Marsden, Huddersfield	Granted with Conditions
Licensing Act 2003 New Grant – Premises Licence	Mapplewell Bottle Shop Ltd, 337-339 Wakefield Road, Denby Dale, Huddersfield	Granted with Conditions
Licensing Act 2003 New Grant – Premises Licence	Silent Woman, Nabbs Lane, Slaithwaite, Huddersfield	Granted with Conditions
Licensing Act 2003 Licence Review – Premises Licence	Markwan Mini Market, Trading as – Hudds Wines, 8 Kirkgate, Huddersfield	Licence Revoked
Licensing Act 2003 New Grant – Premises Licence	Honley Wine Bar Ltd, 23 Westgate, Honley, Holmfirth	Granted with Conditions
Licensing Act 2003 New Grant – Premises Licence	Stop and Shop, 293B and 293C Old Wakefield Road, Moldgreen, Huddersfield	Granted with Conditions
Licensing Act 2003 Licence Review Premises Licence	Ten Fourteen Bar, 10-14 Dunford Road, Holmfirth	Addition of Conditions to Licence
Licensing Act 2003 Licence Review Premises Licence	Dubai Stores, 1-3 Willow Lane, Huddersfield	Licence Revoked

Total Number of Applications Received

2.12 The licensing service deals with a wide range of applications:

- Licensing Act 2003
- Gambling Act 2005
- Hackney Carriage and Private Hire
- Street Trading
- Street Activities
- Charitable Collections
- Sex Establishments and Sexual Entertainment Venues
- Hypnotists
- Scrap Metal Site and Collectors
- Pavement Licences
- Literature Distribution

2.13 In the period of 1st April 2024 and 31st March 2025 the service received a total of **6,268** applications. In comparison in the period of 1st April 2023 and 31st March 2024 the service received a total of **5,982** applications. This is an increase of 286 applications from the previous year.

Terrorism Protection of Premises Act 2025 (Martyn's Law)

- 2.14 The Terrorism Protection of Premises Act 2025 “the Act”, commonly referred to as Martyn’s Law, is intended to improve protective security and organisational preparedness across the UK. The Act was given Royal Assent on 3rd April 2025, and it is expected that the implementation period will be at least 24 months, within this time the Home Office will publish statutory guidance.
- 2.15 The aim of the new Act is to require certain premises and events to ensure steps have been taken to prepare for potential terrorist attacks and get ready to help keep people safe in the event of an attack. In addition, certain larger premises and events will be required to consider and, where appropriate, take steps to reduce their vulnerability to acts of terrorism.
- 2.16 There will be a standard duty for premises (not just licensed premises) or venues with capacities of 200 – 799 (including staff) and an enhanced duty for venues or events with capacities of 800+ (inc staff).
- 2.17 Compliance with the requirements as set out in the Act will be enforced by the Security Industry Authority “SIA”.
- 2.18 There will also be an amendment to the Licensing Act 2003 to make provision about the inclusion of plans in public registers kept under those Acts and about the disclosure of certain plans not included in those registers. Plans will need to be compliant with regulations under the Act.

Environmental Protection (Single-use Vapes) England Regulations 2024

- 2.19 As of 1st June 2025, it will be illegal for a person to supply offer to supply or have in their possession for supply a single-use vape.
- 2.20 A single-use vape is a vape which is not designed or intended to be re-used and includes any vape which is: -
- a) Not refillable

- b) Not rechargeable; or
- c) Not refillable and not rechargeable

2.21 The enforcement of the new regulations will fall to West Yorkshire Joint Services – Trading Standards.

Tobacco and Vapes Bill

2.22 The Tobacco and Vapes Bill is a bill to: -

- i. Make provision about the supply of tobacco, vapes and other products, including provision prohibiting the sale of tobacco to people born or after 1st January 2009 and provision about the licensing of retail sales and the registration of retailers;
- ii. Enable product and information requirements to be imposed in connection with tobacco, vapes and other products;
- iii. Control the advertising and promotion of tobacco, vapes and other products; and
- iv. Make provision about smoke-free places, vape-free places and heated tobacco-free places.

2.23 The Bill is currently at Committee Stage at the House of Lords and officers will provide further information and update members once the Bill receives royal ascent.

West Yorkshire Joint Services – Trading Standards

2.24 The Licensing team and the co-located Police licensing officers work closely with Trading Standards. Visits to premises are conducted when intelligence has been gathered by Trading Standards.

2.25 While not every premises that is inspected is licensed, it is important to note that Trading Standards work in partnership with the Licensing service and the Police and where required enforcement action is taken in the form of reviews of premises licences found to be selling illicit tobacco or illegal vapes.

2.26 **22nd April 2024, in Huddersfield –**

- Shop 1 was inspected, 26 x 20 packets of cigarettes and 115 over sized vapes were seized.
Licence review called and licence revoked.

2.27 **28th August 2024, in Dewsbury –**

- Shop 1 and a car to the rear of the shop were inspected, 531 x 20 packets of cigarettes, 72 x 50g pouches of hand rolling tobacco and 91 oversized vapes were seized.
- Shop 2 was inspected and 248 x 20 packets of cigarettes and 27 x 50g pouches of hand rolling tobacco were seized.

In all the total value of goods seized on this day was £17,029.05.

2.28 **17th November 2024, in Dewsbury –**

- Shop 1 was inspected, 273 x 20 packets of cigarettes and 28 x 50g pouches of hand rolling tobacco were seized.

- Shop 2 was inspected, 179 x 20 packets of cigarettes and 144 oversized vapes were seized.
- Shop 3 was inspected, 112 x 20 packets of cigarettes, 29 x 50g pouches of hand rolling tobacco and 251 over sized vapes were seized.
- Shop 4 was inspected and nothing was found.

2.29 15th January 2025, Various locations –

- Shop 1 was inspected, 328 oversized vapes were seized.
- Shop 2 was inspected, 379 x 20 packets of cigarettes, 26x50g pouches of hand rolling tobacco and 1,479 vapes were seized.
- Shop 3 was inspected 12 x 20 packets of cigarettes, 2 x 50g pouches of hand rolling tobacco, 21 vapes and 147 pouches of shisha tobacco were seized.
Licence review called but licence was surrendered.
- Shop 4 was inspected 17 x 20 packets of cigarettes, 2 x 50g pouches of hand rolling tobacco and 80 vapes were seized.

The retail value of these items is around £35,000.00

Staffing within the Licensing Service and Enforcement Activity

2.30 Licensing Officers undertake proactive enforcement activity both during and outside normal office working hours. This can vary from licensed vehicle checks, licensed operator base checks, premises licence compliance checks, gambling licence compliance checks and so on.

2.31 Between 1st April 2024 and 31st March 2025 officers carried out 52 proactive enforcement visits / inspections, which is an average of 4 per month. The following table provides a brief overview of the activities undertaken within the period: -

Month		
16th April 24	Vehicle Checks – joint operation with police	16 vehicles inspected – 14 rectification notices issued.
20th April 2024	Operator Base Checks	2 Operator bases inspected.
26th April 2024	Hackney Rank Checks – North Kirklees	1 vehicle licence suspended.
14th May 2024	Vehicle Checks – Joint operation with Police and DVSA	24 vehicles inspected – 13 rectification notices issues and 1 vehicle licence suspended.
15th May 2024	Vehicle Checks – Joint operation with Police and DVSA	21 vehicles inspected – 6 rectification notices issued and 5 vehicle licences suspended.
20th May 2024	Vehicle Checks – Joint Operation with police and DVSA	18 vehicles inspected – 6 rectification notices issued and 1 vehicle licence suspended.

23rd May 2024	Hackney Rank Checks and Premises Licence Checks	Taxi ranks checked across Kirklees and 3 licensed premises inspected for compliance.
7th June 2024	Premises licence visits	3 Licensed premises inspected Heckmondwike, Holmfirth and Lindley.
10th June 2024	A Boards and Goods on the Highway – with Police	27 premises checked in Huddersfield Town Centre, Lindley and Marsh. 2 Fixed penalty notices issued to licensed drivers for smoking in vehicles.
12th June 2024	Vehicle Checks – with police and DVSA	33 vehicles inspected - 3 rectification notices issued and 5 vehicle licences suspended.
13th June 2024	Vehicle Checks – with police	18 vehicles inspected - 5 rectification notices issued, 1 vehicle licence suspended and 1 fixed penalty notice issued for smoking in vehicle.
13th June 2024	A boards and Goods on the highway – with police	32 premises checked
21st June 2024	Hackney Rank and Operator Base checks	Huddersfield Train Station Rank, Holmfirth Ranks, Lindley Working Men’s Club visited, Operator Base check.
12th July 2024	Various Checks	Ranks, Premises and Operator Checks both North and South Kirklees
26th July 2024	Vehicle Checks – with police and DVSA	16 vehicles inspected, including 1 Leeds, 1 Wolverhampton, 1 Leeds and 4 rectification notices issued.
26th July 2024	Various Checks	Rank Dewsbury, Operator Base check Batley, Premises Visit, hand delivery of letter, Holmfirth Walk Round, Hackney Vehicles checked, and 2 rectification notices issued.
29th July 2024	Vehicle Checks – with police and DVSA	10 vehicles inspected, and 3 rectification notices issued.
30th July 2024	Various checks	Dewsbury Ranks, Blue notice checked, 5 premises checked.
31st July 2024	Complaint Inspections	Clayton West Taxi complaint, Dewsbury Rank

		Check, Premises check due to complaint.
7th August 2024	Various Checks	A Board Licence Drop off, Operator Base inspection Holmfirth, Blue Notice Check Cleckheaton, Dewsbury Train and Bus Station Rank Checks, Holmfirth, Meltham, Cleckheaton, Marsden, Slaithwaite, Linthwaite and Milnsbridge checks.
06th September 2024	Vehicle Checks – with police and DVSA	26 Vehicles inspected, 4 rectification notices issued, 1 vehicle licence suspended.
19th September 2024	Vehicle Checks – with police and DVSA	28 vehicles inspected, and 2 rectification notices issued.
19th September 2024	Various checks	Ranks in Holmfirth, Dewsbury, Huddersfield, and 5 premises checked.
7th October 2024	Operator Base inspections	2 operator bases inspected.
10th October 2024	Joint inspection with Environmental Health	1 premises visited
18th October 2024	Various checks	2 Blue notices checked and 3 premises inspections.
25th October 2024	Various checks	1 premises visited and covered North and South Kirklees.
29th October 2024	Vehicle Checks – with police and DVSA	25 vehicles inspected and 3 vehicle licences suspended.
1st November 2024	Various checks	Taxi work and Licensing Act work across the district.
11th November 2024	Vehicle Checks – with police and DVSA	9 vehicles inspected and 1 vehicle licence suspended.
15th November 2024	Vehicle Checks – with police and DVSA	30 vehicles inspected, 1 vehicle licence suspended and 1 operator base inspection.
22nd November 2024	Vehicle Checks – with police and DVSA	5 vehicles checked 2 Leeds licensed vehicles, 3 Kirklees licensed vehicles.
2nd December 2024	Vehicle Checks – with police	15 vehicles inspected, 2 rectification notices issued and 2 vehicle licences suspended.
2nd December 2024	Various checks	South Kirklees Vehicle checks, North Kirklees Premises Licence checks.

3rd December 2024	Various matters	Hand delivery of revocation letter, checked notice, checked ranks in Huddersfield and Dewsbury, invoice visits.
10th December 2024	Various	Gambling premises visit, hackney rank checks, notice checked and Holmfirth Observation.
14th December 2024	Invoice Enforcement	Visit to 7 premises to drop off unpaid invoices.
20th December 2024	Invoice Enforcement and Monitoring issues at problem premises	Visit to premises in North Kirklees for unpaid invoices and monitoring of problem premises in Holmfirth.
17th January 2025	Various matters	Premises licence checks, invoice enforcement and taxi enforcement.
24th January 2025	Various Checks	Premises licences Holmfirth, Plying for hire Private Hire vehicles, Rank assessment.
7th February 2025	Premises licence checks	Premises licence inspections across Kirklees.
7th February 2025	Vehicle Checks	15 vehicles inspected, 6 vehicle licenses suspended.
5th February 2025	Vehicle and Premises checks	Follow up on invoice enforcement and visit to all hackney ranks.
12th February 2025	Invoice Enforcement	Issued suspension letters to premises with unpaid invoices and visited ranks across Kirklees.
18th February 2025	Various checks throughout Kirklees	Blue notices checked, test purchase and rank visits across Dewsbury (including Asda)
21st February 2025	Vehicle Checks with police and DVSA	31 vehicles inspected, 14 rectification notices issued, and 4 vehicle licences suspended.
21st February 2025	Taxi Checks	Vehicle checks on hackney carriage ranks across Kirklees, plying for hire in Holmfirth.
28th February 2025	Invoice Enforcement	Focus on premises licence invoice enforcement, rank checks and vehicle checks also completed.
7th March 2025	Vehicle Checks	Focus on Ranks throughout Kirklees.
14th March 2025	Invoice Enforcement	Focus on premises licence invoice enforcement, rank

		checks and vehicle checks also completed.
19th March 2025	Invoice Enforcement	Focus on premises licence invoice enforcement, rank checks and vehicle checks also completed.
21st March 2025	Various Checks	Premises around Holmfirth, Rank checks, 2 private hire vehicle licence suspensions.

3. Implications for the Council

3.1 Council Plan

Kirklees Council's vision is to be a district which 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. The licensing service plays a key role in both the nighttime economy within Kirklees and day to day activities within the borough.

3.2 Financial Implications

There are no financial implications.

3.3 Legal Implications

There are no legal issues.

3.4 Climate Change and Air Quality

There are no climate change or air quality implications.

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

N/A

4. Consultation

4.1 This is an information only report, no consultation has been undertaken.

5. Engagement

5.1 This is an information only report and no engagement has been undertaken.

6. Options

6.1 Options considered

Members are asked to note the report.

6.2 Reasons for recommended option

This is an information only report.

7. Next steps and timelines

7.1 Not applicable – Information only report.

8. Contact officer

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9. Background Papers and History of Decisions

[Agenda for Licensing and Safety Committee on Wednesday 18th December 2024, 10.00 am | Kirklees Council](#)

10. Appendices

N/A

11. Service Director responsible

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