

Contact Officer: Yolande Myers

KIRKLEES COUNCIL

LICENSING AND SAFETY COMMITTEE

Tuesday 18th July 2017

Present: Councillor Carole Pattison (Chair)
Councillor Mahmood Akhtar
Councillor Richard Eastwood
Councillor James Homewood
Councillor Amanda Pinnock
Councillor Cathy Scott
Councillor Mohan Sokhal
Councillor Jim Dodds

Apologies: Councillor Manisha Roma Kaushik
Councillor Kath Taylor
Councillor Linda Wilkinson

In attendance: Victoria Thomson, Senior Licensing Officer
Paul Bailey, Environmental Health, Team Manager
Stephanie Cooper, Assistant Licensing Officer
Samantha Lawton, Senior Legal Officer
Yolande Myers, Governance Officer
Alaina McGlade, Governance Officer

1 Membership of the Committee

Apologies for absence were received on behalf of Councillor Linda Wilkinson, Councillor Manisha Roma Kaushik, Councillor Kath Taylor and Councillor Karen Allison. Councillor John Lawson substituted for Cllr Linda Wilkinson.

2 Minutes of Previous Meeting

That the minutes of the meeting of the Committee held on 24 May 2017 were approved as a correct record.

3 Interests

Cllr Cathy Scott declared an interest in relation to item 10, Batley Market Place Taxi Rank due to the fact that she commented on the proposal in her capacity as Ward Councillor, but remained and took part in the discussion.

4 Admission of the Public

The committee considered the question of the admission of the public and determined that all items that would be held in public session.

5 Deputations/Petitions

No deputations or petitions were received.

6 Public Question Time

No questions were received.

7 Unmet Demand Survey - 2017

The Committee considered a report outlining the Unmet Demand Survey findings to decide whether to continue to restrict the number of Hackney Carriage Licenses. The report outlined that the survey provided detailed information on:

- A profile of the taxi trade in Kirklees Council
- Current demand and any latent demand, including demand for wheelchair accessible vehicles
- Identified any requirement to provide additional license plates to eliminate any significant unmet demand.

The study concluded that there was no significant unmet demand in the rank based taxi market through the Kirklees area. Therefore the Committee was asked to consider issuing no further Hackney Carriage Licenses until such a time that a policy was created and implemented that would detail the eligibility criteria for plate allocation. This was likely to promote further wheelchair accessible vehicles being added to the fleet and the service would also explore how electric vehicle could be added to it also. The Committee was advised that this policy would be brought before the Committee following the necessary consultation.

RESOLVED -

That:-

- (1) the Committee decided to continue to restrict the number of Hackney Carriage Licenses following consideration of the Unmet Demand Survey Results.
- (2) the Committee noted that a policy detailing the eligibility criteria for plate allocation will be considered by a future meeting of the Licensing and Safety Committee.

8 Intended Use Policy - Private Hire Vehicles

The Committee received a report seeking approval to introduce an Intended Use Policy and a change to conditions in relation to private hire driver and vehicle licenses to enable the Council to protect the safety of the travelling public.

The report outlined that Kirklees Council, in its capacity as Licensing Authority had seen an increase in applications for a Private Hire / Hackney Carriage driver's license from applicants who intend to predominantly and exclusively work outside of the Kirklees area. The report continued that under current procedures Licensing Officers would have a brief discussion with the applicant to confirm their intentions should a license be granted. The applicants were suggested that they were being directed to Kirklees to obtain a licence and being told that they could then work exclusively in other controlled districts outside of Kirklees once a licence from Kirklees was granted. The report suggested that there was evidence that new applicants were being directed to Kirklees because they believed Kirklees processes were perceived as relatively straightforward and cheap compared to other districts which operated a more stringent application process, such as the requirement to pass a geographical knowledge test which applied to all new drivers.

The report noted that Knowsley Council had introduced a similar Intended Use Policy and had found it to be effective in managing drivers who mainly worked outside of their controlled district. However, the Committee was informed that Knowsley Council's policy was being challenged via Judicial Review and that Kirklees would be prudent to await the outcome of the Judicial Review before introducing a policy.

RESOLVED -

That consideration of the report be deferred to a future meeting of the committee.

9 Executive Status of Private Hire Vehicles

The Committee received a report to consider requesting an alteration of the Private Hire License Conditions to enable the Licensing Manager, rather than the Regulatory Committee to determine if a vehicle can have 'executive hire' status and be exempt from most vehicle signage conditions and to agree a policy to enable the Licensing Manager to make such decisions. The proposed Executive Status Policy was appended to the report.

The Committee was advised that Executive Hire was predominately for corporate clients e.g. taking their corporate customers clients to and from the airport, or if their work was entirely made up of airport trips to and from domestic properties or a combination of the two. Following questions from councillors, the Licensing Officer confirmed that test purchases would be carried out to monitor that these vehicles would not be used for anything other than executive hire. Councillors also asked what challenge would be available to drivers if their application was refused by the Licensing Manager. The officers confirmed that they would explore adding a route for appeal to the proposed policy. This would be an internal appeals process, given that it was a Kirklees policy.

RESOLVED -

That:-

- (1) the Committee approved the introduction of the Executive Status Policy.
- (2) the Committee delegated responsibility from the Regulatory Panel to the Licensing Manager to determine all future applications based on the Executive Status Policy.

10 Batley Market Place Taxi Rank

The Committee received a report which requested consideration be given to a review of the current operation of Batley market Place Taxi Rank and to decide whether it should be varied. The report outlined that a number of representations had been received from Ward Councillors and members of the trade to say that the previous changes to the rank were adversely affecting access to the businesses in the area due to the reduction in parking spaces for the businesses and public. The representations claimed that the rank was not regularly used and had requested that the details of the rank revert back to being a night time rank and reduce the amount of vehicles to 2. A further representation was handed out to the Committee where a complaint had been received from a member of the public which claimed that daytime parking by shoppers had migrated to the opposite side of the road, resulting in double parking and tailbacks onto Commercial Street.

Committee members commented that they were concerned about the amount of changes over the years to this taxi rank, and requested that any further change only be brought back if there was a significant change in circumstances.

RESOLVED -

That:-

- (1) the Committee approved the retention of the Hackney Carriage stands in Batley Mark Place.
- (2) the Committee reduced the number of ranks to 2 vehicles and reduced the hours of operation of the rank to between 18.00 and 08.00.