

Contact Officer: Carol Tague

KIRKLEES COUNCIL

LICENSING AND SAFETY COMMITTEE

Wednesday 13th March 2019

Present: Councillor Carole Pattison (Chair)
Councillor Mahmood Akhtar
Councillor Christine Iredale
Councillor Michelle Grainger-Mead
Councillor Manisha Roma Kaushik
Councillor Terry Lyons
Councillor Cathy Scott
Councillor Mohan Sokhal
Councillor Kath Taylor
Councillor Michael Watson

Apologies: Councillor Karen Allison
Councillor James Homewood
Councillor Mumtaz Hussain
Councillor Amanda Pinnock

1 Membership of the Committee

Apologies for absence were received from Councillors Allison, Homewood, Hussain and Pinnock.

2 Minutes of Previous Meeting

The minutes of the meeting of the Panel held on 23 November 2018 were approved as a correct record.

3 Interests

No interests were declared.

4 Admission of the Public

That all agenda items be considered in public session.

5 Deputations/Petitions

No deputations or petitions were received.

6 Public Question Time

Councillor Scott referred to the introduction of clean air zones and the Clear Air Charging Zone due to be introduced by Leeds City Council in 2020 and highlighted the impact that surcharges would have on Kirklees' taxi drivers and their businesses. This was considered under Item 7 (Kirklees Hackney Carriage and Private Hire Licensing Policy).

7 Kirklees Hackney Carriage and Private Hire Licensing Policy

The Committee received a report which asked for consideration to be given to the adoption of the overarching Kirklees Hackney Carriage and Private Hire Policy, taking into account the consultation responses received.

Members were informed that the report was the culmination of a 12 month piece of work to develop an overarching policy, encompassing all the different aspects of hackney carriage and private hire licensing. The Licensing and Safety Committee had received the proposed policy at its meeting on 11 October 2018 and authority had been given for officers to consult on the draft policy.

The Committee were informed that the most significant changes related to a new policy regarding the fitness and suitability of drivers and a new driver training policy. Both of these policies had been developed in conjunction with other West Yorkshire authorities and it was noted that these would be presented to a future Committee. Until then the existing policies would remain in place.

Changes to the emissions standard and the removal of the lower age limit were highlighted. With regards to the introduction of clean air zones, the points raised earlier by Cllr Scott in relation to the potential impact of surcharges on the livelihoods of taxi drivers were acknowledged. The Committee were informed that Leeds City Council had approved the Clean Air Charging Zone proposals and these included an exemption for existing vehicles for 2 years. Representations had been made to Leeds City Council concerning the wider impact of the surcharges across West Yorkshire and the Licensing Service were working with Environment Services to put together a bid for funding from DEFRA to help support licensed drivers in the district.

The Committee expressed concern that the funding support currently available to Leeds was not available to Kirklees as the district was not within the Clean Air Charging Zone. Further concern was raised that drivers in Leeds would be exempt from the surcharges until 2021, whilst those in Kirklees would feel the impact from 2020.

The Committee asked that given the impact on drivers within Kirklees, dialogue continue at a West Yorkshire level and officers work to secure funding to support drivers wherever possible.

It was clarified that a vehicle license was tested on an annual basis and the taxi compliance check, which was instead of an MOT, included a vehicle emissions check. Test and re-test charges were published on the Council's website and included on the documentation sent out to taxi drivers. An individual's license to drive would be issued on a 3 year renewal basis

In referring to the consultation responses outlined at Appendix 2, it was noted that the main issues raised by the trade were in relation to emissions and the vehicle age limited. These concerns had been noted and the Licensing Service continued to work with the trade. With regards to public response, it was noted that responses had been primarily in relation to driver behaviour and the need for checks and more proactive enforcement across the licensing regime.

It was acknowledged that an earlier member suggestion as to the inclusion of travelling dogs other than assistance dogs had been overlooked and would be included within the final policy.

Further to a question raised on the maximum age limit of disabled vehicles, the Committee were informed that as a result of the consultation and discussions with trade members, officers had agreed to look at the Council's current policy in relation to the age upon which all types of licensed vehicles would cease to be licensed. A report on this and vehicle exemptions would be brought back to a future meeting of the Committee.

RESOLVED - That the Committee agreed:-

- The adoption of the draft policy as presented at Appendix I in the report from 1 April 2019; and
- To delegate authority to the Head of Public Protection to make minor changes to the policy should these be necessary, in relation to updating of processes, legislation, service name changes or grammatical errors.

8 Taxi & Private Hire Licensing - New Statutory Guidance from the Department for Transport

The Committee received a report which provided information on the consultation currently being undertaken by the Department of Transport on new statutory guidance in relation to the licensing of the private hire and hackney carriage trades.

The Panel welcomed the consultation and the proposed standardisation of licensing regulations across the country.

It was noted that in-vehicle visual recording was included within the 30 specific areas of guidance and it was hoped that this would provide clarity on data protection issues.

In response to a question regarding the safeguarding of taxi drivers, it was noted that difficulties in reporting incidents to the police had been raised at a recent trade meeting and a police representative had been invited to attend the next meeting. It was also noted that this issue had been discussed at a recent Safeguarding Board and the potential development of a travelling public and taxi driver safety campaign was due to be considered by the Board in May/June.

RESOLVED - That the Committee:-

- Noted the Statutory Guidance;
- Delegated authority to officers, in conjunction with the Chair of the Licensing and Safety Committee, authority to respond to the consultation on behalf of the licensing service; and
- Agreed that Committee Members would contact officers and / or the Chair of the Licensing and Safety Committee with any specific consideration to be fed into the consultation response.

9 Licensing Training

The Committee received a verbal update on licensing training proposals for newly elected members and refresher sessions for existing councillors.

RESOLVED - The Committee agreed the training session proposals and asked that it be clearly stated that the training was mandatory for all committee members.