

# SHEFFIELD CITY COUNCIL

## Licensing Committee

### Meeting held 18 February 2016

**PRESENT:** Councillors David Barker, Nikki Bond, Dianne Hurst, George Lindars-Hammond, Roy Munn, Josie Paszek, Geoff Smith (Chair), Zoe Sykes and Cliff Woodcraft

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#### **1. APOLOGIES FOR ABSENCE**

1.1 Apologies for absence were received from Councillors Jack Clarkson, Neale Gibson and Anne Murphy.

#### **2. EXCLUSION OF PUBLIC AND PRESS**

2.1 No items were identified where resolutions may be moved to exclude the public and press.

#### **3. DECLARATIONS OF INTEREST**

3.1 There were no declarations of interest.

#### **4. MINUTES OF PREVIOUS MEETINGS**

4.1 The minutes of meetings of (a) the Licensing Sub-Committee held on 27<sup>th</sup> August, 12<sup>th</sup>, 26<sup>th</sup> and 27<sup>th</sup> October, 2<sup>nd</sup>, 3<sup>rd</sup>, 10<sup>th</sup>, 17<sup>th</sup>, 24<sup>th</sup> and 25<sup>th</sup> November, and 8<sup>th</sup> and 15<sup>th</sup> December 2015, and 4<sup>th</sup> January 2016, and (b) the Licensing Committee held on 29<sup>th</sup> October 2015, were approved as correct records and, arising therefrom, (i) further to a query by Councillor David Barker, relating to the minutes of the meeting of the Licensing Committee held on 29<sup>th</sup> October 2015, Steve Lonnia, Chief Licensing Officer, stated that he aimed to submit a report detailing a 5-year enforcement plan for the Licensing Service, to a meeting of the Committee to be held late February/early March 2016, and (ii) Members welcomed the recent enforcement activity undertaken in connection with illegal plying for hire.

#### **5. REVIEW OF THE HACKNEY CARRIAGE VEHICLE LICENCE LIMITATION POLICY - INTENTION TO UNDERTAKE UNMET DEMAND SURVEY**

5.1 The Chief Licensing Officer submitted a report on proposals to review and approve the Council's policy in relation to limiting the number of Hackney Carriage licences issued, and to approve the process to invite tenders for the completion of an unmet demand survey.

5.2 The report indicated that the last review of the policy had taken place in 2010, following a demand survey undertaken in 2009. The current limitation in terms of Hackney Carriage licences was 857, and at the present time, this limit had been reached. The report set out the legal requirements in terms of the acceptance of

applications for Hackney Carriage licences.

- 5.3 Hafeas Rehman, Sheffield Taxi Trade Association (STTA), commented on the report, indicating that there was a need to maintain the current limit, and querying the financial implications in terms of the undertaking of a survey, particularly for Hackney Carriage drivers.
- 5.4 Mohammed Yasin, GMB, commented on the report, indicating that he would like to see more information on the effects of undertaking such a survey, on licenced vehicles, and welcomed the opportunity to comment on suggested criteria if it was determined that any further licences could be issued.
- 5.5 In response to the issues raised by the representatives of the trades, Steve Lonnia, Chief Licensing Officer, stated that the costs of undertaking a survey would be met from licence fees. The company undertaking the survey would be selected through the Council's tendering process and, although it was difficult to say at this stage, it was not likely that the cost of the survey would be as high as the one undertaken in 2009, as that was a very detailed survey, undertaken over a long period. If the survey results indicated that there was a demand for further licences to be issued, there would have to be criteria in terms of the application process, which would be determined by the Committee, in consultation with the taxi trades.
- 5.6 In response to questions from Members of the Committee, it was stated that officers would draft a proposed specification which, subject to the approval of Members of the Committee, would be included in the tender documents sent to interested companies. The overall cost of the survey would obviously depend on the nature and content of the agreed specification. The previous survey had taken about nine months to complete and whilst it was envisaged that the new survey would not take as long as this, it had been proposed that it would take place from August to December in order to cover periods of varying demand. Once the nature of the survey had been decided, the Licensing Service would work with colleagues in Procurement in connection with invitations to tender and selecting the successful tenderer. It was agreed that it was more important to give consideration as to whether the survey was fit for purpose than how much it cost. If Members requested, the survey could include looking at taxi ranks in the City, regarding both location and demand, and it was considered that this could be beneficial to the trades. The last survey to be undertaken was so expensive for a number of reasons, including the timescale (9 months) and the fact that it involved considerable work in connection with future expansion in the City, detailed consultation with what were known as 'non-user' groups, such as hospitals and hotels, and detailed work in terms of demand in the City Centre and outlying areas, such as Chapeltown and Woodseats. The survey would determine where the most need was by finding out where the taxi ranks were in the City, then by questioning the trades in terms of where the hotspots were in terms of demand, both in the City Centre and other areas. The survey results would include details in terms of waiting times, and it would be up to the Committee to determine whether these were reasonable.

5.7 RESOLVED: That the Committee:-

- (a) notes the contents of the report now submitted, together with the responses to the questions raised; and
- (b) in the light of the information set out in the report now submitted, together with the responses to the questions raised;
  - (i) authorises the Chief Licensing Officer to begin the tender process to identify a supplier to undertake the unmet demand survey on behalf of the Council;
  - (ii) requests the Chief Licensing Officer to submit a report to a future meeting of this Committee, (A) setting out a suggested list of questions to be asked of prospective tenderers in terms of the tender specification, together with details of the tender documents submitted in respect of the survey undertaken in 2009, and (B) setting out information in terms of the successful tenderer once they have been identified; and
  - (iii) agrees that the Co-Chairs of the Committee be included in the tender award group.

**6. HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS' POLICY**

- 6.1 The Chief Licensing Officer submitted a report referring to the Hackney Carriage and Private Hire Drivers' Policy, attaching, as appendices, a list of comments received from individuals and organisations received as part of the consultation on the draft document, together with a copy of the draft Policy.
- 6.2 The report indicated that the Licensing Service was currently in the process of streamlining the current policies in relation to the Licensed Hackney Carriage and Private Hire trade, and were creating three policies - Hackney Carriage and Private Hire Drivers' Policy, Private Hire Vehicle and Operators' Policy and Hackney Carriage Vehicle Policy. The three policies would replace the existing policies, of which there were over 25, and this report sought the approval of the final draft of the Hackney Carriage and Private Hire Drivers' Policy.
- 6.3 The report contained details of what the new Policy would mean to the people of Sheffield, details of what the Policy dealt with, details of what the Policy delivered in terms of the Council's priorities and details regarding the consultation process.
- 6.4 Mohammed Yasin, GMB, commented on the report, expressing his thanks and appreciation to the Licensing Service and the Committee in respect of the work undertaken in connection with the drafting of the Policy, particularly with regard to the consultation, and indicated that

he hoped that the Council could work with the trades in a similar manner in the future.

- 6.5 Hafeas Rehman, STTA, reiterated the comments made by Mohammed Yasin.
- 6.6 In responses to questions raised by Members of the Committee, it was stated that the Policy had not been updated following comments received from Sheffield Futures on the basis that the Licensing Service already undertook a considerable level of work and training in respect of child sexual exploitation and general safeguarding issues. The Service worked closely with Julie Hague, Sheffield Safeguarding Children Board, who provided an excellent level of advice and expertise in this area. In terms of the comments received from UBER, officers did not consider that removing the two requirements in terms of applying for a Private Hire Drivers' Licence, as suggested, was possible. With regard to the comments received from GMB, it was accepted that there may be a need to review the powers delegated to the Chief Licensing Officer in the future, but it was not considered necessary to make any changes at the present time, specifically with regard to this Policy. It was not considered that removing ID badges in licensed vehicles would bring about any benefits as, although there could be circumstances where people will use such badges incorrectly, this was very rare, and having such badges had more benefits, such as providing identity and security for passengers.
- 6.7 Mohammed Yasin stated that the GMB would like to see more powers delegated to the Chief Licensing Officer simply to save Members' time in terms of decision-making.
- 6.8 RESOLVED: That the Committee:-
- (a) notes the contents of the draft Hackney Carriage and Private Hire Drivers' Policy, as set out in the report now submitted, together with the comments now made and the responses to the questions raised;
  - (b) expresses its thanks and appreciation to officers in the Licensing Service for the excellent work undertaken in drafting the Policy, specifically regarding the consultation on the draft Policy; and
  - (c) approves the Hackney Carriage and Private Hire Drivers' Policy, as attached at Appendix 'B' to the report now submitted, to come into force on 1<sup>st</sup> April 2016.