

# SHEFFIELD CITY COUNCIL

## Waste & Street Scene Policy Committee

### Meeting held 23 November 2022

**PRESENT:** Councillors Joe Otten (Chair), Mike Chaplin (Deputy Chair), Alexi Dimond (Group Spokesperson), Tim Huggan, Mark Jones, Nabeela Mowlana, Janet Ridler and Cliff Woodcraft

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

1.1 Apologies were received from Councillor Paul Turpin.

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

2.1 **RESOLVED:** That the public and press be excluded from the meeting before discussion takes place on some of the appendices at items 8, 9 and 10 (item 7, 8 and 9 of the minutes) on the grounds that, if the public and press were present during the transaction of such business, there would be a disclosure to them of exempt information as described in paragraphs 3 and 5 of Schedule 12A to the Local Government Act 1972, as amended.

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

3.1 There were no formal declarations of interest made at the meeting

#### **4. MINUTES OF PREVIOUS MEETING**

4.1 The minutes of the meeting of the Committee held on 23<sup>rd</sup> Nov were approved as a correct record.

#### **5. PUBLIC QUESTIONS AND PETITIONS**

5.1 Ibrar Hussain attended the Committee and presented the following petition:

*We the licensed drivers in Sheffield ask policy committee as part of the policy review of PH vehicle's to remove any operator door signage as mandatory conditions.*

*We further ask that the policy committee further take steps to make sure good practice of TFL is adopted as a good practice.*

*Modern technology and use of Apps has now made unnecessary to have any such signs on any private vehicle's it's an unnecessary burden on driver now,*

*It's the responsibility of the private hire operator to decide or enforce if they so wish to have their signage on PHV, it's not the Council's responsibility nor obligation to enforce PH operator signage on PH vehicle's. Your decision could be*

*very difficult to defend if challenged to enforce third party signage on driver's,*

*On 23rd November 2022, furthermore, look into other issues that affect PH vehicle's*

*No Vehicle age limit, recent government consultation is heading towards this policy too, Emissions only policy if the vehicle passes the test, then it qualifies,*

*Only 1 test a year under ABC criteria rewarding good drivers looking after the vehicle,*

*Tinted window's as factory fitted standard only and no CCTV mandatory but Voluntary only.*

Response:

The Chair thanked Ibrar Hussain for the petition.

5.2 Arshad Mahmood attended the Committee and asked the following questions:

*1. Do I follow crime prevention police officer's advise to remove valuables and vehicle door signage from my vehicle overnight when I finish my shift*

*OR*

*2. Do I follow the licensing condition to have permanent door signage that has a greater potential/ risk for my vehicle to be broken into and damaged?*

*I am sure that anyone in my position would agree and follow the crime prevention police officer's advice.*

Response:

The Chair explained that the door signage would be discussed later on in the meeting.

5.3 Afzal attended the Committee and asked the following questions:

*1. What is the purpose/need for signage on PHV's?*

*2. Is this for public safety and if so, how exactly do the signs offer any safety to the public/customers?*

*3. Alternatively, are the signs for the benefit of council enforcement officers so that they can see which vehicles to target?*

*4. Finally, has the council actually carried out any public surveys which have determined that customers do require signs on PHV's?*

Response:

The Chair explained that substantial answers and evidence could be found in Appendix I of the agenda papers.

5.4 Chloe Wilks attended the Committee and asked the following questions:

*Removing signage is taking the power out of the customers hands they will have less control of their own safety and security.*

*Scared, anxious, confused – some words that were used to describe how one of our members with a learning disability feels when they can't find their taxi.*

*Taxis are an essential asset for vulnerable people to feel safe and it should be made as clear as possible to help everyone whatever their needs.*

*It is with all the above experiences and discussions in mind that I feel it essential to have clear signage for private hire vehicles and ask the committee to ensure that the policy is adopted and enforcement to display the specific logo of the operator with who the vehicle was booked is shown. Can the committee confirm this?*

*Response:*

The Chair explained that the door signage would be discussed later on in the meeting and clarified that there is a proposal for door signage of specific operators to be made visible.

5.5 Nasar Raof attended the Committee and asked questions surrounding:

1. *No permanent signage on vehicles,*
2. *A4 sized signage.*
3. *Magnetic signage.*
4. *Clear, easy and simple to read signaage.*
5. *Company logo being optional due to multiple platforms.*
6. *Reducing crime.*
7. *Stoning and damage to vehicles.*

*Response:*

The Chair gave the following response:

The use of signage is for public safety. Information sought from Yorkshire Police states:

As a City Centre team we have not seen any such reporting or emerging threat regarding criminal damage towards PHV and as such I think the first question back to the GMB would be to provide incident numbers/investigation numbers etc etc.

There may also be the case of non-reporting of this crime type in which case clearly we will not have investigated due to being unaware.

I can only speak on behalf of the City Neighbourhood District, but this again is not

something that has been raised at any meeting across the District I have attended as an issue or emerging threat.

Members of the public should rightly expect that licensees are appropriately trained and vetted in order to hold a licence. The safeguarding team do much work in helping to protect vulnerable customers and the Authority attend disability forums to provide updates and advice.

5.6 Paul Gosney attended the Committee and asked question surrounding:

*Sheffield City Council & Operator signage has been recommended therefore I ask on behalf of the Private Hire trade in Sheffield that this remains with the primary focus being the safety of drivers & passengers.*

Response:

The Chair explained that the door signage would be discussed later on in the meeting and explained that Appendix I contained views of drivers.

5.7 Lee Ward attended the Committee and asked the following questions:

- 1. The introduction of all newly licensed vehicles as of January 2027 must be Zero Emission Capable. This is in contradiction to the already agreed Clean Air Zone which has an exemption for Euro 6 Diesel engines for our trade. We request that this change to the policy and all associated sections including the exceptional vehicle criteria be deferred for consideration until the next policy review that will give data that can be considered from the 4 years that the CAZ will have been operative.*
- 2. The current age of vehicles is 5 years for first license and is being proposed that it is lowered to 4 years which we have concerns as explained previously regarding the current financial climate. Our vehicles are tested by SCC's own test centre to a very high standard even if the vehicle is brand new. We welcome the change to the policy regarding window tints. Can we confirm that glass fitted by manufacturers at the point of sale is now acceptable when a vehicle goes for its test as a new vehicle and as a renewal of its license please, because the wording is not very clear and seems to imply that factory fitted glass may only be used if the original glass has been damaged. Can we have confirmation that this will be voluntary and not mandatory?*
- 3. CCTV, we ask that clarification is sought that CCTV remains voluntary in Sheffield because this section is written to imply that it will be made mandatory.*

Response:

The Chair explained that the Authority must take into account wider Council

objectives, including the 10-point Plan for Climate Action – net zero by 2030. Working towards ZEC requirements for the private hire fleet will help to achieve this aim.

It was also explained that more details on this matter and viable options were explained in the report.

It was clarified that Members were going to consider an amendment in relation to lowering the age of the first license to 4 years.

It was stated that officers will hopefully be able to clarify on the matter of factory fitted glass when speaking on the report and that CCTV will remain voluntary within the current council policy but was stated that this could change in the future.

5.8 Barry Calder attended the Committee and asked the following questions:

- 1. I would like to ask for the policy to ensure that people can book Taxis and PHV by telephone. I am asking this as there are a lot of disabled and older people that are not able to use the internet.*
- 2. Can the policy contain a requirement that when disabled people make a phone booking they are treated with respect, and that the complaints procedure may be invoked if respect is not given?*
- 3. Late night provision of Eurocabs. Can the policy ensure that a Eurocab is available to meet the last train of the evening at Midland Station?*

Response:

The Chair explained that the Council cannot mandate operators to provide a telephone booking service; their business model is that of an app-based service. However, the Authority is committed to improving provision for all and will work with disability groups and operators to try and help improve services.

A proposed condition of operators states that staff that take bookings and/or dispatch vehicles must be appropriately trained, including understanding different accessibility needs and requests.

Eurocabs are licensed as hackney carriage vehicles and therefore doesn't fall under the remit of the private hire policy.

James Martin attended the Committee and asked the following questions:

- 1. Can the committee ensure a clause is added to section 7 Acceptance of Bookings to ensure all operators take a stake in providing a booking service for every citizen of Sheffield?*
- 2. Can the term 'where possible' stated in section (g) be made clearer and more robust or removed from the wording?*

Response:

The Chair explained that Hackney Carriage vehicles, which make up the vast majority of wheelchair accessible vehicles in Sheffield, are operated by self-

employed licensees and the Authority cannot mandate these licensees undertake work for private hire operators. It was stated that whilst this could not be legislated immediately that it could be looked at in the future alongside other issues surrounding the questions.

Ibrar Hussain attended the Committee and presented the following petition:

1. *What consideration was given to dft recent consultation and its comment vehicle age limits based on emissions policy only?*
2. *Do you agree by introducing emissions policy we will have more zero emission vehicles and in enhance more clean air, both taxi trade will benefit and the city?*
3. *Why you did not consider emissions only policy now with zero emissions vehicles given, No age limit with immediate effect?*
4. *Why have you not mentioned in your report anything Additional test centres & Vehicle testing criteria which myself and many other people responded too as part of the consultation and made reference to new way to introduce ABC criteria by reward drivers etc.*

Response:

The Chair explained the DFT Best Practice Guidance is only guidance and does not intend to give a definitive statement of the law; any decisions made by a local authority remain a matter for that authority. Sheffield Licensing Authority has used vehicle age limits for a number of years, ensuring good quality vehicles are licensed and updated regularly.

Implementing an emissions policy may not result in an increase in the number of Zero Emission Vehicles; licensees may choose to purchase Euro 6 compliant diesel vehicles over hybrid and electric vehicles.

The Licensing Service is hoping to undertake work on testing arrangements in 2023.

## **6. WORK PROGRAMME**

- 6.1 The Principal Democratic Services Officer introduced the item and drew the committees attention to the recommendations, additions and amendments and the future Work Programme to be agreed moving forwards.
- 6.1.1 The Chair noted that Sex Establishment policy was still on the December agenda and highlighted that it may be pushed back.
- 6.2 **RESOLVED UNANIMOUSLY:** That the Waste and Street Scene Policy Committee:-

1. That the Committee's work programme, as set out in Appendix 1 be agreed, including any additions and amendments identified in Part 1;

2. That consideration be given to the further additions or adjustments to the work programme presented at Part 2 of Appendix 1; and
3. That Members give consideration to any further issues to be explored by officers for inclusion in Part 2 of Appendix 1 of the next work programme report, for potential addition to the work programme.

## **7. FUTURE FOR THE PROVISION OF KENNELLING SERVICES**

- 7.1 The Head of Environmental Regulation alongside the Service Manager for Projects and Improvement introduced the report which explained findings of the Kennelling Service Review 2022 and recommended a proposal that will achieve a sustainable future for the Kennelling Service and facilitate the Council's continued compliance of its statutory duties.

Under the proposed model:

- stray dogs will remain the direct responsibility of Sheffield City Council, with Council staff continuing to look after stray dogs on a day-to-day basis but in a facility provided by an external provider; and
- an external provider will be responsible for 'social services animals', including receiving and kennelling/boarding the animals, while providing the animals with adequate care.

The proposal will provide opportunities for:

- a better environment for our employees and animals in our care; and
- better value for money for taxpayers.

- 7.2 **RESOLVED UNANIMOUSLY:** That the Waste and Street Scene Policy Committee:-

1. Approves the commissioning of an external provider, as set out in this Report including Appendix 1, that will provide: a) a dog kennelling facility for stray dogs; and b) dog kennelling and animal boarding services for 'social services animals'.
2. Where no current authority exists, delegates authority to the Executive Director, Operational Services, in consultation with the Director of Finance and Commercial Services, the Director of Legal and Governance and the Director of Human Resources and Customer Services to take such steps to achieve the aims and objectives as detailed and set out in this report.

## **7.3 Reasons for Decision**

7.3.1 This recommendation follows an extensive review to determine the best way to achieve a sustainable, value for money future for the service. The recommended option provides significant benefits, including the opportunity to secure:

- a much-improved working environment for staff
- a significant annual revenue saving for the Council
- an enhanced capital receipt for the Council, whilst supporting the delivery of the goals set out the City Centre Strategy
- improved animal welfare, through improved kennelling facilities and access to grounds for walking and exercising dogs

7.3.2 The Council has the opportunity to move to an innovative new way of delivering the Council’s statutory duties in relation to the Kennelling Service. Detailed work has determined that this is the most attractive option available to the Council to pursue. It is for these reasons that this proposal is recommended to the Committee.

7.4 **Alternatives Considered and Rejected**

7.4.1 Several other options were considered during the course of developing this proposal and these are outlined in the table below, alongside the reasons why they are not being recommended.

Option title	Description	Reasons this option is not recommended to be pursued
Status Quo	Continue to deliver the service from the Spring Street site	Some annual revenue savings could be achieved if the service was redesigned and continued to be delivered from the existing site. However, it would not be possible to achieve similar annual revenue savings to the recommended option, due to the constraints associated with lone working at the current site. Additionally the significant capital investment required at Spring Street, means that this is not a sound option. For these reasons this is not a recommended option.
Outsource	Seek a provider to offer full kennelling and boarding services on behalf of the Council	This option would be unlikely to result in the same level of savings as the recommended option, as Transfer of Undertakings (Protection of Employment) Regulations (TUPE) would likely apply.
Move to a new site owned by an external provider	Seek a provider to offer a site with a kennels and cattery only - under this option SCC would continue to have full responsibility for the care of all	It would not be possible to achieve similar annual revenue savings to the recommended option, due to the constraints associated with lone working for this option. Additionally the soft market testing responses raised concerns about access to the service, due to the locations of the potential providers in the market. For these reasons this is not a recommended



	animals	option.
Re-locate & re-build	Seek to retain inhouse delivery of the service but relocate and builds new kennels elsewhere in the City, either by refurbishing an existing building or building from new	This option was explored in the CAPITA report in 2018. At that time the Council's Capital Delivery Service provided an estimate to rebuild the kennels in accordance with the following requirements: - 20 dog kennels, plus a minimum required external area and car parking - Minimum required new build land area of 1,200m <sup>2</sup> . The capital costs were estimated to be between £1.4m and £2.3m (depending on refurbishment or new build). It is likely that if this exercise were to be repeated now these cost estimates would increase, given increasing land values and the recent spike in the cost of building materials. Additionally, this option would be unlikely to achieve similar annual revenue savings to the recommended option, due to the constraints associated with lone working for this option. The costs associated with this option are unaffordable and for this reason this is not recommended.

## 8. PRIVATE HIRER OPERATOR AND VEHICLE LICENCE POLICY

8.1 The Licensing Service Manager and Licensing Strategy and Policy Officer introduced the report which sought approval of the Private Hire Operator and Vehicle Licence Policy. The policy provides information and guidance on:

- Applications
- Decision-making
- Enforcement

In providing a publicly available document, it allows:

- Transparency
- Accountability
- Consistency

8.2 A number of amendments were proposed and seconded and discussed by the Committee. These proposed amendments were passed unanimously with the exception of a proposal to change the wording in the policy relating to front door signage from 'securely' attached to 'permanently' attached and to amend the policy relating to signage on the back doors to refer to 'operator(s)' in place of 'operator', to allow for multiple operators to be shown on the signage. Those two amendments were passed 7 votes to 1. When the full proposal, as amended, was put to the Committee they resolved unanimously.

8.3 **RESOLVED UNANIMOUSLY:** That the **Waste and Street Scene** Policy Committee:-

- Adopt the Private Hire Operator vehicle licensing policy as set out in the report with the following amendments:
  - a. That the maximum age of the vehicle on first registration, at the point that the policy comes into force on the 1<sup>st</sup> February 2023, will be 5 years; and
  - b. That from the 1<sup>st</sup> of January 2025 it will be 4 years;
  - c. That from the point that the policy comes into force on the 1<sup>st</sup> February 2023, the maximum age of the vehicle at first registration, if the vehicle is Zero Emission Capable, is 7 years.
  - d. That the wording in the policy relating to front door signage be amended to '**securely**' attached in place of '**permanently**' attached.
  - e. That the wording in the policy relating to signage on the back doors is amended to refer to '**operator(s)**' in place of '**operator**', to allow for multiple operators to be shown on the signage.
  - f. Establish a Task and Finish group to carry out a piece of work on accessibility within the taxi trade/fleet, to include a particular focus on wheelchair accessible vehicles and space for storage of wheelchairs in none wheelchair accessible vehicles.
  - g. Request that officers evaluate the Policy in relation to the effectiveness of the signage 12 months after implementation.

8.4 **Reasons for Decision**

8.4.1 The Department for Transport recommends that licensing authorities make publicly available a cohesive policy document and to review this document every five years.

The licensing authority already has in place a Private Hire Operator and Vehicle Licence Policy document which has now been reviewed to take into account the recommendations in the Department for Transport 's Statutory Taxi and Private Hire Vehicle Standards.

The document is designed to:

- Provide individuals with a clear, consistent basis for submitting applications
- Provide a clear, consistent basis for determining licence applications
- Provide licensees with information on licensing requirements throughout the time they are licensed

It is recommended that Members approve the policy in order for the updated recommendations be implemented.

## 8.5 **Alternatives Considered and Rejected**

8.5.1 There are no alternative options under consideration.

## 9. **BUDGET POSITION 2023/2024**

9.1 The Director of Finance and Commercial services introduced the report which updated the Policy Committee on the progress of the 2023/24 budget process. The appendix contained specific budget proposals that the Committee were asked to endorse.

9.2 **RESOLVED UNANIMOUSLY:** That the **Waste and Street Scene** Policy Committee:-

1. Note the update on the Council's 2023/24 budget position.
2. Endorse the budget proposals set out in the appendix.

## 9.3 **Reasons for Decision**

9.3.1 The Council is required by law to set a balanced budget each year. This report is pursuant to that objective and is in line with the process and timetable agreed by the Strategy and Resources Committee on 31 May 2022 and 5 July 2022.

## 9.4 **Alternatives Considered and Rejected**

9.4.1 The Council is required to both set a balance budget and to ensure that in-year income and expenditure are balanced. No other alternatives were considered.

## 10. **STREET TRADING RESOLUTION**

10.1 The Head of Licensing introduced the report which set out a proposal to change the designation of streets in Sheffield City Centre from Consent Streets to Prohibited Streets and requests permission to commence the process to make that change starting with the publication of the Council's intention to pass a new resolution under the Local Government (Miscellaneous Provision) Act 1982.

10.2 **RESOLVED UNANIMOUSLY:** That the **Waste and Street Scene** Policy Committee:-

1. Consider and agree to move forward the proposal to change the designation of streets in Sheffield City Centre from Consent Streets to Prohibited Streets; and
2. Approve the commencement of the process to make that change including the publication of a notice of the Council's intention to pass a new resolution under the Local Government (Miscellaneous Provisions) Act 1982, Schedule 4 to designate all streets within the City Centre (Inner Ring

Road) as Prohibited Streets for the purpose of street trading.

**10.3 Reasons for Decision**

10.3.1 Moving forward with the proposals outlined in this Report will improve the on-street food trading offer across the city centre, providing more opportunities for local street food businesses (especially start-ups) and the creation of mini street food markets.

**10.4 Alternatives Considered and Rejected**

10.4.1 The Council could maintain the status quo. However, in order to secure the benefits outlined in the Report this option is not recommended.

**11. REVENUE BUDGET MONITORING REPORT - MONTH 6**

11.1 The Director of Finance and Commercial Services introduced the report which brought the Committee up to date with the Council's financial position as at Month 6 2022/23.

11.2 **RESOLVED UNANIMOUSLY:** That the **Waste and Street Scene** Policy Committee:-

1. Note the Council's financial position as at the end of September 2022 (month 6).

**11.3 Reasons for Decision**

11.3.1 This paper is to bring the committee up to date with the Council's current financial position as at Month 6 2022/23.

**11.4 Alternatives Considered and Rejected**

11.4.1 The Council is required to both set a balance budget and to ensure that in-year income and expenditure are balanced. No other alternatives were considered.