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MEETING:	General Licensing Regulatory Board
DATE:	Wednesday 6 September 2023
TIME:	2.00 pm
VENUE:	Council Chamber, Barnsley Town Hall

AGENDA

1 Declaration of Interests

To receive any declarations of pecuniary and non-pecuniary interest from Members in respect of items on the agenda.

2 Minutes (*Pages 3 - 6*)

To accept as a correct record the minutes of the meeting held on 19 April 2023.

3 Licensing and Enforcement Update (*Pages 7 - 10*)

To: Chair and Members of General Licensing Regulatory Board:-

Councillors Green (Chair), Bellamy, Booker, Bowser, A. Cave, Cherryholme, Clarke, Denton, Eastwood, Ennis OBE, Hunt, Lodge, Lowe-Flrello, Markham, Moyes, Murray, Osborne, Ramchandani, Risebury, Sheard, Shepherd, Stowe, Tattersall, White, Wilson and P. Wright

Wendy Popplewell, Executive Director Core Services
Matt O'Neill, Executive Director Growth and Sustainability
Sajeda Khalifa, Solicitor
Debbie Bailey, Senior Licensing Officer
Jamie Impey, Senior Legal Officer

Please contact Mel Bray on email governance@barnsley.gov.uk

Tuesday 29 August 2023

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MEETING:	General Licensing Regulatory Board
DATE:	Wednesday 19 April 2023
TIME:	2.00 pm
VENUE:	Reception Room, Barnsley Town Hall

MINUTES

Present

Councillors Green (Chair), Bowser, Clarke, Danforth, Hunt, Markham, Newing, Osborne, Shepherd, Stowe, Webster, Williams and Wilson

15 Declaration of Interests

There were no declarations of pecuniary or non-pecuniary interest from Members in respect of items on the agenda.

16 Minutes

RESOLVED that the minutes of the General Licensing Regulatory Board meeting held on 15 February 2023 be approved as a true and correct record.

17 Hackney Carriage Tariff Increase

A report of the Service Director of Law and Governance was submitted which informed Members of the request received from the Barnsley Hackney Carriage Association for the Council to increase the current Hackney Carriage Tariff. Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 gives the Council the authority to fix fares for Hackney Carriages. The request to increase the current Hackney Carriage Tariff was due to rising fuel prices and inflation, which ran at above 10%.

Representatives from the Barnsley Hackney Carriage Association were present at the meeting, and with the permission of the Chair, they addressed the meeting in support of their proposals which were detailed as follows:-

- T1 Flag
An increase of 30p from £4.20 to £4.50
An increase of 20p on the mile thereafter from £1.60 to £1.80
- T2
An increase of 30p from £5.00 to £5.30
An increase of 20p on the mile thereafter from £1.60 to £1.80
- T3
In line with the tariff increases (double fare)
- T4
5/8 seaters to increase to fare and half of T1
From £5.40 to £6.70 flag

From £2.40 to £2.70 mile thereafter.

A request to go from charging T4 after 1.00am to 7.00am Sunday morning (super tariff) creating a fifth tariff, which keeps old T4 rates but with the same increases

- T5
An increase of 30p from £5.40 to £5.70
An increase of 30p in the mile thereafter from £2.40 to £2.70
Tariff 5 to be charged on all bank holidays 1.00am to 7.00am as on Sunday mornings
A further request was made for Hackney Carriages to charge T2 from Sunday 7.00am to Monday 7.00am
All other parts of the tariff to remain the same

The request received, if approved by the Board, would be published in the local press with a notice setting out the new table of fares and specifying the period of not less than 14 days within which any objections to the proposal could be made. If there were no objections received, the increase would be duly implemented. However, if any objections were received, then they would be reconsidered by the Board.

Members discussed the request which was detailed within the report circulated.

RESOLVED that Members considered the request for the increase to the current Barnsley Hackney Carriage Tariff, and agreed that it be taken out for consultation.

18 Licensing and Enforcement Update

Members were provided with an overview of the enforcement work that had recently been undertaken by the Licensing Officers.

Members were advised that on 24 February 2023, Licensing Enforcement Officers alongside Officers from South Yorkshire Police had taken part in a night time operation which was focused on Barnsley town centre and the drivers and vehicles that work in the night time economy. Councillor Green, Chair of the General Licensing Regulatory Board, was also in attendance. In total, 21 licensed vehicles and drivers had been inspected on the night, which had included 5 vehicles that were licensed by other local authorities.

The result of the vehicles inspected as part of the operation were as follows:-

- 16 vehicles were found to be fully compliant.
- 2 vehicles were found to have defective lights, being two number plate lights which were inoperative. Both of which were rectified on the night and their licenses had been reinstated.
- 1 vehicle was suspended for failing to display the required door signage.
- 1 vehicle was suspended for having no front nearside door handle and incorrect door signage.
- 1 vehicle was suspended for having no rear brake lights. The vehicle was repaired and had its licence reinstated on the night.
- 5 drivers were issued with written warnings for failing to complete their daily vehicle checks.

- 2 drivers were also spoken to about the signage on the vehicles and reminded of the required standard.

Members noted that today would mark the final Board meeting attended by Councillor Danforth, who would shortly be stepping down as a Councillor. On behalf of the Board, Councillor Green expressed his thanks to Councillor Danforth for all the work he had provided to Board.

RESOLVED that Members supported Officers and encouraged private hire and Hackney Carriage drivers and operators to comply with the conditions of their licence and continue to keep their vehicles as safe as possible for both drivers and customers at all times.

Chair

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Item 3

**Report of the Assistant Director to the
General Licensing Regulatory Board
to be held on the 6 September 2023**

LICENSING AND ENFORCEMENT UPDATE

1. Purpose of Report

The purpose of this report is to provide Members with an overview of the enforcement work Licensing Officers have recently undertaken.

2. Background

Members are minded to note, that Licensing Officers have continued to proactively work with the Hackney Carriage and Private Hire Trade and other Local Authority Departments and partners to ensure that any issues and concerns within the trades are raised and addressed accordingly.

In addition, on the 21 July 2023 Licensing Officers carried out a taxi and private hire licensing enforcement operation in the town centre. A summary of the enforcement operation is detailed below.

Members are also advised that since the last enforcement update, Licensing Officers have proactively undertaken a joint enforcement operation with colleagues in the Safer Neighbourhood Team visiting scrap metal sites within the borough. A summary of the enforcement operation undertaken is detailed below.

3. Current Position

On the 21 July 2023 Licensing Enforcement Officers alongside Officers from South Yorkshire Police took part in a night-time operation focusing their attention in Barnsley town centre and the drivers and vehicles that work in the night-time economy.

The Chair of the Licensing Regulatory Board, Councillor S Green, was also in attendance.

In total 26 licensed vehicles and drivers were inspected on the night, including 3 vehicles that were licensed by other Local Authorities, being Chesterfield, Sheffield and Rotherham. The results of the operation are detailed as follows:

- 18 vehicles were found to be fully compliant.
- 2 vehicles were suspended for having no working number plate lights. The vehicles were repaired and had their licences reinstated on the night.
- 3 drivers were issued with written warnings for failing to complete their daily vehicle checks.

Vehicle non-compliance is an issue Officers are concerned with during the undertaking of each and every enforcement operation. Defective vehicles are not acceptable and cannot be excused, coupled with failing to complete basic vehicle inspection sheets, which is a tool that ensures the very safety of a licensed vehicle, is not acceptable.

Scrap Metal

All scrap metal dealers previously registered under the Scrap Metal Dealers Act 1964 or Vehicles (Crime) Act 2001 must now hold a licence issued under the Scrap Metal Dealers Act 2013 in order to trade legally.

Officers have recently taken part in a joint two-day enforcement operation with our colleagues in the Safer Neighbourhoods Team. During the operation 13 scrap metal sites were visited of which 10 were found to be complaint and 3 had licences which had recently lapsed.

All site owners were spoken to and advised accordingly, and we have now received applications for all 3 of the sites identified to obtain the relevant licences and carry on their business legitimately.

In addition, Licensing Officers are working with the Safer Neighbourhoods Team and South Yorkshire Police to set up future joint enforcement operations to target scrap metal sites and collectors to ensure compliance with the relevant legislation.

4. Proposal

Proactive enforcement operations will continue to take place. Vehicle failures are always unacceptable, and our operations must convey the message that operators, vehicle proprietors and drivers must accept responsibility for their failures and make a change. We have clear standards that must be adhered to as failure to do so may put the safety of the public at risk when using a hackney carriage or private hire vehicle in Barnsley.

The principal consideration is, as always, one of public safety.

Members are asked to support Officers and encourage private hire and hackney carriage drivers and operators to comply with the conditions of their licence and continue to keep their vehicles as safe as possible for both drivers and customers at all times.

Proactive enforcement operations will also continue to take place on a regular basis and Licensing Officers will work with all Responsible Authorities and partner agencies to ensure compliance of licensing requirements across the borough. Whilst offences are always unacceptable, we will combat ill failings and convey the message that all individuals licensed under the Scrap Metal Dealers 2013 must begin to accept responsibility for their failures and make a change.

5. Background Papers

Enforcement Officer Reports which contain exempt information are not available for public inspection.

6. Officer Contact

Debbie Bailey

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