

Waste and Street Scene Policy Committee – 22 June 2022

Petitions Received from Members of the Public

Name	Petition	Member(s)
Marion Gerson	<p>Petition: The pavements are in a shocking state resulting in accidents and discomfort, especially for elderly or disabled people. ...We want our Councillors and Streets Ahead to sort out the issues and schedule full repair of the pavements before winter.</p> <p>Response: Petition redirected from Council: Following receipt of the petition, the Chair of the Waste and Street Scene committee, Cllr Joe Otten, together with local ward Members, council highways team and Amey representatives met with petition organisers to walk Sheldon Road and see first-hand the challenges presented in providing safe, accessible footway. Following the meeting Amey will provide further options for the road to try and retain mature trees whilst providing a safe footway and road for all users. The Council is also committed to providing a local consultation if any significant road layout changes are proposed.</p>	Cllr Joe Otten

Questions Received from Members of the Public

Name	Question	Member(s)
Selina Treuheuz - Sheff Food Partnership	<p>Q: In response to the recent national food strategy, does the council have a plan to implement the national government policy to implement free weekly separate food waste collections for all households from 2025 (point 1.6)? If so, is there any intention for this compost to be used between community growing groups in the city as seen amongst other cities in the country?</p> <p>A: Gillian Charters, Head of Waste Management and Interim Head of Highways Maintenance provided a response in the meeting</p> <p>As per the report presented to the committee today, we are being asked to approve a Food Waste Collection trial to inform the rollout of a city wide service from 2025. Discussions are underway with Veolia to plan for the delivery of a citywide food waste recycling service. However, the wide-ranging factors and influences on scheme performance from existing schemes across the county, and lack of experience of operating food waste</p>	Cllr Joe Otten

	collections in Sheffield makes it difficult to model resource requirements, and associated cost.	
Bridget Ingle	<p>Q: Can Sheffield City Council review its city centre waste management strategy for apartment buildings and landlords responsible for multiple occupation properties? Bin stores are not used properly. Contaminated and overfull bins are not emptied. Household rubbish is then piled up in the bin stores and on the street. The household rubbish on the street then becomes Amey's responsibility to clear up.</p> <p>Veolia has limited powers which means the burden of responsibility falls on Environmental Protection Services to take enforcement action. EPS do not have the resources to deal with all the problems which are being created through management companies and landlords not managing their properties correctly.</p> <p>A: Gillian Charters, Head of Waste Management and Interim Head of Highways Maintenance provided a response in the meeting conveying thanks for the question and the personal efforts in trying to resolve problems with shared containers at the blocks you have mentioned.</p> <p>Managing shared containers at flats is a real challenge as you will be very aware. The council and Veolia are working within the parameters of the Environmental Protection Act – to manage when bins are contaminated. The Environmental Protection Act isn't very helpful in relation to shared containers as it requires any action for wrong presentation of waste to be directed to the producer of the waste – which is difficult to determine in the case of shared containers.</p> <p>We will review our processes with Veolia for reporting blocked waste storerooms/ presentation of excess waste and contamination issues to see if we can illicit more action from landlords and managing agents. Though as above cannot pursue these in relation to enforcement activity.</p>	Cllr Joe Otten
Sean Clarke – The Moor Market Traders	<p>Q: The Moor Market traders would like to wish the Waste & Street Scene Policy Committee well in this new way of operating and hope that The Moor Market appears high on every agenda for regular discussion, improvement and comment. Despite the fact that some council committees can sometimes be accused of being slow, indecisive and unresponsive, we have initial confidence (having met with Joe Otten recently) that you will be a modern, dynamic committee who will respond quickly and positively to the challenges ahead.</p> <p>The market is an important multi-million-pound facility with a multicultural trader base originating from at least</p>	Cllr Joe Otten

a dozen countries across the world. In addition we have a very diverse group of customers using the market every day and we have no doubts about how important the market is to many thousands of people each week.

From day one back in 2013 the market has suffered from poor planning, substandard build quality, and for some years, non-existent day-to-day leadership. We welcome the fact that Gary Clifton (& Richard Eyre) have made recent changes to the management structure and most traders now have much more trust and hope that things are on the right track, despite most positions still being on an interim basis. In just a matter of weeks we can see much more enthusiasm from key leaders in the market and much more focus on the bigger picture going forward.

The building is less than 9 years old and has received little proactive investment during this time, with most of the funding apparently being used to either rectify faults or put in place things that should have been included from the initial planning stage. Cities and towns across the UK, Europe and beyond can be seen to highlight and celebrate their markets, and we would like The Moor Market to become one of those markets, to become a market that the whole of Sheffield is proud to have and use. We want the market to be a more welcoming place, somewhere that offers customers a pleasant place to relax, as well as shop, and it needs to tap into the night-time economy and provide a well publicised & organised range of outstanding events throughout the year.

We really do hope that this committee can be a catalyst for change, allowing Sheffield City Council to obtain value, success and acclaim for its running of The Moor Market.

Will the policy committee please commit to helping create and operate a clear and realistic improvement plan & investment budget that is urgently needed to help us make the market a celebrated world class facility?

Will the policy committee please highlight and recognise the importance of The Moor Market to Sheffield City Council and make plans and investments that will generate a better future for all traders, guaranteeing a better return for the council and most importantly for the people of Sheffield?

A: The Committee acknowledges that the Markets provide an important role in the city centre and in their local community.

A review is to be carried out and options presented back to Committee in the new year.

	HoS working closely with Traders to maximise footfall and spend.	
Paul Stead	<p>Q: In April 2021 Mark Jones the Cabinet member responsible for StreetScene announced that Sheffield City Council would be integrating their online reporting system with Fix My Street. This is a far superior system and will save the council money. Given the financial pressures the council are under, why has Fix My Street system not been implemented?</p> <p>A: Officers are exploring Fix My Street and how we can integrate it better for customers to use.</p>	Cllr Joe Otten
Ibrar Hussain	<p>Q: What Impact or Risk Assessment carried out for Existing Driver's licensed due to change of policy or implementation? please explain.</p> <p>A: An Equality Impact assessment was carried out and published in the report to the Waste & Street Scene Committee. No risk assessment was carried out</p> <p>Q: No indication given what the cost of refresher courses will be for existing drivers licensed.</p> <p>A: The Licensing Service is still working with providers and will be considering cost.</p> <p>Q: No timeline or framework for implementation of new policy change for existing drivers.</p> <p>A: The new policy comes into effect on 1st November 2022.</p> <p>Q: What consideration is given for inhouse training, sourcing out or from other organisations outside the council to provide such accredited courses?</p> <p>A: All options are being considered.</p> <p>Q: Will the licensing service publish in writing/email to existing driver's explaining in plain simple English changes agreed by the policy committee avoiding jargon?</p> <p>A: Yes</p> <p>Q: Delay period should be allowed due to cost of living crisis for existing driver's only, until everything is in place and existing driver's are kept updated fully.</p> <p>A: The policy was agreed in the meeting on 28th September with an effective date of 1st November 2022.</p>	Cllr Joe Otten

Q: What consideration is given that this policy committee receives a detailed report prior to any implementation, and mindful of cost of living crisis that is affecting everyone and special effects on self employed?

A: Committee Members were given a detailed report on the proposed changes that were mainly driven by Statutory Guidance and stakeholders were permitted to provide information as part of the consultation process.

Q: What consideration was given to comments and feedback on knowledge test changes, and revising the knowledge Test inconsideration of deleting routes section only, and to help support keeping Sheffield residents applying for taxi badges and benefit locally to avoid and stop cross border working in Sheffield?

A: The knowledge test will be considered for a review when resources allow.
Cross-border working is not unlawful.

Q: Bring a report to this policy committee on knowledge Test.

A: Please clarify on what area of the knowledge test requires a report to the Waste and Street Scene Committee.

Q: What consideration will the council give to surcharge due to high increase in fuel prices increases for hackney carriage trade?

A: This was dealt with at the Waste and Street Scene Urgent Sub-Committee on 27/7/2022.

Q: Why is the licensing service not open and when is licensing service considering this option with timeline and framework?

A: This question is for the Hub.

Q: When will the licensing service publish its audited accounts, for licensees to examine in depth for licensing service as a whole and including taxi/ph section?

A: The Statement of Accounts are on the Sheffield City Council website for everyone to publicly view:
<https://www.sheffield.gov.uk/your-city-council/statement-accounts>

Financial information has also been provided to you:
- in Nov 2021 as part of FOI request ref. 2021-22-0928
- in June 2022 following questions submitted to the Waste & Street Scene Committee
- in Sep 2022 as part of FOI request ref. 2022-23-0580

Q: When will licensing service publish its comprehensive forward plan to bring in IT service and bring licensing service up to date with technology and portal so drivers can access long overdue service online?

A: When an appropriate supplier has been identified.

Q: When will licensing service bring to this policy committee re vehicle specification for hackney carriage and private hire vehicle specification policy review?

A: Spring 2023.

Q: Working with other authorities to stop cross border working can the licensing service publish its actions to date and future plans including enforcement.

A: Councillor Otten recently wrote to the DfT on this issue. The response suggested that the Government is aware of the issue and has carried out work on how to remedy it but has been unable to agree on how it might best be addressed. The Government has concluded that it would not, at this time, take forward out-of-area restrictions. It has however, committed to legislate national licensing standards, enhance licensing authority enforcement powers and create a national database for taxis and PHV's. Timescales were not provided for this; only when parliamentary time allows.

Q: To promote taxi trade in Sheffield can the licensing service publish its actions to date and future plans?

A: Please clarify this question

Q: What steps is the licensing service taking to assist, support and give incentives to local residents of Sheffield to take knowledge taxi tests in Sheffield instead, that will stop cross border working in Sheffield?

A: See answer above re: cross border working.

Q: Can the licensing service publish its taxi trade recognition / engagement policy to date?

A: This was sent to you via email on 23/2/2022

Q: Can the licensing service publish what support it has given the taxi trade within last 3years, financial years 19/20,20/21,21/22?

A: During the Covid-19 pandemic, the Licensing Service undertook to:

- Extend by 6-months the length of time that licensees could renew their licence
- Remove the requirement for intermediate vehicle tests
- Extend vehicle licenses where there was evidence-based reasoning.

The Service also worked closely with Public Health to provide PPE to licensees where possible. In addition, the Service sourced over 100,000 masks that licensees could obtain from the Transport Interchange and Meadowhall Interchange.

The Service provided financial support for licensees of private hire vehicles who installed a temporary protective screen, to the value of £80.

We also worked alongside Business Sheffield to provide licensees with grants of up to £1000.

Q: Can the licensing service publish its responses and actions to govt consultations eg DfT etc affecting taxi trade policy changes?

A: You requested this information in your FOI request ref. 2021-22-1408. Our response was "We do not hold a record of this. The consultation was carried out in 2019 by the Department for Transport and was by way of completing an online form. Our contact at the DfT has told us that responses were destroyed within 12 months of the consultation being completed.

Q: Within Sheffield city council what representation has the licensing service made to support the taxi trade and publish its actions as evidence in the last 3yrs?

A: See above

Q: When will the licensing service carry out unmet demand for hackney carriage trade if it is to retain any number's?

A: An unmet demand survey was completed in February 2017 and the Service retained the limit of 857. Numbers of licensed HC vehicles have fallen below that number since then. The DfT recommends that unmet demand surveys should be carried out when a licensing authority seeks to retain or implement a restriction on the number of licenses it grants, neither of which are currently relevant.

Q: Can the licensing service publish responses received from taxi trade organisations re consultation on hackney carriage driver's policy review and make public?

A: These were published in the report that was heard by the Waste and Street Scene Committee on 28th September 2022.

	<p>Q: What financial support did the licensing service receive from the govt in last 3yrs re covid-19 financial package and how it was spent proper breakdown would be appreciated?</p> <p>A: None.</p> <p>Q: When is the licensing service proposing to bring forward review of the fee's, and as previously reported 2 separate reports one for general licensing service and other for Taxi& Private Hire Section?</p> <p>A: Spring 2023.</p>	
<p>Sheffield Licensed Driver – Anonymous</p>	<p>Q: 1. what steps is the council taking in card machines as a licensing condition for all hackney carriage vehicles as a station driver i see customers being refused for this sole reason. This should be a vehicle license condition immediately in my opinion.</p> <p>2. The knowledge test needs to be separate for hackney carriage drivers and a separate one for private hire new applicants. The hackney carriage should be a-lot more in-depth as in Birmingham than currently in Sheffield. The bar should be higher for hackney carriage only in Sheffield.</p> <p>A: This is covered in the Vehicle Policy to go before Committee shortly.</p> <p>A public consultation has been carried out but the results have not been analysed due to work being carried out on other policies.</p> <p>Full engagement sessions will be carried out with stakeholders in the run up to the committee.</p>	<p>Cllr Joe Otten</p>
<p>Mazer Hussain</p>	<p>Q: Firstly, I would like to ask the board why are drivers being subjected to a policy we're they are being discriminated against we're SCC are trying to implement the double standard policy of being convicted of an offence of using a mobile phone device an having their Taxi license suspended and not being able to apply again for a number of years ! In any other profession if you're a ambulance driver a police man or even a fire man a lorry driver or even a councillor if one is convicted of this offence the sentencing guide lines are 6 penalty points on their driver's license and a monetary fine ! No we're does it give the powers to the courts to ban or revoke one's driver license or them loosing there livelihood !</p>	<p>Cllr Joe Otten</p>

	<p>So why do the council believe it's a fair policy for taxi drivers to be sentenced buy the courts for this particular offence and</p> <p>Then recive a second punishment for the same offence having there livelihood taken away an not being able to apply for a number of years ! It's quite clear this policy is one which is biased double standards an unacceptable and unjustified.</p> <p>A: This comment has been considered as part of the Driver policy review and appropriate amendments were made to the policy.</p>	
<p>James Martin – Transport 4 All Taxi sub- group</p>	<p>Dear Chair and party leads,</p> <p>I am writing to you a short statement I would appreciate the following being sent to all committee members for the Waste and Street Scene Policy Committee meeting on Wednesday 22nd June. If possible it would be helpful if you can also read out the following</p> <p>The taxi and private hire driver policy update is really important for the disabled people of the city. We have regularly heard from people over many years about issues many of which relate to driver understanding and or lack of response to needs. It is for this reason that we very much welcome the inclusion of training specific to the needs and experience of disabled people. However, we are surprised and concerned at the proposal to extend training deadlines for existing drivers from 12 months to 3 years! [See page 245 of the meeting pack Part 8.3 for the change of concern]</p> <p>For the group of disabled people who have input into consultation responses this is too slow! Safeguarding, and Disability and Equality training are closely coupled topics. The erroneous differentiates between these two aspects in the form of different requirements for training for existing drivers should be reverted to 12-months.</p> <p>To illustrate, disabled people sharing their experience in consultations identified drivers not taking short distance trips. Often short trips are vital either due to mobility difficulties making it risky or impossible to travel the distance, or more importantly for safety when more vulnerable at whether due to a visual or other impairment particularly at night is just as important. Difficulty or even failing to get access to Taxi or Private Hire service puts disabled people at greater risk than others where the principle of safeguarding is to reduce risk of harm. Training to ensure equal serving of passengers with and without additional needs is a vital feature of successful safeguarding with the goal of</p>	<p>Cllr Joe Otten</p>

avoiding or minimizing risk or harm. Further details to benchmark training against other transport sectors follow in Appendix A for elected members to consider.

We are also concerned that our input on ensuring that inappropriate grant of exemptions for assisting wheelchair users has not been embodied in the policy update. A 100% wheelchair accessible hackney fleet is currently (and should continue to be) mandated in Sheffield. Drivers who cannot deploy the ramp at a minimum render the vehicle no longer available to wheelchair users. Though temporary exemptions might be proportionate for short term infrequent issues or injuries, permanent exemptions in this case are wholly unacceptable. Bus drivers are not fit for duty if they are unable to operate the ramp and this should not be different in the taxi sector. A driver transferring to private hire enables drivers to retain their livelihood where an exemption is more appropriate and effective Private Hire Operator systems can ensure that appropriate work is booked such that their exemption does not prevent travel for wheelchair users or other passenger needs for elderly or disabled people. Again further details for comparison with other sectors follows in Appendix B for members who wish to see more evidence.

We hope that the period to adopt disability and equality training is reduced back to the original period identified in the consultation and that a response will be given to concerns around hackney drivers and exemption certificates.

Yours sincerely,

James Martin – on behalf of Transport 4 All Taxi sub-group

Appendix A – Background for quicker training requirement to be reinstated in alignment with the wider transport sector...

The training period for existing staff in the rail industry was set at 2 years by the Office of Rail and Road (ORR). This was done at the culmination of their review into the provision of passenger assistance for disabled people on the railway in which they determined better training was required, and that it should be refreshed every 2 years. The reason for change having taken broad evidence stated: “Where staff training is inadequate, this is likely to lead to direct disability discrimination, a failure to make a reasonable adjustment, and/or a failure to provide an auxiliary aid – especially if

inappropriate staff behaviour is systemic rather than resulting from an isolated incident. Poorly trained staff may also mean that the operator cannot deliver its services in an age-inclusive way, which may amount to discrimination against older people.” [See page 10 of <https://www.orr.gov.uk/sites/default/files/om/improving-assisted-travel-2018-consultation-annex-d-equality-impact-assessment.pdf>]

Disabled Sheffielders’ are experiencing discrimination already, from being refused as a wheelchair user at a taxi rank, to having much longer waits or no availability for a Wheelchair Accessible vehicle, to being charged extra (illegally) for carrying a wheelchair, assistance aid, or assistance dog, and sadly many more issues. The time for starting to redress these issue is now and it starts with proper training with a sense of urgency and return to the 12-month time frame.

The ORR continues by noting “Our proposals will improve the quality and consistency of training, and the frequency of refresher training. This is likely to reduce the discrimination experienced by older and disabled people...”

If a large industry such as rail can achieve this in 2 years, then Sheffield should also be more ambitious especially as the training content will be less than the mandatory modules that the rail industry specify. [Modules are listed in Appendix D here: <https://www.orr.gov.uk/sites/default/files/2021-03/September%202020%20ATP%20Guidance%20final.pdf>]

Appendix B – Wheelchair Assistance Exemptions

Wheelchair handling exemption certificates should only be accepted temporarily and infrequently for hackney carriage drivers or this removes the 100% wheelchair accessible nature of the fleet. I draw the committees attention to a comparable scenario in the bus industry where it had to be made clear that drivers were not fit for duty if they could not operate the ramp to board buses because it rendered a universally accessible to be inaccessible to some. [See requirements summarised here: <https://www.gov.uk/guidance/rights-of-disabled-passengers-on-transport#buses-and-coaches>]

Considering the Taxi drivers generally being self-employed are somewhat in a different position where a short-term exemption is proportionate – however, regular or permanent exemption results in undermining the 100% wheelchair accessible policy locally. Any

	<p>driver that is affected now or in the future can transfer to private hire and maintain their livelihood in a manner where work can be accepted/allocated appropriately. This approach is reasonable and accepted in the rail industry where if a medical condition prevents a driver from continuing, they will transfer them to other duties. We call on the committee to ensure that exemptions do not create a workaround for existing good accessibility policy and emphasise that such requirements are backed up equivalent scenarios in the wider transport industry. If this is not possible then we request that a formal written response is given by licensing officers or the committee as appropriate indicating the precise reason(s) that other transport industry rules are not replicated.</p> <p>A: The timeframe to undertake disability awareness training has been set to within 2 years from the time accredited organisations have been appointed.</p> <p>This timeframe is more realistic as there are almost 3,000 drivers.</p>	
Nasar Raouf	<p>Q: On behalf of GMB Yorkshire and Humberside S75 Branch we would like to make a presentation and comments to the meeting regarding the below agenda item.</p> <p>This is a summary of our comments below:</p> <p>Urgent Comments and Questions: GMB</p> <p>To whom it may concern,</p> <p>Following on from our GMB Branch officials meeting, we would like to confirm our GMB unions/members position on these proposals.</p> <p>This is with regards to the approval, officers are looking for the new DFT guidance, for which the Licensing Board will sit to decide these decisions on Wednesday 22nd June 2022.</p> <p>We agree with some of the amendments that have been made, However we still require further in depth discussions with some of the other amendments.</p> <p>This report (as You are aware), was only recently released to the public on the Wednesday 15th 2020. The deadline of 9am Monday 20th June 2022 is set for anyone to raise objections/questions or to make representation (with chairs permission). This is a 400 page report, which takes both time and effort to read an analyse the appendixes and amendments.</p>	Cllr Joe Otten

IE: PAGE-158, 'Fit and Proper Threshold'....

Albeit, we as GMB are asking the 'Policy' Committee to DEFER this meeting for the following reasons:-

- 1. We do not believe in the way this consultation took place, (it lacked real communication with the Trades).**
- 2. It's a 400page Report/Document, that one is expected to read an digest in a short period of time, makes it almost impossible for the average member of the public to take on aboard and then to make a submission on back of that.**
- 3. The council can show the proposals are both proportionate and diligent.**
- 4. Some of our members have shown us concern that they did not receive any form of communication RE: (this report), (hence the figure of 171 responses May reflect this).**
- 5. They aim not to discriminate against a trade that is majority BAME.**

To conclude we as GMB UNION are asking for the following:-

- 1. More time to read and digest the 400 page document.**
- 2. More in depth discussions with the GMB, people who will be first hand affected by these guidance changes.**

However we feel that if the Council refuses to listen to us as theGMB UNION the consequences maybe seen as that/will be:-

- 1. A divided trade.**
- 2. A council that doesn't listen to its drivers.**
- 3. A council that discriminates against its licensed drivers.**
- 4. A trade where more drivers will leave and have already left due to coost of buying new vehicles and maintenance**
- 5. Safeguarding and public getting taxes. As licencees will be lower demand will increase and less drivers will mean the public will not get taxis at the end of a night which we have already seen.**

How do you expect in 2 days for us to turn around and give you a response on a document and approve it We have not even gone through a quarter of the guidance until now late sunday evening

	<p>Please work with the trade and not against us.</p> <p>A: The formal Policy consultation opened 6th December 2021 ended 11 February 2022 (10 full weeks)</p> <p>A bulletin was sent via Gov Delivery to all licensed drivers on 6th December 2021 @ 10:00am</p> <ul style="list-style-type: none"> - 2572 recipients / 96.9% delivered / 69% opened - Hard copy letters were sent to those without an email address registered on our system <p>The bulletin provided a link to citizen space with a copy of draft policy document.</p> <p>We received 171 responses (136 of which were Sheffield Licensees) by email and via citizen space.</p> <p>During the consultation, a Taxi Roundtable meeting was held on 25th January 2022 (arranged by Cllr Fox) this issue was not raised there.</p> <p>This issue was not raised directly with the Licensing Service at any point during or after consultation until the meeting in June.</p> <p>A taxi trade meeting was held between Service and reps of the trade unions on 23rd February. Mr Raof did not attend but we were told Mr Irfan Khan was attending in his place. His colleague Bob McNeill also attended. This was not raised as an issue at that meeting despite discussing the next steps in the driver policy approval process.</p> <p>A further taxi trade meeting was held on 4th May 2022, again Mr Raof did not attend and again this issue was not raised.</p> <p>The decision of the Waste and Street Scene Committee at its meeting in June was to defer the decision to the September Committee and positive engagement was undertaken by officers with GMB in the meantime.</p>	
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