Licensing Committee

Tuesday, 8th October, 2019

PRESENT: Councillor B Garner in the Chair

Councillors N Buckley, R Downes, B Flynn, A Garthwaite, H Bithell, P Drinkwater, A Hutchison, P Latty, J Lennox, A Marshall-Katung and P Wray

Councillor Gerald Wilkinson

The Chair referred to the recent death of Councillor Gerald Wilkinson. In paying tribute the Chair said Gerald had been a long standing Member of the Licensing Committee for many years, he had been on the City Council for twenty years, serving on a variety of Committees including: Plans Panels and the Outer North East Community Committee which he had Chaired for a considerable time. He was well respected and his contributions and experience would be sadly missed.

46   Appeals Against Refusal of Inspection of Documents

There were no appeals against the refusal of inspection of documents.

47   Exempt Information - Possible Exclusion of the Press and Public

RESOLVED – That, in accordance with Regulation 4 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting during consideration of the following parts of the agenda designated as exempt from publication on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information so designated as follows:-

Agenda Item 10 – Policing and the Night Time Economy was designated as exempt under Access to Information Procedure Rules 10.4 (1) because it referred to information relating to an individual.

48   Late Items

There were no Late Items identified.

49   Declaration of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests made at the meeting.

50   Apologies for Absence

Apologies for absence were received for Councillors: C Knight and A Wenham.

51   Minutes of the Previous Meeting

RESOLVED – That the minutes of the previous meetings held on 3rd September 2019, were accepted as a true and correct record

52   Matters Arising from the Minutes

Taxi & Private Hire Licensing – Proposed Suitability Policy and Update on Policy Harmonisation with West Yorkshire & York Authorities (Minute No.43 referred) – The Chair reported that the letter to the Chair of the West Yorkshire Police and Crime Panel highlighting the delay in handling Police Disclosure requests from the City Council and seeking his support in bringing the matter to the attention of the Police and Crime Commissioner for West Yorkshire, had been sent.

53   The Victoria Gate Casino - Social Inclusion Funding and the New Northern Gambling Clinic

The Chief Officer, Elections and Regulatory submitted a report which provided an update on the Social Inclusion Fund provided by Victoria Gate Casino and information on the work being undertaken to improve awareness of, and support for problem and at risk gambling in Leeds.

The Chair introduced and welcomed: Joanna Rowlands, Financial Inclusion Manager, Communities & Environment and Dan Hall, NHS Northern Gambling Service who spoke in detail on the following issues:

- Social Inclusion Fund – Funding targeted at projects to improve financial inclusion, alleviate poverty and mitigate the harmful effects of gambling
- Gambling awareness – The funding of campaigns to raise awareness of available support services
- Gambling Support – The provision of accommodation to support / host the Northern Gambling Services and Leeds Community Gambling Service
- Healthy Holiday's Programme – Funding to deliver the Healthy Holiday Programme in 2019/20
- Food Poverty – Support to Fareshare, Yorkshire's food distribution centre network Leeds and the Leeds Aid Network
- Leeds Credit Union – Assisting in accessing affordable locally based financial services
- Problem Gambling Research – Funding to commission research into problem gambling in Leeds.
- Training and Awareness Sessions
- Improving the provision of support in the city – NHS Northern Gambling Service and the Leeds Community Gambling Services

In providing further details about the NHS Northern Gambling Service, Mr Hall explained the service was based in Leeds, but would also serve the whole of the north of England and would have satellite bases in Manchester and Newcastle. The idea was that wherever you live in the North of England, you would have access to

the same services and interventions as those who can easily access the main base in Leeds.

Members were informed the service would treat people with the most serious and complex needs in terms of problem Gambling. It was reported that the service would be clinically led by a Consultant Psychologist, with a team consisting of mental health nurses, a psychologist, a psychiatrist, and a carer's support worker. There would also be a research element within the service to evaluate the interventions and potentially develop future treatment models.

Referring to the community venues which would provide treatment throughout the city, Members suggested adding schools to the list of community venues.

In responding officers said, many young people had gambling issues but it was the people who were affected by the gambling associated issues who would receive the treatment and these people were not necessarily the gamblers.

With reference to referrals for assessment and the "every door is the right door" approach, the Chair asked if the Leeds Social Prescribing Service and pharmacies were aware they could make referrals.

Members were informed that anyone could make a referral but the individual concerned must be willing to engage.

Members queried how issues associated with problem gambling were measured/ monitored.

It was report that the City Council were working with Leeds Beckett University who were conducting a study into the prevalence of problem gambling in Leeds. The aim was to provide a baseline and guide funding of projects to prevent, and mitigate adverse effects of problem gambling.

Members queried if a levy could be put on Gaming Companies to tackle the issues of problem gambling.

It was report that the Victoria Gate Casino annually contributes to the Social Inclusion Fund (SIF), funding was also provided by the NHS

Referring to the Social Inclusion Fund, Members queried if funds could be targeted at a particular area.

Members were informed that it was possible to target funds at a particular area, schools in the most deprived areas of the city was put forward as an example.

The Chair thanked officers for their attendance and contribution.

RESOLVED –

    (i)   That the contents of the report be noted

(ii)   That an update on the Victoria Gate Casino be included in the Licensing Annual Report brought to Licensing Committee and full Council in March each year.

54   Taxi and Private Hire Licensing - Policy for Using Database of Refused and Revoked Taxi and Private Hire Drivers

The Chief Officer, Elections and Regulatory submitted a report which sought the approval of the Committee for a new policy for Taxi & Private Hire Licensing to use the National database.

The report explained that the Taxi and Private Hire Licensing service had finalised its arrangements for using the national database of refused and revoked drivers. The new register would allow licensing authorities to record details of where a hackney carriage or PHV drivers' licence had been refused or revoked, and allow licensing authorities to check new applicants against the register and help prevent people found to be not fit and proper in one area from securing a licence somewhere else through deception and non-disclosure, and adhere to UK GDPR regulations.

Members were informed that the database would only include basic information: name, date of birth, address and contact details, national insurance details, driving licence number, decision taken, date of decision and date decision effective. Any authority searching the database and finding these brief details may then decide to submit an information disclosure form to the original licensing authority.

Commenting on the proposal, Members queried if Licensing Officers ever used the services of a third party tracing company.

Members were informed that such companies were used to obtain witness information but not used for Licensing issues, and this would be considered for checking the current addresses of people whose licences were refused or revoked some considerable time ago.

Members asked if Enforcement Officers on patrol, would be able to access the NR3 database using a hand held device.

The Taxi and Private Hire Licensing Manager explained that currently access the NR3 database using a hand held device was not available to officers in Leeds, but contact would be made with the National Anti-Fraud Network to see if this was possible.

Members queried how further information could be obtained if there was insufficient detail on the national database and there was a suspicion around an individual.

Members were informed that a Declaration Request Form would be sent to the local authority who previously registered that driver, explaining there was a concern about an individual and could further information be provided.

The Chair queried if there would be problems or gaps in the system should drivers choose to appeal against their details being on the national database.

It was reported drivers not wishing their details to appear on the register could appeal to the council, and would have an opportunity to take their appeal to the Information Commissioner if the council refuses to uphold their appeal.

Members asked if other neighbouring local authorities were introducing similar policies to use the national database.

Members were informed that all neighbouring local authorities were looking to introduce access to the national database at the same time (November 2019 – January 2020)

Members queried if access to the database would be more time consuming for officers.

The Taxi and Private Hire Licensing Manager said that checking the national database as part of a number of background checks may be more time consuming, currently there would be no extra resource required, but this may need to be kept under review.

In drawing the discussion to a conclusion the Chair suggested that Members appeared to be supportive of the proposed new policy.

RESOLVED – To recommend to the Executive that the new policy for Taxi and Private Hire Licensing to use the national NR3 database be approved (with effect from 1st November 2019)

55   Policing and the Night Time Economy

The Committee received a report of the Chief Officer, Elections and Regulatory regarding policing and the night time economy.

Members received a presentation from Sergeant Cath Arkle, West Yorkshire Police, who spoke about Policing and the night time economy.

A summary of the issues/ incidents involving licensed premises principally in the City Centre was presented.

(Due to the confidential nature of the information being presented, this part of the meeting was held in closed session)

The Chair thanked Sergeant Arkle for her attendance and presentation commenting that the session had been informative and interesting.

RESOLVED – That the report and presentation from West Yorkshire Police be noted.

56   Licensing Committee Work Programme

Following discussion at today's meeting, the subsequent items be added to the Committee's Work Programme:

- Taxi & Private Hire Licensing – Update on Policy Harmonisation Project including shared Priorities with West Yorkshire & York Authorities (November 2019)`

- Taxi & Private Hire Licensing – Cross Border Working and Local Authority Activity (November 2019)

- Debrief Report following Leeds Festival 2019 (December 2019)

RESOLVED – That with the inclusion of the above, the Licensing Committee Work Programme be approved.

57   Date and Time of Next Meeting

RESOLVED – To note that the next meeting will take place on Tuesday, 5th November 2019 at 10.00am in the Civic Hall, Leeds.