

Licensing Committee

Tuesday, 3rd March, 2020

PRESENT: Councillor B Garner in the Chair

Councillors N Buckley, R Downes, B Flynn,
A Garthwaite, H Bithell, P Drinkwater,
C Knight, J Lennox, A Marshall-Katung,
A Wenham, P Wray and L Richards

93 Appeals Against Refusal of Inspection of Documents

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

94 Exempt Information - Possible Exclusion of the Press and Public

There were no items identified where it was considered necessary to exclude the press or public from the meeting due to the confidential nature of the business to be considered.

95 Late Items

Although there were no late items identified, the Chair did accept the inclusion of a revised report. Members were informed that the report "Licensing Annual Report 2019" had been amended to provide the latest available information on the City's Clean Air Zone which comes into effect later in 2020. (Minute No. 100 referred)

96 Declaration of Disclosable Pecuniary Interests

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

97 Apologies for Absence

Apologies for absence were received from Councillors: A Hutchison and P Latty.

98 Minutes of the Previous Meeting

Members considered the Minutes of the previous meeting held on 28th January 2020.

Referring to Minute No. 90, Members requested a minor change; removing the words Purple Ambassador and replacing with Evening Ambassador

RESOLVED – That, with the inclusion of the above, the Minutes of the previous meeting held on 28th January 2020, were accepted as a true and correct record.

99 Matter Arising from the Minutes

Leeds City Council Suitability and Convictions Policy – Additional Report (Minute No.88 referred) – With reference to resolution (ii) and the establishment of a Working Group to give further consideration to: Driver Suitability/ Cross Border Working/ Smartphone Apps, Members queried if any progress had been made in securing a date for the first meeting of the Working Group.

The Taxi and Private Hire Licensing Manager reported that all necessary stakeholders had been identified and it was envisaged the first meeting would take place in late March/ early April 2020.

100 Licensing Annual Report 2019

The Chief Officer, Elections and Regulatory presented the Licensing Annual Report for 2019.

The Principal Licensing Officer, Entertainment Licensing together with the Taxi and Private Hire Licensing Manager presented the report.

The report covered the 2019 calendar year for both Entertainment and Taxi & Private Hire Licensing. Issues highlighted from the report included the following:

Entertainment Licensing

- Evening and the Night Time Economy
- Licensing Act 2003
- Strategy and Policy
- Proactive Work
- Reactive Work
- Reviews of Licences
- Application Statistics
- Gambling Statistics
- Sex Establishments
- Outdoor Events

Taxi and Private Hire Licensing

- Safety of the Travelling Public
- Compulsory Safeguarding Training
- DBS checks
- New Suitability and Convictions Policy
- All Vehicles meet MOT Standards
- Enforcement Activity
- Partnership Working
- Plying for Hire Operations
- CCTV in Vehicles
- Clean Air Zone Implications
- Licensing Statistics

Entertainment Licensing issues/ queries

Draft minutes to be approved at the meeting
to be held on Date Not Specified

Members noted there had been a substantial increase in the number of complaints, particularly in respect of breaches of condition and noise and queried if the noise nuisance was commercial or residential and was it confined to a particular area or spread out across the city.

Members were informed that such data was not readily available and the information would be circulated to Members

Members made reference to the Late Night Levy and queried when the proposed changes to the levy were likely to be implemented.

Members were informed that the changes were expected to be implemented in April 2019, however, this was deferred to allow for further consultation, October 2020 was now the suggested timescale for implementation of the changes.

Members referred to the Northern Gambling Clinic and asked if there was any performance data available.

The Principal Licensing Officer said that 19 referrals had made to the clinic in the first three months of operation. Further information would be made available to the Problem Gambling Working Group and subsequently shared with this Committee in due course.

Members asked if there were any complaints received from staff who were employed in sex establishments particularly around: drug issues, prostitution or breaches to the terms of their working conditions.

The Principal Licensing Officer said that the City Council received very few complaints from employees working in sex establishments, there was also no intelligence from other sources.

The Chair asked about LCC guidance in staging large events in view of the recent Corona Virus outbreak.

The Principal Licensing Officer said that Government guidance was awaited via the Safety Advisory Group.

Referring to Temporary Event Notices in residential areas, Members queried the level of complaints received by the Environmental Protection Team.

The Principal Licensing Officer suggested some private house parties attracted complaints but action was difficult unless the premises had previous history of noise/nuisance.

Taxi and Private Hire Licensing issues/queries:

Referring to the suspension of a licence, Members noted that during the past 3 years the number of licenses suspended had seen a significant increase.

In responding the Taxi and Private Hire Licensing Manager said licenses could be suspended for a variety of reasons, dependent upon category e.g. motoring offences, accumulation of points on a licence and drivers failing to obtain a group 2 medical.

Members queried the number of drivers who had either failed their group 2 medical (%) and those who had forgotten to seek renewal.

Members were informed that approximately 66-75% had forgotten or failed to renew, despite reminders from the Taxi and Private Hire Licensing team, the remainder had either developed new medical conditions or were choosing not to renew.

It was suggested by Members and acknowledged by officers that improved methods of communication alerting drivers to expiry dates and possible wait times for an appointment for a group 2 medical from their GP was desirable.

Referring to complaints received, Members noted that driver conduct complaints had substantially increased in the past 3 years and queried the reasons behind this.

In responding the Taxi and Private Hire Licensing Manager said the figure of 354 complaints accounted for the majority of complaints about drivers, but, together with 154 complaints about driving standard, the actual number was in excess of 500 complaints. It was the view of officers that the travelling public were now more aware and willing to complain, but did indicate the concern from the public about both driver behaviour and standard of driving.

Referring to parking nuisance complaints, Members asked if there was any guidance issued to drivers informing them that vehicles should not park-up with the engine running "idling".

Members were informed that idling was not an enforceable offence so no formal action could be taken, however, this may change if legislation is introduced which makes it an offence to idle in a clean air zone. Government guidance is awaited.

Referring to the mandatory driver training, Members queried if issues such as: sexual violence and partner abuse were included as part of the safeguarding training.

Members were informed that sexual violence, partner abuse together with child exploitation were all including within the safeguarding training. The underlying message to drivers was "if you see something wrong, report it".

Referring to the Clean Air Zone (CAZ) Members sought further details about the take-up of loans and grants for the purchase of low emission and low pollution vehicles.

Members were informed that in excess of 300 drivers had applied and received loan/ grant funding. It was reported that a Clean Air Zone report could be shared with Committee later in 2020.

Members queried if the Taxi and Private Hire Licensing Section would be involved in discussions with LCC highways about access to electric vehicle charging points.

Members were informed that the wider issue on charge points would be included within the Clean Air Zone report

The Chair thanked officers for their attendance and contributions

RESOLVED – That the Annual Report 2019 be noted.

101 Licensing Committee Work Programme

Members considered the ongoing Work Programme for 2020.

RESOLVED – That the Licensing Committee Work Programme be approved

102 Date and Time of Next Meeting

RESOLVED - That the next meeting of the Committee be arranged for Tuesday, 7th April 2020 at 10.00am in the Civic Hall, Leeds.