

LICENSING AND REGULATORY PANEL

TUESDAY, 23RD MARCH, 2010

PRESENT: Councillor R D Feldman in the Chair

Councillors J Dunn, B Selby, G Wilkinson
and D Wilson

IN ATTENDANCE –

Mr J Mulcahy – LCC, Head of Licensing and Registration
Ms P Carville – LCC, Principal Licensing Officer
Mr M Nelson – LCC Licensing Officer
Miss L Eccles – Halcrow Group Limited
Mr M Johnson – LCC Taxi and Private Hire Section
Mr K Darch – LCC Traffic Management, Highways Services
Sgt M Mynard – West Yorkshire Police

Mr D Littlewood – Access Committee for Leeds
Mr T McSharry – Access Committee for Leeds
Mr A Pennock – Amber Cars (Private Hire trade)
Mr P Landau – Unite (Hackney Carriage trade)
Mr M Utting – Streamline/Telecabs (Hackney Carriage trade)
Mr G Nabi – Eurocabs (Hackney Carriage trade)

Several representatives of both the Hackney Carriage and Private Hire trades also attended the meeting to observe

32 **Declarations of Interest**

Councillor Wilson – agenda item 7 Application for Performance of Hypnotism - declared a personal interest as the proposed performance was due to take place during an event organised by East Leeds Lions Motorcycle Club. Councillor Wilson was a member of the Lions, although not a member of the Lions group organising the event. (minute 35 refers)

33 **Apologies for Absence**

Apologies for absence were received from Councillors Armitage, Dobson, Morgan and Townsley

34 **Minutes**

Members noted the volume of minutes presented for approval due to the number of additional and special meetings held since the last formal Panel meeting

RESOLVED –That the minutes of the following meetings be agreed as a correct record

- a) 7th July 2009
- b) 4th August 2009
- c) 8th September 2009
- d) 26th October 2009
- e) 1st December 2009

- f) 25th January 2010
- g) 22nd February 2010

35 Application for Performance of Hypnotism - Steve Marshall, East Leeds Lions Motorcycle Club Event, Breary Grange Farm, Eccup, Leeds 16

The Assistant Chief Executive (Corporate Governance) submitted a report setting out details of a request for a performance of hypnotism by Mr S Marshall. The performance was scheduled to take place on 4th April 2010 during the East Leeds Lions Motorcycle Club Event at Breary Grange Farm, Eccup, Leeds 16.

Application had been made under the Hypnotism Act 1952 which empowered the local authority to grant a licence for the exhibition, demonstration or performance of hypnotism. The report included a copy of the application form, schedule of the proposed show content and necessary risk assessment. It was noted that Mr Marshall had performed as a stage hypnotist for 15 years and had presented a performance of hypnotism at last years Lions event.

A copy of a document from Royal & Sun Alliance Insurance PLC confirming that Mr Marshall held current Public Liability insurance was included as an Appendix to the report. Proposed conditions which could be attached to any permission were contained within Appendix 4 of the report.

RESOLVED – That permission be granted for the performance of hypnotism, as proposed by Mr Marshall, subject to the conditions specified within Appendix 4 of the submitted report.

36 Unmet Demand Survey for Provision of Hackney Carriage Proprietor Licences

The Panel considered the report of the Assistant Chief Executive (Corporate Governance) on the outcome of the Unmet Demand Survey undertaken in respect of the number of Hackney Carriage Proprietor licences in Leeds.

The Survey stemmed from the report of Office of Fair Trading on the regulation of licensed Hackney Carriage (HC) and Private Hire (PH) vehicle services. Each local authority was asked to review its policy in respect of the setting of limits for the number of HC proprietor licences. Leeds undertook that review through the Scrutiny Board (Central and Corporate Functions) which conducted the first Survey and issued a report on the findings to the Executive Board in March 2005.

This second survey was conducted throughout 2008 by the Halcrow Group Ltd acting as independent consultants to the Council. Approximately 7000 questionnaires had been despatched to licensed HC and PH drivers and operators as part of the consultation process. 522 completed forms were returned.

A copy of the full report by Halcrow was included and Miss L Eccles attended the meeting to present the report. Miss Eccles outlined the methodology of the consultation undertaken during the Survey, the key results and conclusions.

The Panel noted the Survey had concluded there was no evidence of significant unmet demand for HC in Leeds.

Members then discussed the following matters:

- the anecdotal comment that release of further HC plates would have an adverse impact on existing drivers
- impact on the HC trade of the loss of the Leeds Bradford International Airport contract to a PH provider
- the comment that some members of the disabled community felt that their needs were not being met by the existing fleets. It was reported that 274 of the 537 HC fleet were wheelchair accessible compared to 40 of the 4190 PH fleet.
- noted the perception of waiting times for vehicles to attend a request
- fare prices compared to other core cities and whether this would suppress demand

The Panel invited then comments from interested parties and representatives of the trade and the following matters were noted:

- desire of representatives of the Access Committee for Leeds to retain vehicle diversity within the HC fleet
- ongoing consultation by the Access Committee for Leeds with user groups to quantify the transport needs of disabled and older persons
- comment that the majority of the HC fleet remained based within the city centre, not the suburbs
- anecdotal evidence that some customers with mobility difficulties preferred a saloon vehicle and some customers would wait longer than others for a preferred vehicle type, or trusted driver

Sgt Mynard of West Yorkshire Police briefly commented on the figures quoted in Halcrows' findings regarding the number of drivers who felt unsafe in the city centre at night. Mr K Darch highlighted the recent works undertaken by LCC to introduce new and/or realigned ranks within the city and the approaches being made to Central Government for agreement to utilise bus stops as late night HC ranks once bus services cease.

The Panel recalled their previous discussions on city centre rank provision and concerns about transport and the night time economy. Members emphasised the need to continually monitor the usefulness of ranks and to pursue the possibility of using bus stops and bus corridors for the HC trade.

Members then considered each of the recommendations set out in the report and

RESOLVED –

- a) To agree with the conclusions of the report that there is no significant unmet demand within the Leeds area and
- b) To continue with the Council's current policy to limit the number of Hackney Carriage Proprietor Licences to 537.
- c) To determine that the next Unmet Demand Survey be completed no less than 3 years from the date of this meeting (i.e. By March 2013), as per current best practice guidelines

- d) To request that officers review the proportion of wheelchair accessible vehicles within both fleets, in consultation with the trade and other interested groups, with a view to seeking diversity of vehicle types which will ensure suitable provision for all service users, with particular regard to the elderly and disabled passengers. Panel noted this process would take a minimum of 12 months before officers could return with any proposals
- e) To thank Miss Eccles for her presentation

37 Date and time of Next Meeting

RESOLVED –To note the date and time of the next meeting as Tuesday 4th May 2010 at 10.00 am