

## LICENSING COMMITTEE

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MEETING TO BE HELD IN CIVIC HALL, LEEDS ON  
TUESDAY, 10TH JUNE, 2014 AT 10.00 AM

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### MEMBERSHIP

#### Councillors

K Bruce	Rothwell;
N Buckley	Alwoodley;
R Charlwood (Chair)	Moortown;
R Downes	Otley and Yeadon;
J Dunn	Ardsley and Robin Hood;
B Gettings	Morley North;
T Hanley	Bramley and Stanningley;
M Harland	Kippax and Methley;
G Hussain	Roundhay;
G Hyde	Killingbeck and Seacroft;
A Khan	Burmantofts and Richmond Hill;
P Latty	Guiseley and Rawdon;
B Selby	Killingbeck and Seacroft;
C Townsley	Horsforth;
G Wilkinson	Wetherby;

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**Agenda compiled by:**  
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# A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></p> <p>To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	
2			<p><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</b></p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p><b>RESOLVED –</b> That the press and public be excluded from the meeting during consideration of those parts of the agenda designated as containing exempt information 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 press and public were present there would be disclosure to them of exempt information</p>	

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3			<p><b>LATE ITEMS</b></p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p><b>DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS</b></p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13 -16 of the Members' Code of Conduct.</p>	
5			<p><b>APOLOGIES FOR ABSENCE</b></p>	
6			<p><b>MINUTES OF THE PREVIOUS MEETING</b></p> <p>To approve the minutes of the last meeting held on 8<sup>th</sup> April 2014</p> <p>(Copy attached)</p>	1 - 8
7			<p><b>LICENSING COMMITTEE - ANNUAL GOVERNANCE ARRANGEMENTS</b></p> <p>To consider the report of the City Solicitor seeking to establish the governance arrangements for the Licensing Committee for the 2014/15 Municipal Year; specifically dealing with the Terms of Reference for the Committee and its Sub-Committees, the Membership of the Sub Committees and the officer delegation scheme</p> <p>(Report attached)</p>	9 - 26

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8			<p><b>LICENSING PROCEDURE RULES, THE CODE OF PRACTICE FOR DETERMINING LICENSING MATTERS AND PRESCRIBED LICENSING TRAINING</b></p> <p>To consider the report of the City Solicitor seeking Members approval of the draft Licensing Procedure Rules intended to govern hearings and other meetings of the Licensing Committee and its' sub committees, along with the Code of Practice for the Determination of Licensing Matters as approved by the Standards Committee. The report also includes proposals for a prescribed training programme</p> <p>(Report attached)</p>	27 - 48
9			<p><b>REVIEW OF PRIVATE HIRE OPERATOR (PHO) CONDITIONS - DRAFT POLICY AND CONDITIONS PROPOSALS FOLLOWING CONSULTATION</b></p> <p>To consider a report by the Head of Licensing and Registration which provides a review of the PHO conditions and submit proportionate proposals to contribute and to uplift the service standards and compliance across the operator licensing base and meet arising public safety challenges.</p> <p>(Report attached)</p>	49 - 74

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10			<p><b>CONVICTIONS CRITERIA - HACKNEY CARRIAGE (HCD) AND PRIVATE HIRE DRIVERS (PHD), PRIVATE HIRE OPERATORS (PHO) AND HACKNEY CARRIAGE PROPRIETORS (HC) - DRAFT POLICY AND CONDITIONS PROPOSALS FOLLOWING CONSULTATION.</b></p> <p>To consider a report by the Head of Licensing and Registration which identifies the current relevant legislation and the public safety benefits in having a clear and defensible policy that meets the statutory obligation for protecting the public and which sets out clear public information and a decision making criteria and process for Members, Officers and the Courts.</p> <p>(Report attached)</p>	75 - 128
11			<p><b>HACKNEY CARRIAGE PROPRIETORS (HCP) - APPROPRIATE SUITABILITY ASSESSMENT.</b></p> <p>To consider a report by the Head of Licensing and Registration which informs Members of the legislation applicable to Hackney Carriage Proprietors, the existing policy of the Licensing Committee, legal advice and the recommendation of the Licensing Committee Working Group?</p> <p>(Report attached)</p>	129 - 144

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12			<p><b>3 YEAR DRIVER LICENCES FOR PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS.</b></p> <p>To consider a report by the Head of Licensing and Registration which informs Members of the consultation undertaken with the Private Hire and Hackney Carriage Trade in order they may further consider their previous 'in principle' approval in light of consultation feedback.</p> <p>(Report attached)</p>	145 - 152
13			<p><b>DE-REGULATION BILL 2013</b></p> <p>To consider a report by the Head of Licensing and Registration which informs Members of the issues to enable them to consider what actions they may consider appropriate in order to voice their concerns about the De-Regulation Bill 2013.</p> <p>(Report attached)</p>	153 - 164
14			<p><b>LICENSING COMMITTEE WORK PROGRAMME 2014</b></p> <p>To note the contents of the Licensing Work Programme for 2014</p> <p>(Report attached)</p>	165 - 170
15			<p><b>DATE AND TIME OF NEXT MEETING</b></p> <p>To note that the next Meeting will take place on Tuesday 8<sup>th</sup> July 2014 at 10.00am in the Civic Hall, Leeds.</p>	

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			<p><b>Third Party Recording</b></p> <p>Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.</p> <p>Use of Recordings by Third Parties– code of practice</p> <p>a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.</p> <p>b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.</p>	
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a)				
b)				