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## LICENSING COMMITTEE

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MEETING TO BE HELD IN CIVIC HALL, LEEDS, LS1 1UR ON  
WEDNESDAY, 5TH OCTOBER, 2016 AT 10.00 AM

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### MEMBERSHIP

N Buckley	Alwoodley;
M Coulson	Pudsey;
R Downes	Otley and Yeadon;
J Dunn	Ardsley and Robin Hood;
S Field	Garforth and Swillington;
B Flynn	Adel and Wharfedale;
B Gettings	Morley North;
M Harland	Kippax and Methley;
J Heselwood	Bramley and Stanningley;
G Hussain	Roundhay;
G Hyde	Killingbeck and Seacroft;
A Khan	Burmantofts and Richmond Hill;
B Selby (Chair)	Killingbeck and Seacroft;
C Townsley	Horsforth;
G Wilkinson	Wetherby;

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**Agenda compiled by:**  
**Tel No:**  
**Governance Services**  
**Civic Hall**  
**LEEDS LS1 1UR**

**John Grieve**  
**224 3836**

# 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>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
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 6<sup>th</sup> September 2016.</p> <p>(Copy attached)</p>	1 - 6
7			<p><b>MATTERS ARISING FROM THE MINUTES</b></p> <p>To consider any matters arising from the minutes.</p>	
8			<p><b>TAXI &amp; PRIVATE HIRE LICENSING SERVICE IMPROVEMENTS OVERVIEW</b></p> <p>To consider a report by the Head of Elections, Licensing and Registration which provides an overview of the developments to the Taxi and Private Hire service over the past 12 months and the service improvements currently underway.</p> <p>(Report attached)</p>	7 - 14

Item No	Ward/Equal Opportunities	Item Not Open		Page No
9			<p><b>HACKNEY CARRIAGE VEHICLE CONDITIONS - SIGNS AND MARKINGS - UPDATE REPORT FOLLOWING CONSULTATION.</b></p> <p>To consider a report by the Head of Elections, Licensing and Registration which proposes change to existing policy in respect of the age in which vehicles can continue to apply for a 'corporate wrap'.</p> <p>A second proposed change is in respect of the rear Council licence plate and also to bring that LCC plate into line with the much more modern and more visible licence plate already approved to be on LCC Private Hire vehicles.</p> <p>(Report attached)</p>	15 - 26
10			<p><b>LICENSING COMMITTEE WORK PROGRAMME 2016/17</b></p> <p>To note the contents of the Licensing Committee Work Programme 2016/17.</p> <p>(Report attached)</p>	27 - 32
11			<p><b>DATE AND TIME OF NEXT MEETING</b></p> <p>To note that the next meeting will take place on Tuesday 1<sup>st</sup> November 2016 at 10.00am in the Civic Hall, Leeds.</p>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
			<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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## Licensing Committee

Tuesday, 6th September, 2016

**PRESENT:** Councillor B Selby in the Chair

Councillors N Buckley, M Coulson,  
R Downes, J Dunn, S Field, B Flynn,  
M Harland, J Heselwood, G Hussain,  
G Hyde, A Khan, C Townsley and  
G Wilkinson

### **44 Chair's Opening Remarks**

The Chair welcomed everyone to the September meeting of the Licensing Committee, in particular Councillor Julie Heselwood who was attending her first meeting of the Committee.

### **45 Appeals Against Refusal of Inspection of Documents**

There were no appeals against refusal of inspection of documents.

### **46 Exempt Information - Possible Exclusion of the Press and Public**

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 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:-

Policing and the Night Time Economy – The report (verbal presentation) was deemed exempt from publication in accordance with Access to Information Rule 10.4 (3) as it included information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime. In those circumstances, the public interest in maintaining the exemption outweighed the public interest in disclosing the information. (Minute No. 52 refers)

### **47 Late Items**

Although there were no formal late items of business, the Committee did accept the inclusion of additional representation in respect of Hackney Carriage "Approved Vehicles" list - Inclusion of Estate Vehicles as supplementary information and this was circulated at the commencement of the meeting (Minute No.57 refers)

### **48 Declaration of Disclosable Pecuniary Interests**

No declarations of disclosable pecuniary interests were made.

Draft minutes to be approved at the meeting  
to be held on Wednesday, 5th October, 2016

#### **49 Apologies for Absence**

Apologies for absence were received from Councillor B Gettings.

#### **50 Minutes of the Previous Meeting**

**RESOLVED** – That the minutes of the previous meeting held 2<sup>nd</sup> August 2016 were accepted as a true and correct record.

#### **51 Matters Arising from the Minutes**

There were no issues raised under matters arising.

#### **52 Closed Session**

At this point in the meeting, noting that the following item on the agenda would include consideration of exempt information, the Committee

**RESOLVED** – To enter into closed session

#### **53 Policing and the Night time Economy**

Members received a Presentation from Sergeant Dave Shaw, West Yorkshire Police, who spoke about Policing and the night time economy.

A summary of the issues/ incidents involving licensed premises principally in 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 Shaw for his attendance and presentation commenting that the session had been informative and interesting.

On a final note Sergeant Shaw took the opportunity to thank Members for their support in making some robust decisions in respect of licensed premises applications at recent meetings of Licensing Sub Committee

**RESOLVED** –

- (i) That the contents of the presentation be noted
- (ii) That a further presentation on policing and the night time economy be scheduled for March 2017.

#### **54 Open Session**

The meeting returned to open session



## **55 Join Police Officers on a Night time patrol of the City Centre**

The Chair provided an update on the opportunity for Members of the Licensing Committee to join Police officers on a night time patrol of the City Centre (10.00pm – 4.00am). It was reported that a number of Members had already taken part in the patrols with a further 4 Members participating in September.

The Chair said further dates were available on 17<sup>th</sup> September and 1<sup>st</sup> October, any Member wishing to attend should contact either the Clerk or Officers in Entertainment Licensing

**RESOLVED** – That the update be noted

## **56 Licensing Committee Work Programme 2016/17**

Members considered the contents of the Licensing Committee Work Programme for 2016/17. It was noted that in view of the decisions made earlier, the following items would be added to the Work Programme:

- Policing and the Night Time Economy (March 2017)

**RESOLVED** – That with the inclusion of the above, to approve the contents of the Licensing Committee Work Programme for 2016/17

## **57 Date and Time of Next Meeting**

**RESOLVED** – To note that the next meeting will take place on Wednesday, 5<sup>th</sup> October 2016 at 10.00am in the Civic Hall, Leeds.

## **58 Hackney Carriage 'Approved vehicles' List - Inclusion of Estate Vehicles - Information Report**

The Head of Elections, Licensing and Registration submitted a report which set of the legislative background, the policy and procedures under which Hackney Carriages are approved and licensed by officers and the Trade debate around whether or not Estate vehicles should be licensed as Hackney Carriages.

With the agreement of the Committee, representations from the Branch Chair, Unite Cab Sector, was accepted as supplementary information.

The Section Head, Taxi and Private Hire Licensing presented the report and responded to Members' questions and queries.

Detailed discussion ensued on the contents of the report which included:

- The submission of an application by the Joint Trades Council to consider estates vehicles being placed on the "approved list" of vehicles to be licensed
- The receipt of an objection from one part of the trade which suggested the additional length of estate vehicles effected the available rank space

- Adding vehicles to the “approved list” was a decision that could be taken by Officers under Delegated Powers
- Applying a blanket policy refusing to license estate vehicles would require substantial grounds and may be the subject of a legal challenge.

Members noted the objection from the Branch Chair, Unite Cab Sector

Commenting on the possible loss of rank space Members took the view that this would be probably minimal.

Referring to possible advantages Members said the inclusion of estate vehicles on the “approved list” would allow Hackney Carriage drivers to select from a wider range of vehicles and increase the service they could provide.

Members accepted that it was the majority of the Hackney Carriage Proprietors who supported the proposal to include estate vehicles on the “approved list”

**RESOLVED** – To support the inclusion of estate vehicles on the Hackney Carriage “approved vehicle list”

## **59 Leeds Purple Flag Accreditation**

The Head of City Centre Management submitted a report which provided an update on the development of the Purple Flag Accreditation since March 2016.

The City Centre Manager, City Development presented the report and highlighted the following areas:

- Background to the Purple Flag Accreditation
- Advantages of having Purple Flag Accreditation
- The process in detail and the core themes
- Purple Flag Partners
- The Work Plan/ Timeline for the assessment

In the discussion that ensued Members raised the issue of Public Transport, in particular Bus Services and asked if there were any plans to provide a better service after 6.00pm.

In responding the City Centre Manager said late night public transport was a challenge and was one of the Core Themes of the assessment. The City was already well served by taxis but a frequent late night bus service was also required. It was reported that discussions had taken place with West Yorkshire regional transport authority with the outcome that four late night bus routes would be trailed throughout the city and use of the service would be monitored.

The Chair thanked the City Centre Manager for his attendance and the update on the Purple Flag Accreditation

## **RESOLVED -**

- (i) To note the update on the progress being made towards achieving Purple Flag for Leeds;
- (ii) To welcome the continued partnership working and engagement with Leeds BID and other stakeholders examining the issues that affect how the night time economy operates, with a view to improving the offer;
- (iii) To support the approach being taken by the City Council and the BID, as well as key partners who are determined to attain the national accreditation for Leeds.

## **60 Update on the Leeds Bid**

The Committee received an update on the Leeds BID from Andrew Cooper, Chief Executive, Leeds Business Improvement District.

The Chief Executive said the BID was focused on delivering a business plan over the next 5 years that would bring increased investment and profile to the City of Leeds.

It was reported that the BID had three key aims; to raise standards, raise awareness and add value by doing more things better for the benefit of all the businesses in the BID area, including: retail, hospitality, commercial and corporate, arts and culture, leisure, and public sector including the local authority and the NHS trust.

Recent initiatives included:

- An Ambassador Team, the largest in the UK, welcoming up to 2000 people to the City Centre each week
- The Street Rangers Team carrying out an enhanced cleansing service to improve the city centre's physical welcome

Members asked if there was an intention to attract International Multi Cultural events to the City.

In responding the Chief Executive said the BID had already helped bring major projects such as the 2015 MOBO Awards to the city which was helping to enhance the city's reputation as a great place to do business and hold key note events.

The Chair thanked Mr Cooper for his attendance and presentation commenting that the initiative was welcomed

**RESOLVED** – That progress on the Leeds BID be noted

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Report author: Des Broster /  
Kate Coldwell  
Tel: 3781563

**Report of** Head of Elections, Licensing and Registration

**Report to** Licensing Committee

**Date:** 5 October 2016

**Subject:** Information Report: Taxi & Private Hire Licensing Service  
Improvements Overview

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

## Summary of main issues

- 1 This report is intended to give an overview of the developments to the Taxi and Private Hire service over the past 12 months and the service improvements currently underway.

## Recommendations

2. That Members note the information in this report.

## **1 Purpose of this report**

- 1.1 To brief members on the work the service has undertaken in the last 12 months and the improvements being worked upon moving forward.

## **2 Background information**

- 2.1 The role of the Taxi and Private Hire Licensing service has always been recognised as an important Council function in ensuring that the travelling public are safe with professional drivers who have attained good standards, safe vehicles and a dedicated enforcement team.
- 2.2 In recent years, the spotlight on licensing functions nationally has attracted much media attention and the deficiencies in procedures across the country which led to the shocking effects on a large number of children's lives have been identified.
- 2.3 The Leeds City Council Executive Board immediately commenced an even stronger overview of its taxi and private hire licensing functions and Officers were subject to scrutiny and accountability to the Cross-Council Safeguarding Group, the Licensing Committee, Central and Corporate Scrutiny Boards and annually to the Executive Board.
- 2.4 New policies have been introduced, including a strengthened Convictions Criteria policy and the introduction of a safeguarding training requirement has been placed on all drivers. The annual on-line DBS procedure has meant processing around 6,000 individuals into the new system over a 12 month cycle.
- 2.5 Additionally, new applicant numbers have increased and the issue around managing footfall into the office and other contact has put enormous strain on the staff and resource capability.
- 2.6 The service also completed a near total restructure of the enforcement team; moving forward to offer a greater night time enforcement capability and, with the introduction of a new rota, working later into the night and more nights of the week to meet the challenges of the De-Regulation Act.
- 2.7 Running parallel to those recruitment issues was the appointment of further licensing staff, along with additional responsibilities to undertake more decisions within the licensing service and the recruitment of five temporary staff to completely manage the introduction of the annual DBS requirement.
- 2.8 So much attention is placed on carrying out the 'here and now' duties by the staff within the service that opportunities for developing the service can often be overtaken by the need to protect the Council and public. However, the opportunity to concentrate on service improvements and efficiencies is now receiving the attention it deserves.

## **3 Main issues**

- 3.1 Throughout 2016 the service has worked closely with the Customer Access team to improve and re-engineer how we respond to contact with our client base. This has led to a number of initiatives being undertaken.

## **3.2 Digitising the service**

- 3.2.1 The service has engaged with ICT with a view to digitise the service as much as possible and therefore moving away from the heavily based paper based service and administration processes and utilising online forms, online payment options and ultimately online applications and renewals.
- 3.2.2 All of the services current paper files, in excess of 10,000, will be scanned onto the licensing system once resources are available. Not only will this free up much needed space in the licensing office, it will save time and costs across the service.
- 3.2.3 The facility to book and pay immediately for appointments online is being explored.
- 3.2.4 All documentation being visible via the licensing system will also pave the way to moving our generic email and telephone enquiries into the contact centre and utilise the Customer Hubs to enable licensing staff to have quality time with clients and also enable greater scrutiny of applications.

## **3.3 Webpage Review**

- 3.3.1 A comprehensive review of the information held on the taxi and private hire licensing webpages has been undertaken. This was in conjunction with feedback from the contact centre web chat team i.e. we ensured information was present on the webpage for the questions they were frequently asked.
- 3.3.2 The aim is to provide as much information online so that clients do not need to telephone, email or visit the licensing office in person for many enquiries. An online video tutorial is in development to succinctly guide clients through the application process in the first instance and potentially through a variety of different processes during the lifetime of their licence.

## **3.4 Emails**

- 3.4.1 The service receives an average of 300 emails per month.
- 3.4.2 The auto response to the service email account has been updated to signpost client contact back to the webpage in the first instance. It now includes specific links to where information is published so that clients may be able to assist themselves in the first instance.
- 3.4.2 The administrative processing of emails has been reviewed. The response to emails has been made as much a priority as answering telephone calls and responding to face to face contact. This not only reduces repeat emails, and ultimately repeat telephone calls and face to face contact, but also builds confidence amongst our client base that they will receive a response.
- 3.4.3 Licensing Officers are including hyperlinks links in their responses to where the client could have found the information on the webpage so whilst resolving the enquiry we are also re-educating and re-enforcing the drive to become 'self-service' for many enquiries.

### **3.5 Telephone enquires**

- 3.5.1 The service receives an average of 2,000 telephone calls per month.
- 3.5.2 In addition, a high volume of answerphone messages were received when the office was closed. This resulted in repeat contact and a significant workload for officers on their next working day. The facility to leave a message has now been switched off out of hours; instead callers are re-directed to our webpage where they can access information 24 hours a day, 365 days a week.
- 3.5.2 A change has also been made to the answer machine during working hours. This advises clients not to leave a second message to try and reduce repeat contacts. The message also signposts callers back to the webpage.
- 3.5.3 As with the administration of emails, the answering of calls/ responding to voicemails has been made equal priority to emails and face to face contact where staff resources permit.

### **3.6 Resources**

- 3.6.1 The creation of two temporary Licensing and Compliance Officer positions have been approved. This will facilitate the introduction of a floor walking/ meet and greet service where an officer can signpost face to face contact to the most appropriate function of the service, check documents, hand out documents and provide quick information or book an appointment.
- 3.6.2 This will have a significant positive impact on the busy reception area and ensure that clients with simple enquiries do not simply take a seat and wait to be seen. In addition, the checking of documents will ensure that clients do not queue unnecessarily when they do not have the correct documents to hand.
- 3.6.3 To reduce the administrative burden on Enforcement Officers, a position has been approved so that the post holder will collate court files, deal with witnesses and prioritise complaints, resolving minor issues at source.

### **3.6 Wi-Fi**

- 3.6.1 The installation of Wi-Fi across the building will facilitate the purchase of a tablet to enable the floor walker to answer a wide range of enquiries about specific licensing records.
- 3.6.2 A further IT permanent on-site resource is proposed to ensure the licensing system is developed in-line with all of the service improvement proposals.

### **3.7 Systems – IT and business**

- 3.7.1 Reminders of appointments are now being sent via text message. The facility for the client to respond via text is also being trialled in the DBS administration process.
- 3.7.2 Renewal reminders for all licences are no longer sent by mail and service use both text and email.



- 3.7.3 Laptops are on order for the whole of the workforce at taxi and private hire licensing to facilitate a more flexible way of working.
- 3.7.4 Proposals are being explored to move in stages to only accepting vehicle licence renewals by post or email with on-line prepayment. This could potentially reduce the footfall by 3000+ per year.
- 3.7.5 A contentious proposal is to move to a completely cashless service. The benefits are significant in terms of efficiency on daily cash reconciliation, security collection fees and reducing risk of crime against staff.

### **3.8 Workplace**

- 3.8.1 Plans to make changes to the workplace to best utilise space are underway and plans have been presented to staff. Similarly the external temporary storage container and porta-cabin are being disposed of to create further space for parking.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.2 The majority of information contained in this report has not been the subject of full consultation with the trade as it is resource and staffing proposals at this stage only. However some details were shared and discussed at the most recent Hackney carriage trade forum and were generally supported.
- 4.1.3 Full consultation with the staff within the Taxi and Private Hire Licensing service has been undertaken and will continue as proposals are developed.
- 4.1.4 Further consultation will be undertaken with the licensed trade on the key issues as proposals are developed and prior to implementation.

### **4.2 Equality and Diversity / Cohesion and Integration**

- 4.2.1 Equality and Cohesion Screening Assessments are carried out on the policies agreed at Licensing Committee which are used to inform decision making. These are available as Background Documents.

### **4.3 Council policies and City Priorities**

- 4.3.1 The Taxi & Private Hire Licensing policies contribute to the following aims:

#### **Best Council Plan 2013 -17**

#### **Towards being an Enterprising Council**

#### **Our Ambition and Approach**

**Our Ambition** is for Leeds to be the best city and Leeds City Council to be the best council in the UK – fair, open and welcoming with an economy that is both prosperous and sustainable so all our communities are successful.

**Our Approach** is to adopt a new leadership style of civic enterprise, where the council becomes more enterprising, business and partners become more civic, and citizens become more actively engaged in the work of the city.

### **Our Best Council Outcomes**

Make it easier for people to do business with us

### **Our Best Council Objectives**

Promoting sustainable and inclusive economic growth – Improving the economic wellbeing of local people and businesses. With a focus on:

- Helping people into jobs,
- Boosting the local economy
- Generating income for the council

Ensuring high quality public services – improving quality, efficiency and involving people in shaping their city. With a focus on;

- Getting services right first time
- Improving customer satisfaction

4.3.2 The Taxi & Private Hire Licensing policies contribute to priorities:

- Reduce crime levels and their impact across Leeds
- Effectively tackle and reduce anti-social behaviour in communities

4.3.3 Safeguarding children and vulnerable adults:

4.3.4 Leeds City Council has both a moral and legal obligation to ensure the duty of care for both children and vulnerable adults across all of its services. This cannot be achieved by any single service or agency. Safeguarding is ultimately the responsibility of all of us and depends on the everyday vigilance of staff who play a part in the lives of children or vulnerable adults.

## **4.4 Resources and value for money**

4.4.1 As this is an information report there are no resource or value for money issues to consider.

4.4.2 However it should be noted that the Taxi and Private Hire Licensing service is cost neutral to the Council and by virtue of the Local Government (Miscellaneous Provisions) Act, 1976, raises its own revenue by setting fees to meet the cost of issuing and administering licences. This means that the additional costs associated with the proposals will be funded via licence fees and will not place additional pressure on the Council's budget.

## **4.5 Legal Implications, Access to Information and Call In**

4.5.1 There are no legal implications arising from these proposals and they are not subject to call in or publication.

## **4.6 Risk Management**

4.6.1 Consideration will be given to each proposal prior to introduction.

## **5 Conclusions**

5.1 The opportunity to concentrate on service improvements and efficiencies is now receiving the attention it deserves.

5.2 Those proposals taken forward by Officers will have regard to council policy, conditions and criteria approved by Licensing Committee.

## **6 Recommendations**

6.1 That Members note the information in this report.

## **7 Background documents**

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**Report of Head of Elections, Licensing and Registration**

**Report to Licensing Committee**

**Date: 5 October 2016**

**Subject: Hackney Carriage Vehicle conditions – signs and markings – Update report following consultation.**

Are specific electoral wards affected? If relevant, name(s) of ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for call-In?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**Summary of main issues**

1. This report deals with two particular aspects of the existing Hackney Carriage Vehicle conditions:-
  - Hackney Carriage Vehicle (HCV) wheelchair accessible vehicles (WAVs) Corporate advertising
  - HCV Signs and markings (LCC licence plate improvements)
  
2. The full report was presented to Members at Licensing Committee on 5 July 2016 who directed that further consultation should be undertaken on these two issues and which is now produced in the body of this report.
  
3. Primary legislation allows the Council to impose conditions upon Hackney Carriage vehicles and the existing LCC conditions are currently contained in two specific policies; one relating specifically to wheelchair accessible vehicles and the other relating to saloon and WAV vehicles.
  
4. The first part of this report relates to the existing WAV ‘corporate livery’ advertising policy which sets the end date for WAVs being able to apply for ‘corporate livery’ at 5 years and as a main feature it is proposed to extend the application end date to 7 years.

5. The second part of the report concerns updating the appearance of the HCV rear Council licence plate to mirror the improvement changes already in place on Private Hire vehicles (PHV's) and also making the licensing plate more visible on the side of HCV WAVs with corporate livery.

### **Recommendations**

1. HCV Corporate livery – that Members approve in principle the changes to the age considerations in the existing policy, set out at 3.3 and 3.4 of the report, and that Officers prepare a report for Executive approval.
2. HCV Signs and markings (LCC licence plate improvements) – that Members approve in principle a change to the policy both in respect of the rear LCC licence plate and the displaying of LCC licence plates to the side of the vehicle when fitted with corporate livery and also indicate the timescales under which the amended policy should be brought into effect and that Officers prepare a report for Executive approval.

## **1 Purpose of this report**

- 1.1 The proposed change to existing policy in respect of the age in which vehicles can continue to apply for a 'corporate wrap' is as a result of a request from the Hackney Carriage trade. This report sets out the existing policy and specifies a change proposal for Members to consider which benefits the trade but also meets the spirit of the purpose of corporate advertising and reflects upon the changing environmental issues in respect of air pollutants from diesel vehicles.
- 1.2 The second proposed change is brought forward by Officers to deal with some developing issues within the Hackney Carriage trade in respect of the rear Council licence plate and also to bring that LCC plate into line with the much more modern and more visible licence plate already approved to be on LCC Private Hire vehicles.

## **2 Background information**

- 2.1 Leeds City Council controls the appearance of its entire Hackney Carriage fleet and the approved colour scheme is black and white. When the Council issued a series of new free plates (around 2001) it was stipulated that they would all have to be wheelchair accessible vehicles. To offset some of the cost implications of this, there was the introduction of a 'corporate wrap' policy and Members will have seen many examples of this on the licensed fleet. Undoubtedly it brings financial benefits to Proprietors. Included in the original approval was a vehicle age limit for applications set at 5 years, following which no further approval would be given after the expiry of that existing contract. The reason was to encourage drivers to re-invest in more modern and more efficient vehicles and for the financial benefits from such advertising to be focussed on that proportion of the fleet which did invest in newer vehicles.
- 2.2 There is a further age restriction within the policy that stipulates a Proprietor must have purchased the vehicle prior to the third anniversary of its first registration. Again, this was to encourage investment in purchasing newer vehicles.
- 2.3 The 'signs and markings' control proposal is in respect of the rear LCC licence plate. On Private Hire vehicles these are of the same standard and quality on the rear as those displayed on the passenger doors of all HCV's (except those with Corporate livery) and this proposal is brought forward by Officers to now upgrade the rear LCC licence plate on HCV's to be of the same high visibility specification and quality to those attached to Private Hire vehicles. Examples of the current HCV licence plate will be available for Members to inspect.
- 2.4 Both of these conditions are contained within a conditions policy attached to either HCV saloons or HC WAV Proprietor licences and if approved can be easily adjusted within the policy.

## **3 Main issues**

### **3.1 HC WAV corporate livery**

- 3.2 As explained in the background information to this report, an essential ingredient of the original approval of corporate livery was to focus the income in a competitive market towards those HC WAV Proprietors who invested in newer vehicles. This has been brought into sharper focus more recently by DEFRA who are introducing regulations for a clean air zone in the city centre and inner ring road area in 2020. This will be a compulsory requirement for the Council's environmental planning and which might impinge upon licensing conditions sometime in the future. (A briefing paper on all of those attendant issues was presented to Licensing Committee in August on behalf of the Director of Environment and Housing directorate). Whilst there are no plans to make any changes to current policy in respect of vehicle ages it seems prudent to retain the focus on newer vehicles within the Hackney Carriage fleet. Members may think it is also worth observing that it would only be a very short term economic benefit to Proprietors to extend the policy to a full life cycle of a licensed vehicle which would then result in a greater financial outlay later on.
- 3.3 By extending the policy to the maximum age of 7 years in respect of 4 seater HC WAV's and 9 years in respect of 5/6/7 seater WAVs in which a Proprietor could apply for corporate livery, it would still allow that vehicle to earn income on the existing contract after its 7<sup>th</sup> year and 9<sup>th</sup> year respectively.
- 3.4 In changing the stipulation that a vehicle Proprietor must have purchased the vehicle within 3 years of its date of first registration to within 5 years of its date of first registration it increases opportunities, makes the policy easier to understand for the trade but still contributes to focussing on encouraging the purchase of newer vehicles in a proportionate way.
- 3.5 HCV rear LCC licence plates**
- 3.6 Members will have seen that there are a variety of type of plates affixed to HCV saloon and WAVs. Some of these contain sharp metal edges and a member of the trade has already pointed out that it would actually be safer for them now to be taken out of use. There are no technical reasons why the style and technical specification of those reflective LCC licence plates affixed to PHV's by condition cannot be affixed to HCV's.
- 3.7 Officers from LCC Commercial Signage, Civic Enterprise, have attended a main taxi holding rank and inspected a wide variety of vehicles and have not been able to identify any difficulties in transferring from the old style metal plate to the proposed adhesive plate. The colour of the new style reflective plate would need to be compliant with the existing legislation around 'Construction and Use'.
- 3.8 It has been noted that some members of the HC trade are now affixing their own adhesive style plates to their vehicles and as that becomes a trend it presents the opportunity for the trade to recognise that it is now time to adopt the new style of LCC licence plate particularly as they have already voluntarily moved away from the old style metal plate.
- 3.9 The cost implications are for the trade to bear and Members may consider that a variety of options if they approve the proposal. The existing metal plate costs £15 and the new version adhesive plate £18. The price for existing door livery is £45



but this cost would only be incurred if the door livery was removed and it is often the case that the corporate wrap covers the door livery and when the wrap is removed the livery remains intact and can continue to be used without replacement. There may be occasion when this is not the case though, but that is understood at the time the vehicle Proprietor undertakes his financial agreement with the provider of the corporate wrap. The cost of a smaller size 'door' livery is £36 for a pair.

Option 1 – that the cycle of change to introducing the new requirement is completed within 3 months (or within a relatively short time span considered appropriate by Members) in order to demonstrate an increased commitment to disability groups in particular and the travelling public in general.

Option 2 – that it is completed at the time of vehicle transfer; licence renewal; age extension; at the point the suspension of a defective vehicle is lifted; where existing plates are damaged or becoming hard to read or immediately where unapproved plates have been affixed to the vehicle. Members may feel that those members of the trade who have properly maintained their vehicles or continued to comply with conditions would be least affected in the short term by this option.

3.10 The final issues around these reflective plates relates to WAVs that carry corporate livery. At the time when the policy to affix reflective LCC licence plates to the front doors of HCVs was approved, an exception was made in respect of WAVs because the trade thought might spoil the appearance of the corporate livery and also they might have to remove the door signs and pay for them refitting later. Officers feel that it is now time to move ahead and enable easier recognition of the licensing detail of HC WAVs that contain corporate livery, particularly for wheelchair occupants, by requiring such vehicles to display an LCC plate on the sides of the vehicle in a location that does not obstruct the view of the driver (which may include a window), which makes it more identifiable and traceable. Members will note the remarks of the trade which were made a number of years ago at 4.1.2. in respect of costs.

3.11 Again Members may want to consider some options for this proposal if they were to approve it.

Option 1 - that the cycle of change to introducing the new requirement is completed within 3 months (or within a relatively short time span considered appropriate by Members) in order to demonstrate an increased commitment to disability groups in particular and the travelling public in general.

Option 2 - that it is undertaken at the time of vehicle transfer; licence renewal; age extension; at the point the suspension of a defective vehicle is lifted; when a new application for a 'corporate wrap' is approved. Members may feel that those members of the trade who have properly maintained their vehicles would be least affected in the short term by this option.

## **4 Corporate considerations**

### **4.1 Consultation and engagement**

- 4.1.1 The Hackney Carriage trade have been aware for some time of the proposals to consider extending the applicable age to which a vehicle can fit corporate livery, but no specific time period was set. In the first consultation period, one response was received to the effect that corporate livery should be available throughout the lifetime that a WAV is licensed, irrelevant of its age.
- 4.1.2 When the high reflective rear LCC plate markings were introduced on PHV's the HC trade objected to them being introduced on HCV's because of the cost implication of the rear licence plate at that time (about 2001). This issue was raised again at a Hackney Carriage forum and again cost was a point of objection on the basis that the Hackney Carriage trade were already paying for the new signs on the front doors. To accommodate that concern the rear LCC plate proposal was not progressed.
- 4.1.3 Following a period of consultation since the earlier Licensing Committee meeting an objection has been lodged to the proposals which can be found at **Appendix A**. (Please note that a paragraph relating to an un-associated matter has been removed to avoid confusion).

A second response has been received from another taxi association which has also been similarly edited (**Appendix A**).

- 4.1.4 The aims of the change proposals and their proportionality have been reconsidered in light of the consultation responses and Officers feel that there remains strong merit in the proposals.
- 4.1.5 An issue raised in consultation relates indirectly to vehicles with corporate wraps retaining that corporate wrap after the contract has expired. This practice is financially self-defeating for the trade and Officers will be more pro-active in ensuring that corporate wraps are removed at the expiration of the contract to encourage fresh investment.

## **4.2 Equality and diversity / cohesion and integration**

- 4.2.1 An Equality Screening Assessment has been completed and is available as a background document. There are no contra indicators.

## **4.3 Council policies and best council plan**

- 4.3.1 The Taxi & Private Hire Licensing policies contribute to the following aims:

### **Best Council Plan 2013 -17**

#### **Towards being an Enterprising Council**

#### **Our Ambition and Approach**

**Our Ambition** is for Leeds to be the best city and Leeds City Council to be the best council in the UK – fair, open and welcoming with an economy that is both prosperous and sustainable so all our communities are successful.

**Our Approach** is to adopt a new leadership style of civic enterprise, where the council becomes more enterprising, business and partners become more civic, and citizens become more actively engaged in the work of the city.

### **Our Best Council Outcomes**

Make it easier for people to do business with us.

### **Our Best Council Objectives**

Promoting sustainable and inclusive economic growth – improving the economic wellbeing of local people and businesses. With a focus on:

- Helping people into jobs,
- Boosting the local economy
- Generating income for the council

Ensuring high quality public services – improving quality, efficiency and involving people in shaping their city. With a focus on;

- Getting services right first time
- Improving customer satisfaction

#### 4.3.2 The Taxi & Private Hire Licensing policies contribute to priorities:

- Reduce crime levels and their impact across Leeds
- Effectively tackle and reduce anti-social behaviour in communities

#### 4.3.3 Safeguarding children and vulnerable adults:

Leeds City Council has both a moral and legal obligation to ensure the duty of care for both children and vulnerable adults across all of its services. This cannot be achieved by any single service or agency. Safeguarding is ultimately the responsibility of all of us and depends on the everyday vigilance of staff who play a part in the lives of children or vulnerable adults.

### **4.4 Resources and value for money**

4.4.1 There are no financial or resource challenges to the section in implementing these proposals.

### **4.5 Legal Implications, access to information and call In**

4.5.1 In respect of the proposals contained in this report the relevant legislation is set out below:-

Local Government (Miscellaneous Provisions) Act, 1976

Section 47 - Licensing of hackney carriages.

- (1) A district council may attach to the grant of a licence of a hackney carriage under the Act of 1847 such conditions as the district council may consider reasonably necessary.
- (2) Without prejudice to the generality of the foregoing subsection, a district council may require any hackney carriage licensed by them under the Act of 1847 to be of such design or appearance or bear such distinguishing marks as shall clearly identify it as a hackney carriage.
- (3) Any person aggrieved by any conditions attached to such a licence may appeal to a magistrates' court.

4.5.2 Members will note that there can be individual appeals against conditions, when applied, but there is also the opportunity for Judicial Review of the Council policy and whilst this cannot be discounted it is thought that the proportionality of the proposals and the spirit of their intention would normally lead to this being considered to be a relatively low risk.

## **4.6 Risk management**

4.6.1 Officers consider that the proposals and the considered needs are proportionate and balanced in terms of reducing legal risk. The opportunity for introduction can be managed within any of the options proposed which Members may select.

## **5 Conclusions**

5.1 The proposals around corporate livery actually increase the benefits to the trade and the proposal concerning the improvements to the LCC licence plates bring the Hackney Carriage trade into line with the Private Hire trade. These are business costs that can be offset by the Proprietor against their business tax outlay costs. It will also help to more readily identify LCC vehicles from those of a nearby authority and generally improve the appearance of HCV's in the city licensed by this Authority. Significantly, there are benefits to the disability groups and the public generally. Members now have the opportunity to balance Officers' views against the consultation feedback and Members knowledgeable overview of the trade and the licensed vehicle fleet.

## **6 Recommendations**

6.1 HCV Corporate livery – that Members approve in principle the changes to the age considerations in the existing policy, set out at 3.3 and 3.4 of the report, and that Officers prepare a report for Executive approval.

6.2 HCV Signs and markings (LCC licence plate improvements) – that Members approve in principle a change to the policy both in respect of the rear LCC licence plate and the displaying of LCC licence plates to the side of the vehicle when fitted with corporate livery and also indicate the timescales under which the amended policy should be brought into effect and that Officers prepare a report for Executive approval.

## **7 Background documents<sup>1</sup>**

- 7.1 5 July 2016 report to Licensing Committee – Hackney Carriage Vehicle conditions – signs and markings
- 7.2 Hackney Carriage Vehicle saloon conditions
- 7.3 Hackney Carriage Vehicle Wheelchair Accessible Vehicle conditions
- 7.4 Local Government (Miscellaneous Provisions) act 1976.
- 7.5 LLC Private Hire vehicle conditions

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<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

Hi Des,

The proposals and comments below are from Eurocabs Hackney Carriage Association.

### **CORPORATE ADVERTISING LIVERY**

The end date for WAV's being able to apply for 'corporate livery' which is at 5 years at the moment should be extended to the full licensing term of the vehicle. There should be no limit on the age of the vehicle as to the starting point for the fitting of the corporate livery. The reason previously given by officers that livery needs to be removed for the inspection under the age criteria extension policy does not make any sense as the vehicle will be visually in good condition and any excessive corrosion which effects the safety of the vehicle will be clearly visible when the vehicle is inspected from underneath.

Due to the economic downturn the opportunities for proprietors to get advertising for their vehicle has dropped significantly furthermore the amount being paid has also reduced by as much as 50 percent in some cases.

Proprietors that are interested in having the livery fitted to their vehicles already buy brand new vehicles to maximise income potential of their vehicle.

Having the option of the Corporate Livery encourages drivers to buy better and newer vehicles but placing limits like having a minimum age and maximum age limits the income and restricts proprietors into buying vehicles that are cheaper and affordable within their limited budgets.

The type of livery i.e having a full body wrap including the roof and the bumper bars is also limiting the level of income and availability of advertisers. Cosmetically the vehicles do look more appealing when they are fully wrapped but not every advertiser wants the vehicle fully wrapped and are not willing to pay any extra, this condition of full wrapping then means that the proprietors income is reduced to ensure that livery meets Leeds City Councils requirements.

There should also be an option available for having two different adverts on the vehicle i.e 50/50 advertising.

### **SIGNS AND MARKINGS**

This issue was discussed by the JTC Committee and only Streamline/Telecabs were in favour of this and therefore this should remain as a voluntary option for the companies or Associations that opt for this and should not be made compulsory for any Association/Company.

### **REAR LICENSING PLATE**

This should again be an option only and should not be made compulsory.

Kind regards,

XXX XXXX,

Committee Member of XXX  
Committee Member of XXX Hackney Carriage Association

Dear Mr Broster

Comments made regarding rear licensing plate by Mr XXXX are not representation of the whole JTC but solely of XXXs.

Streamline-Telecabs does not have any objections to plate vinyls. The subject was raised at a recent JTC meeting and as far as i can recall there were no objections from anyone at that time? One point i would raise is the metal plate do have sharp edges and could or have caused health & safety issues with peoples clothing and legs.

### Corporate Liveries

I think this subject may be discussed further or at licensing committee. The problem being that some proprietors do not keep their vehicles in good condition and to allow an unlimited age criteria is detrimental to the vehicle when putting corporate livery on an older vehicle. There needs to be either an age limit or condition of vehicle inspection to determine the suitability of a vehicle due to condition.

Kind Regards

Mike Utting  
Company Chairman  
Streamline-Telecabs

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**LICENSING COMMITTEE WORK PROGRAMME 2016/17 - LAST UPDATED 22/09/16 (JG)**

ITEM	DESCRIPTION	NOTES	TYPE OF ITEM
<b>Items Currently Unscheduled</b>			

ITEM	DESCRIPTION	Officer	TYPE OF ITEM
	<b>Meeting date: 9<sup>th</sup> February 2016 HELD - Activity Update – Taxi and Private Hire Licensing – 1<sup>st</sup> July to 31<sup>st</sup> December 2015, Review of Driver Licensing Requirement for Group ii Medicals, Hackney Carriage Forum Constitution, Entertainment Licensing Section – Update Report July to December 2015, Mint Festival 2015 D- Brief</b>		
	<b>Meeting date: 8<sup>th</sup> March 2016 – Held - The Night Time Economy - Leeds City Bids, Update Report on Legal Highs'</b>		
	<b>Meeting date: 12<sup>th</sup> April 2016 - Postponed</b>		
	<b>Meeting date: 10<sup>th</sup> May 2016 - Postponed</b>		
	<b>Meeting date: 20<sup>th</sup> May 2016 HELD - Unmet Demand Survey, Leeds Festival 2016 – Update, Amendment to the Council's Licensing Act 2003 Statement of Licensing Policy 2014-18, Governance Arrangements, Licensing Procedure Rules</b>		
	<b>Meeting date: 5<sup>th</sup> July 2016 - HELD - Advertising on Wheel Chair Accessible Vehicles, Convictions Criteria - Psychoactive substances, Select Committee on the Licensing Act 2003, Future Training Arrangements</b>		
	<b>Meeting date: 2nd August 2016 – HELD - ULEV bid, Clean Air Zone, Leeds Festival 2016 – Update, Hotel Development, Portland Crescent and Select Committee on the Licensing Act 2003</b>		
	<b>Meeting date: 6<sup>th</sup> September 2016 – HELD - Update on the Purple Flag Initiative, Update on the Leeds Bid, Policing and the Night time Economy, Estate Vehicles as Hackney Carriage Vehicles</b>		

Key: RP – Review of existing policy      DP – Development of new policy      PM – Performance management      B – Briefings      SC – Statutory consultation

LICENSING COMMITTEE WORK PROGRAMME 2016/17 - LAST UPDATED 22/09/16 (JG)

ITEM	DESCRIPTION	Officer	TYPE OF ITEM
<b>Meeting date: 5<sup>th</sup> October 2016</b>			
<b>Taxi &amp; Private Hire Licensing Service Overview</b>	To consider a report by the Head of Elections, Licensing and Registration which provides an overview of the developments to the Taxi and Private Hire service over the past 12 months and the service improvements currently underway.	D Broster	B
<b>Hackney Carriage Vehicles - Wheelchair accessible vehicles – Corporate livery</b>	To receive a report by the Head of Elections, Licensing and Registration which sets out the response following consultation on the corporate livery of wheelchair accessible vehicles	D Broster	SC
<b>Hackney Carriage Vehicles – Signs and Markings (LCC licence plate improvements</b>	To receive a report by the Head of Elections, Licensing and Registration which sets out the response following consultation on LCC licence plate improvements	D Broster	SC

**LICENSING COMMITTEE WORK PROGRAMME 2016/17 - LAST UPDATED 22/09/16 (JG)**

ITEM	DESCRIPTION	Officer	TYPE OF ITEM
<b>Meeting date: 1<sup>st</sup> November 2016</b>			
<b>City Centre CIP Review</b>	To receive a report by the Head of Elections, Licensing and Registration which seeks to review the City Centre CIP	S Holden	RP
<b>Large Casino – Annual Report</b>	To receive a report by the Head of Elections, Licensing and Registration on the large Casino Annual Report	N Raper	B
<b>Meeting date: 6<sup>th</sup> December 2016</b>			
<b>DEFRA UK Air Quality Improvement Plan</b>	To receive a report back on the areas of concern raised by 02/08/16 Committee in order to inform a letter to be sent to the Secretary of State	Andrew Hickford	B
Leeds festival De Brief	To receive a report by the Head of Elections, Licensing and Registration which provides a de brief of the Leeds Festival 2016.	S Holder	B
<b>Meeting date: 10<sup>th</sup> January 2017</b>			

LICENSING COMMITTEE WORK PROGRAMME 2016/17 - LAST UPDATED 22/09/16 (JG)

ITEM	DESCRIPTION	Officer	TYPE OF ITEM
<b>Meeting date: 7<sup>th</sup> February 2017</b>			
<b>Meeting date: 7<sup>th</sup> March 2017</b>			
<b>Policing and the Night time Economy</b>	To receive a Presentation from Sergeant Dave Shaw, West Yorkshire Police on the issues of "Policing and the Night time Economy"	D Shaw	B
<b>Meeting date: 4<sup>th</sup> April 2017</b>			
<b>Meeting date: 26<sup>th</sup> May 2017</b>			

Key: RP – Review of existing policy      DP – Development of new policy      PM – Performance management      B – Briefings      SC – Statutory consultation

**LICENSING COMMITTEE WORK PROGRAMME 2016/17 - LAST UPDATED 22/09/16 (JG)**

ITEM	DESCRIPTION	Officer	TYPE OF ITEM

Key: RP – Review of existing policy      DP – Development of new policy      PM – Performance management      B – Briefings      SC – Statutory consultation

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