



LICENSING COMMITTEE

MEETING TO BE HELD IN CIVIC HALL, LEEDS, LS1 1UR ON
TUESDAY, 1ST NOVEMBER, 2016 AT 10.00 AM

MEMBERSHIP

Councillors

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;

Agenda compiled by:
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John Grieve
224 3836

A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</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>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</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>RESOLVED – 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>LATE ITEMS</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>DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS</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>APOLOGIES FOR ABSENCE</p> <p>To receive apologies for absence(if any)</p>	
6			<p>MINUTES OF THE PREVIOUS MEETING</p> <p>To approve the minutes of the last meeting held on 5th October 2016.</p> <p>(Copy attached)</p>	1 - 4
7			<p>MATTERS ARISING FROM THE MINUTES</p> <p>To consider any matters arising from the Minutes.</p>	
8			<p>DEPUTATION TO FULL COUNCIL 14TH SEPTEMBER 2016 - STUDENT SAFETY IN LEEDS</p> <p>To consider a report by the Head of Elections, Licensing and Registration which sets out details of a deputation to Council on the 14th September 2016 by students of the Leeds Beckett University, concerning student safety in Leeds, in particular sexual harassment, and calling for the Council to support consent education in the city's bars and clubs.</p> <p>(Report attached)</p>	5 - 12

Item No	Ward/Equal Opportunities	Item Not Open		Page No
9			<p>SAFEGUARDING IN TAXI & PRIVATE HIRE LICENSING - 12 MONTH REVIEW OF PROGRESS (DRAFT REPORT TO EXECUTIVE BOARD)</p> <p>To consider a draft report of Head of Elections, Licensing and Registration, which sets out details of progress in respect of safeguarding in Taxi & Private Hire Licensing.</p> <p>The report is presented to the Licensing Committee to provide an opportunity for comment before being considered by the Executive Board on 14th December 2016.</p> <p>(Report attached)</p>	13 - 26
10			<p>LICENSING COMMITTEE WORK PROGRAMME</p> <p>To note the contents of the Licensing Committee Work Programme 2016/17.</p> <p>(Report attached)</p>	27 - 30
11			<p>DATE AND TIME OF NEXT MEETING</p> <p>To note that the next Meeting will take place on Tuesday 6th December 2016 at 10.00am in the Civic Hall, Leeds.</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>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No

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Licensing Committee

Wednesday, 5th October, 2016

PRESENT: Councillor B Selby in the Chair

Councillors R Downes, J Dunn, S Field,
B Flynn, J Heselwood, G Hussain, G Hyde,
A Khan and G Wilkinson

61 Appeals Against Refusal of Inspection of Documents

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

62 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.

63 Late Items

There were no late items of business.

64 Declaration of Disclosable Pecuniary Interests

There were no declarations of Disclosable Pecuniary Interests made at the meeting.

65 Apologies for Absence

Apologies for absence were received from Councillors: N Buckley and M Harland, M Coulson, C Townsley and B Gettings

66 Minutes of the Previous Meeting

RESOLVED – That the minutes of the previous meeting held on 6th September 2016 be accepted as a true and correct record.

67 Matters Arising from the Minutes

Joining Police Officers on a Night Time Patrol of the City Centre – Minute No. 55 refers – Both Councillors Hussain and Downes reported that they had recently participated in the night time visit of the City Centre.

In providing feedback both said it was an experience and was interesting how the police responded to situations given the limited resources and the pressure that was put on them.

It was suggested that a meeting be arranged with Members from this Committee, officers from Entertainment Licensing and WYP to discuss issues arising from the night time patrols.

Members also requested if additional dates for further night time patrols of the City Centre could be arranged.

RESOLVED

- (i) That a meeting be arranged with Members from this Committee, officers from Entertainment Licensing and WYP to discuss issues arising from the night time patrols.
- (ii) That arrangements be made for further night time patrols of the City Centre.

68 Taxi & Private Hire Licensing Service Improvements Overview

The Head of Elections, Licensing and Registration submitted a report which provided an overview of the developments to the Taxi and Private Hire service over the past 12 months and service improvements currently underway.

Addressing the report the section Head, Taxi and Private Hire Licensing said the purpose in bringing this report before Members was to highlight some major changes to the licensing operation, in particular; a move to a cashless office and the introduction of an on line system to undertake vehicle licence renewals.

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

- Digitising the service
- Webpage Review
- Emails
- Telephone enquiries
- Resources
- Wi-Fi
- Systems –IT and Business
- Workplace

Members generally welcomed the proposal to introduce new processes / new technology into the Licensing Service but queried if adequate consultation was taking place.

In responding officers reported that further consultation would be undertaken with the licensed trade on the key issues as proposals were developed and prior to implementation.

A query was raised as to how members of the trade who did not have access to new technologies could respond to consultation.

In responding Officers reported that a counter service would continue to operate at the Taxi and Private Licensing offices, it was further suggested that the new Community Hubs would also provide an opportunity to access licensing functions

A discussion ensued on waiting times at the Taxi and Private Licensing offices and a suggestion that extra staff be allocated to counter services during busy periods.

In responding officers reported that extra staff could be employed but that cost would be reflected in the licence fee. The intention of the changes was to bring the trade up to date as well as the service with more modern ways of handling business.

Drawing the debate to a conclusion the Chair welcomed the report and suggested that a further progress report be brought back to this Committee in six months' time.

RESOLVED –

- (i) That the contents of the report be noted.
- (ii) That a progress report be brought back to this Committee in six months' time

69 Hackney Carriage Vehicle Conditions - Signs and Markings - Update Report following Consultation.

The Head of Elections, Licensing and Registration submitted a report which set out proposed changes to the existing policy in respect of the age in which vehicles could continue to apply for a “corporate wrap”.

The report also proposed changes to the rear Council License Plate and to also bring that LCC plate into line with the more visible, modern licence plate already approved to be on LCC Private Hire Vehicles.

Appended to the report were copies of the following documents:

- Representations from two taxi associations objecting to the proposals (Appendix A referred)

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:

- Hackney Carriage – Wheel Chair Accessible Vehicles – Corporate Livery
- Hackney Carriage Vehicles – Rear LCC Licence Plates
- Consultation and Engagement
- Representations from two taxi associations objecting to the proposals

In the discussion that followed Member were generally supportive of the proposals.

RESOLVED –

Draft minutes to be approved at the meeting
to be held on Tuesday, 1st November, 2016

- (i) That in respect of Hackney Carriage Vehicle Corporate livery, to approve in principle the changes to the age considerations in the existing policy as set out in paragraphs 3.3 and 3.4 of the submitted report, and that officers prepare a report for Executive approval
- (ii) That in respect of Hackney Carriage Signs and Markings (LCC licence plate improvements) – to approve in principle a change to the policy both in respect of the rear LCC licence plate and the displaying of LCC plates to the side of the vehicle when fitted with corporate livery, and that officers prepare a report for Executive approval
- (iii) That the introduction of the new requirement be 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.

70 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 today, the following items had been added to the Committees Work Programme:

Taxi & Private Hire Licensing Service Improvements Overview (Progress Report)

Following a Deputation to Council on 14th September 2016, a report on Student Safety would be brought to the November meeting of this Committee.

Two reports currently scheduled to be considered in November: Large Casino Annual Report and CIP City Centre Review would be moved back to the December meeting.

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

71 Date and Time of Next Meeting

RESOLVED – To note that the next meeting will take place on Tuesday 1st November 2016 at 10.00am in the Civic Hall, Leeds.



Report author: Nicola Raper
Tel: 74095

Report of the Head of Elections, Licensing and Registration

Report to Licensing Committee

Date: 1 November 2016

**Subject: Deputation to Full Council 14th September 2016
Student Safety in Leeds**

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:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Summary of main issues

1. A deputation was made before the meeting of Full Council on the 14th September 2016 by students of the Leeds Beckett University, concerning student safety in Leeds, in particular sexual harassment, and calling for the Council to support consent education in the city's bars and clubs.

Recommendations

2. That the Chair of the Licensing Committee, and/or the Executive Member writes to the originators of the deputation in acknowledgement of their submission with a recommendation that the Leeds Beckett University and Leeds University Union co-ordinate a partnership approach to this project.

1 Purpose of this report

- 1.1 To inform Members of the Leeds University Union 'We've got Your Back' campaign that pledged to make Leeds a city with a zero tolerance stance on all incidents of sexual harassment and sexual assault, and the future plans for taking a similar campaign forward.

2 Background information

2.1 A deputation was made to Full Council in September by representatives of Leeds Beckett Students Union concerning student safety in Leeds, and requested that:

‘In order to protect those of us who are suffering disproportionate harassment and assault we need measures in place to attempt to tackle these things, we cannot stand by when we know the numbers of women and men who will come into our city and face assault year on year. Therefore call for the following things:

That Leeds City Council uses its powers where possible in order that Consent education is available in main bars and clubs in Leeds City centre by clearly displayed consent posters with consent knowledge and places of support. Also, we call for members of staff in bars and clubs to be briefed on consent and members of staff to take reports seriously and to act on them. But generally what we are asking for is to take women’s and non-binary people’s safety seriously and to act on it so that we can have a safer and more equal Leeds’.

2.2 Although the recommendation of Full Council was to refer the matter to the Director of Environment and Housing for consideration in consultation with the relevant Executive Member, it has subsequently been redirected to Citizens and Communities.

3 Main issues

3.1 In 2014 the Leeds University Union (LUU) presented to the City Centre Community Safety Partnership the ‘We’ve Got Your Back’ campaign that pledged to make Leeds a city with a zero tolerance stance on all incidents of sexual harassment and sexual assault.

3.2 The campaign was supported by the community safety partnership, and promoted to the city’s bars and clubs.

3.3 LUU delivered external training to thirty plus licensed venues, with input from Pubwatch and BACIL (Business Against Crime in Leeds). The content of training included:

- Definition and awareness of sexual harassment and assault
- Created an understanding of how these issues can affect students
- Explained why it is important that such issues are tackled in venues
- Helped venues to put a procedure in place to help potential victims

3.4 Venues were provided with the ‘We’ve Got Your Back’ logo to show that they had received training and know what to do if an incident occurred.

3.5 The training was funded by the Police and Crime Commissioner for West Yorkshire’s Safer Communities Fund, and the University of Leeds Footsteps Fund.

3.6 The campaign ceased, due to absence of future funding.

- 3.7 The LUU now intend to restart the campaign, which through a series of training and marketing opportunities will enable venues and key personnel to increase their skill sets in reducing levels of zero tolerance towards sexual harassment throughout the city.
- 3.8 Running alongside zero tolerance will be the Wonder Water project which links together the very strong correlation between sexual harassment and binge drinking.
- 3.9 The success of the project will be subject to funding. LUU have pledged a sum of money and it is reported that Leeds BID has also expressed an interest.
- 3.10 Similar to previous, the project will be of benefit to all persons visiting licensed premises and not students alone, with particular focus on those premises in the nighttime economy that host popular nights and sporting fixtures.
- 3.11 The project will complement the mandatory training that door security staff must complete in order to achieve their Security Industry Authority registration. This training is taken over four full days and includes topics such as communication skills and customer care, and dealing with vulnerable individuals.
- 3.12 The appropriate route for taking this project forward would be via the Leeds University Colleges and Crime Reduction Partnership and the City Centre Community Safety Partnership (CSP).
- 3.13 The CSP has links to a variety of key stakeholders and groups, as set out in appendix A.
- 3.14 Entertainment Licensing will also support the marketing of this campaign through Pubwatch.
- 3.15 In addition to the area Pubwatch meetings, Pubwatch has a designated website which is a useful tool for providing information to all pubs, bars and clubs throughout the Leeds district. Pubwatch members can presently access a suite of anti-rape campaign posters from the website. Through our publishing rights, Entertainment Licensing may arrange for the publication of any information via this source.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 The Community Safety Partnership provides a forum for consultation and engagement on matters concerning the city centre including the night time economy.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 The council's statement of licensing policy (Licensing Act 2003) is developed with matters of equality, diversity and human rights taken into consideration. It sets out how the council will promote the four licensing objectives, one of such objectives

being the prevention of crime and disorder. Policies are regularly reviewed in line with the legislation. The council has completed equality, diversity, cohesion screening and impact assessments with regards to the consultation process undertaken during the review of policy.

4.3 Council Policies and City Priorities

4.3.1 The licensing authority must have regard for governing legislation and will be assisted by any guidance issued by the Home Office or Gambling Commission. In addition where there is an associated statement of licensing policy this will set out the principles the council will use to exercise its functions under that policy, and in making a decision the council will have regard to that policy.

4.3.2 Council Priorities and Best Council Plan

4.3.3 The licensing regime contributes to the following Best Council Plan 2015-20:

Priorities:

- Supporting economic growth and access to economic opportunities
- Keeping people safe from harm
- Supporting communities, raising aspirations
- Hosting world class events in Leeds City Council supporting a resilient, inclusive, cultural and creative sector

Outcome:

- Be safe and feel safe

Breakthrough Project:

- World class events and a vibrant city centre that all can benefit from
- Strong communities benefiting from a strong city

4.4 Resources and Value for Money

4.4.1 The Section encourages partnership working with internal and external services making best use of resources and information sharing.

4.5 Legal Implications, Access to Information and Call In

4.5.1 All information provided in this report is publicly accessible and there is no legal implication to the contents of this report.

4.6 Risk Management

4.6.1 As this is an advisory report there are no risks associated.

5.0 Recommendations

5.1 That the Chair of the Licensing Committee, and/or the Executive Member writes to the originators of the deputation in acknowledgement of their submission with a

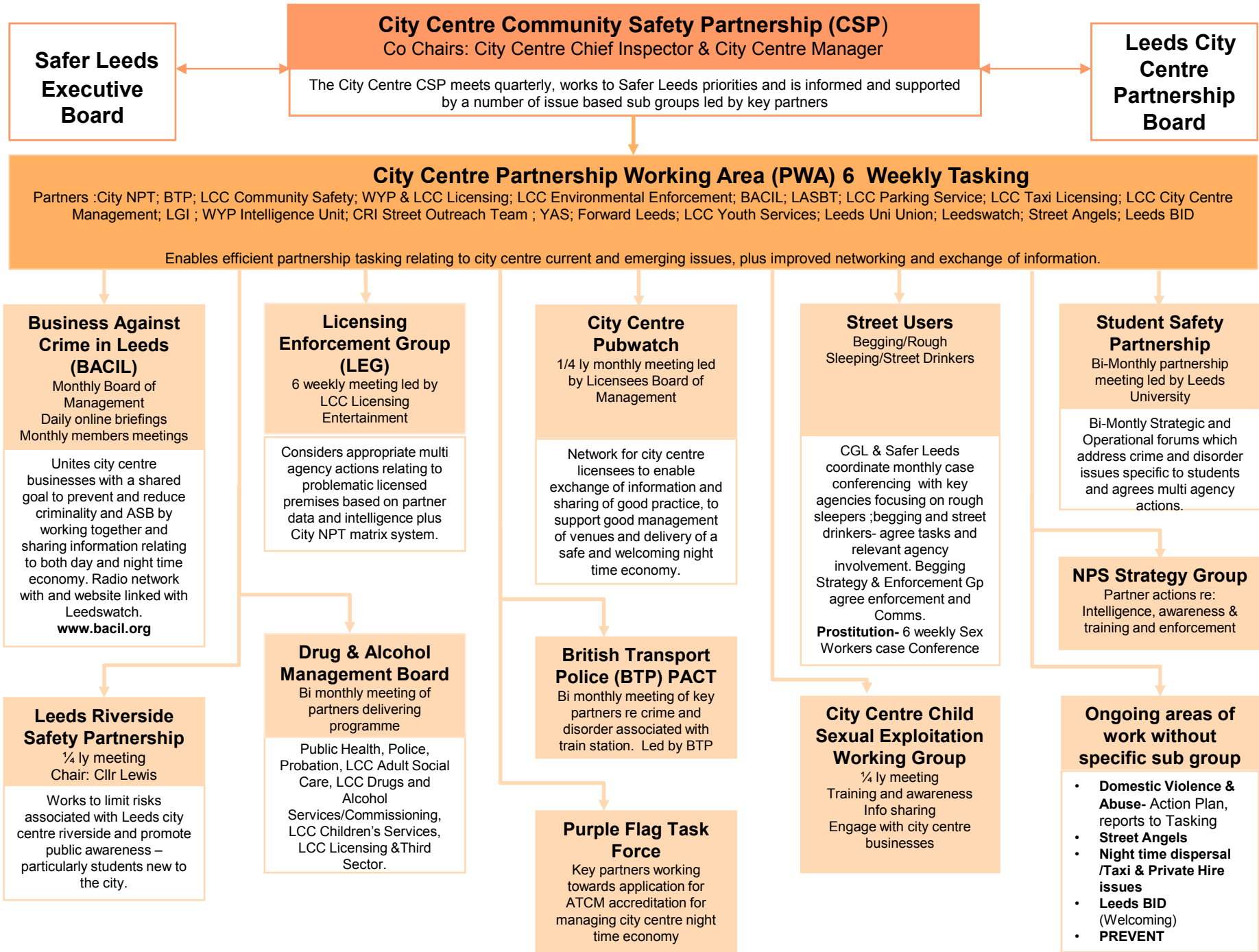
recommendation that the Leeds Beckett University and Leeds University Union coordinate a partnership approach to this project.

Background Papers¹

None

¹ ¹ 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.

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Report author: Desmond Broster
Tel: 3781562

Report of Head of Elections, Licensing and Registration

Report to Licensing Committee

Date: 1 November 2016

Subject: Safeguarding in Taxi & Private Hire Licensing – 12 month review of progress (Draft Report to Executive Board)

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. In December 2014 and December 2015 the Executive Board considered issues around safeguarding in Taxi & Private Hire Licensing. They gave certain directions, noted updates and also required that Officers reported back to them in December 2016 with the progress made.
2. Attached behind this Information Report is the draft report to Executive Board in December 2016 for Licensing Committee to consider. Any views expressed by Licensing Committee may be reflected in an updated Executive Board Report

Recommendations

3. That Members consider the draft Executive Board report and make any appropriate comments

1 Purpose of this report

- 1.1 To inform Licensing Committee Members of an Executive Board Report for consideration on 14 December 2016 around safeguarding issues and improvements around Taxi & Private Hire Licensing and to enable Members to consider and contribute to that report.

2 Background information

- 2.1 Following the Jay and Casey reports into Child Sexual Exploitation in Rotherham, Licensing Committee undertook a review of policy and procedures in 2014 which contributed to a report to the Executive Board in December 2014. The Executive gave some direction and required that Officers report back to the Executive Board in December 2015, at which point some further issues were raised for Officers to progress. An update report was required for Executive Board in December 2016.

3 Main issues

- 3.1 The draft Executive Board report is attached and members are asked to consider the content of the report and contribute to it. (Key policies are available at www.Leeds.gov.uk/taxis).

4 Corporate considerations

4.2 Consultation and engagement

- 4.2.1 All of the safeguarding progress work undertaken on behalf of Licensing Committee and Executive Board has been the subject of public and trade consultation. As this is an update report with no new proposals at this point no further consultation has been required.
- 4.2.2 A report of the safeguarding measures which have been built into licensing policy and procedure and the progress which has been made on issues identified by Executive Board was presented to Citizens and Communities Scrutiny Board on 10 October 2016. There were no direction actions required by the Board other than an update in 6 months' time which may be in the form of a briefing note.

4.3 Equality and diversity / cohesion and integration

- 4.3.1 An Equality and Impact Screening assessment is not required on this information report.

4.4 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

4.4.2 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

4.4.3 Safeguarding children and vulnerable adults:

4.4.4 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.

4.5 Resources and value for money

4.5.1 There are no cost implications for this information report.

4.6 Legal Implications, access to information and call In

4.6.1 All legal matters have been appropriately considered within the context of the individual reports connected to the draft Executive Board report.

4.7 Risk management

4.7.2 There are no implications within the context of this report.

5 Conclusions

5.1 Any views expressed will be considered and contribute to the draft Executive Board report.

6 Recommendations

6.1 That Members consider the draft Executive Board report and make any appropriate comments

7 Background documents¹

7.2 Licensing Committee Report and minutes – 7 October 2014

7.3 Licensing Committee Report and minutes - 17 November 2015

7.4 Executive Board Report and minutes – 17 December 2014

7.5 Executive Board Report and minutes – 16 December 2015

¹ 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.

Report of Assistant Chief Executive (Citizens and Communities)

Report to Executive Board

Date: 14 December 2016

Subject: Safeguarding in Taxi & Private Hire Licensing – 12 month review of progress to December 2016 – draft report

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. The independent enquiry into child sexual exploitation in Rotherham (1997 – 2013) and the significant concerns regarding safeguarding controls for Taxi & Private Hire Licensing in Rotherham lead to an Executive review of the control measures in place within Leeds City Council’s Taxi & Private Hire licensing environment. Reports were presented to the Executive Board on 17 December 2014 and 18 December 2015.
2. The main issues identified in the 2014 and 2015 Executive reports highlighted key licensing safeguards requiring urgent progression including, annual Disclosure and Barring Service (DBS) checks on all licence holders, shared enforcement powers and common licensing policies across West Yorkshire Authorities.
3. This report further informs Executive Board of the safeguarding policies and improvements that have been implemented in the preceding two years, the progress of recommendations and how the service continues to contribute to public safety generally.

Recommendations

4. Executive Board are asked to:-

Note and endorse the direction Officers and Members of Licensing Committee have taken and the progress of beneficial safety improvements for safeguarding in Taxi and Private Hire Licensing.

1 Purpose of this report

- 1.1 To inform Executive Board of the progress of safeguarding policies and improvements that have been implemented in the preceding two years and how the service contributes to public safety generally.

2 Background information

- 2.1 There has been significant Executive and Licensing Committee overview of the Taxi and Private Hire licensing functions which has contributed to minimising the safeguarding risks to children and vulnerable adults. Reports have been received by the Executive Board on 17 December 2014 and 16 December 2015 and also Licensing Committee on 17 November 2015. A joint working group of the Children's Services and Adult Social Services, Public Health and NHS Scrutiny Boards was also held in October 2015. This provided the opportunity to engage with representatives from both the Adult and Children's Safeguarding Boards and the Licencing Committee to ensure full support is provided to improve safeguarding in Taxi and Private Hire Licensing by way of expertise and challenge. The findings arising from this Scrutiny work was reflected in the Executive Board report in December 2015.
- 2.2 This process of overview and early intervention has been aligned to and closely monitored by the Cross Council's Safeguarding Board headed by the Assistant Chief Executive, Citizens and Communities. To ensure close monitoring of all of the issues of concern post-Rotherham the Assistant Chief Executive formed a specific Taxi sub-group enabling control measures to be brought into effect more quickly with approval being given for additional resources which enabled programs to be structured for much earlier completion dates; for example transitioning from a three yearly DBS to an annual DBS within a 14 months cycle involving 6,000+ licence holders and the design and delivery of an appropriate safeguarding awareness training course by LCSB.
- 2.3 The work carried out under the overview of Executive Board and the Cross Council Safeguarding group is set out under 'main issues' along with individual up to date position statements.
- 2.4 Executive Board 16 December 2015 did not resolve to place further requirements on the Taxi and Private Hire licensing service but have required an annual update report on progress made because of the importance and concerns nationally around these types of licensing services.

3 Main issues

3.5 New Policies approved by the Licensing Committee

Annual on-line DBS update service – the introduction of the on-line service which enables Officers to conduct DBS checks not only at the point of renewal of a licence or where a concern is raised but also to randomly check a percentage of the driver profile each month to ascertain if there are any areas of concern

revealed that have not been reported in another way. The latest position on progress is as follows:-

As at	January 2016 Estimate			Actual		
	Enrolled in update service	DBS app pending	DBS process to be started	Enrolled in update service	DBS app pending	DBS process to be started
1 st November 15				701	1031	4214
1 st December 15				799	1394	3779
1 st January 16				944	1806	3241
1 st February 16	1382	1888	2748	1557	1718	2752
1 st March 16	1474	2260	2257	1652	2145	2238
1 st April 16	1871	2378	1742	2091	2176	1779
1 st May 16	2300	2491	1200	2472	2280	1309
1 st June 16	2672	2661	658			
1 st July 16	3037	2811	143	3529	2095	433
1 st August 16	3423	2568	0	3929	2032	94
1 st September 16	3829	2162	0	4528	1508	0
1 st October 16	4235	1756	0	5123	899	0
1 st November 16	4642	1349	0			
1 st December 16	5130	861	0			
1 st January 17	5471	520	0			
1 st February 17	5846	145	0			
1 st March 17	5991	0	0			

3.6 The 16 month target date for completion (which included initial training and subsequent anticipated problems for the first two months of renewal) is on target.

- 3.7 A range of unreported convictions and police cautions have come to light as progress has been made on the implementation of the annual DBS policy. This has been a time consuming piece of work not only in terms of the process of moving licence holders onto annual DBS's, but also checking the returned disclosures against the licence holders existing file to see if there are any unreported changes.
- 3.8 Of the 5123 who have now returned their disclosures to the service, there have been 61 convictions or cautions revealed which had not been reported to the service. To date 4 decisions to revoke driver licences have been taken, with others cases receiving formal written warnings and/or training requirements, along with other decisions pending and awaiting further information.
- 3.9 Private Hire Operator Conditions**
- 3.10 The introduction of controls on telephone booking facilities and information recording of all journeys undertaken by 'out of town' Hackney Carriages which has had significant success within the Leeds licensing district. This condition has now been recognised by other authorities and one neighbouring authority, following the implementation of it, has managed to gather sufficient evidence to enable that Authority to suspend 6 Private Hire Operator licences directly in respect of Hackney Carriage vehicles which are licensed by Rossendale but operating in their district.
- 3.11 **Convictions Criteria**
- 3.12 This policy takes account of all types of sexual offending; criminal activity involving drugs, violence or dishonesty and is now embedded and has not met any legal challenges. It has been shared with the West Yorkshire Combined Authority approach to accept as best practice. It also has been presented to the Local Government Association and the Home Office for consideration as a model national policy. (Key policies are available at www.Leeds.gov.uk/taxis).
- 3.13 Compulsory safeguarding training**
- 3.14 Compulsory safeguarding awareness training for all existing licence holders, escorts and permit holders has been designed by LCSB and delivered by Carolyn Eyre, an experienced practitioner, appointed following a procurement exercise in accordance with the council's contracts standing orders. There are 187 contracted trainings sessions of which 85 were completed by the end of October 2016 equating to 43.5 % (2583) of the licence base with 56.5 % (3352) due to attend.
- 3.15 Sessions are booked in through to April 2017 and the service is liaising directly with private hire operators and drivers to attend the sessions. There has been a good take up of the sessions and enthusiasm among the trade.
- 3.16 Officers are keen to emphasise that the design of the safeguarding training correctly leans towards educating drivers to understand some basic issues which can help them to avoid misunderstandings and it is not on the basis of treating drivers as 'suspects'.

3.17 This authority has a very high proportion of professional drivers who carry out their day to day jobs over many years and who never receive complaints or enforcement attention and deserve recognition for their service in what can be a challenging role.

3.18 Immediate suspension policy

3.19 Licensing Committee reviewed and approved this policy which means that where an allegation or information is received about a licensed driver, which raises a real safeguarding or public safety concern, consideration is given to the immediate suspension or revocation of that licence. An immediate suspension decision means that the driver cannot drive until the suspension is lifted by the Courts or following investigation by officers.

3.20 Licensing applications by non UK citizens

3.21 Executive Board approved significant strengthening of the previous policy to reduce the risk of applicant fraud and also required statutory declarations by applicants to protect the Council. All applications for over-seas information can now only be made through a consulate or embassy. An associated measure was also approved by the Executive that Elected Members, Officers or MPs should not supply references in the decision making process.

3.22 Police Disclosures

3.23 Members have previously been made aware of the concerns of Officers regarding the high threshold set by the police for the disclosure of information that Officers feel is highly relevant to the Council carrying out its statutory obligations to make 'fit and proper' person assessments. The Assistant Chief Executive was specifically asked to raise this issue at senior Police Command level and those discussions led to an improved understanding of our requirements and the necessity for improved intelligence sharing to meet our statutory requirement. The common law powers of the Police to properly inform the Council of significant public safety issues outside of the provisions of the Data Protection Act have been more widely used by investigating officers.

3.24 To enable both a more strategic overview of licensing issues and to create efficiencies within the disclosure process, in terms of timescales and more appropriate information release, the service has appointed a Research Officer to work across different databases in order to maximise public safety information and particularly safeguarding intelligence. The Licensing Heads of other West Yorkshire Authorities have agreed in principle to an information sharing agreement that will enable the officer to undertake a much closer scrutiny of all the licensing databases and identify risks.

3.25 The post holder still has obligations to observe the Data Protection thresholds of the West Yorkshire Police, but will have the ability, under senior police officer guidance, and with more experience and understanding of the statutory role and responsibilities of the Council towards safeguarding and national legislation to make more pragmatic decisions on disclosure.

3.26 Safeguarding referrals.

3.27 Licensing Officers receive safeguarding referrals from the West Yorkshire Police, the LCC Local Authority Designated Officer (LADO), Children's Services and by public complaint. These referrals are promptly investigated and any licensing actions required carried out as soon as possible.

3.28 Taxi & Private Hire Resources

3.29 A review of staff skills and responsibilities within the Licensing team has been undertaken and additional fraud detection training delivered by the UK Border Agency in relation to identifying common types of forgery and counterfeiting of the type of documents commonly used to provide supporting evidence for identity (driving licences, passports, supporting documentation etc).

3.30 An additional senior licensing and compliance post has been created to enable closer scrutiny prior to the point of decision making.

3.31 The previously approved increase in Enforcement Officer establishment has now been fully taken up and their training is significantly advanced, with most Officers able to undertake independent investigations. There has also been the introduction of a new rota which extends the number of nights worked during each week and working hours which now extend until 4:30am on certain nights of the week in response to the pattern of the night time economy. LeedsWatch still have capability for the ongoing monitoring in key parts of the city in the night time economy. It is important that Members recognise that the issues of safeguarding and investigations into other serious complaints are quite distinct from on-street enforcement issues and that the traffic management issues within the night-time economy are the responsibility of the Police.

3.32 Combined Authority

3.33 There has been clear recognition by Leaders of West Yorkshire Councils and Chief Executives of the need for the taxi & private hire licensing elements to work in a much more cohesive way in terms of policy, decision making and enforcement capability. This has led to the creation of a licensing working group involving the heads of those services to prioritise a range of issues and establish a more common approach to alleviate clear disparities.

3.34 The outcomes hoped for in attaining common standards across the West Yorkshire Authorities have not been straightforward and there are various reasons for this. However, an independent senior consultant was tasked with drawing together all of the issues and options proposals and that will be presented to the next meeting of Leaders and Chief Executives on 19 October 2016 so that clear direction can be given to Officers on how and what key issues to progress next.

3.35 The ability for Enforcement Officers to operate lawfully in other licensing districts was addressed by Full Council on 13 January 2016, which approved the delegation of certain enforcement powers to Officers of other West Yorkshire Authorities and this has been reciprocated by those other authorities to Leeds City

Council Officers which enables enforcement activity on the streets of Leeds in the night time economy on drivers and vehicles licensed from across West Yorkshire.

- 3.36 Important progress has been made on the decision making model with the schemes of delegation and all authorities now delegate decision making from Licensing Committee to Officers to make determination on policy approved by Licensing Committee or the Executive.
- 3.37 There is a significant obstacle in terms of information technology and the West Yorkshire Authorities in working more closely and utilising the information and intelligence held in individual authorities' databases. At least two authorities are moving to the same licensing system as Leeds City Council and it is likely that the other authorities will follow. This would enable mobile browser access to all databases and a much easier sharing and checking of information during the course of enforcement activities on the streets. The Chairs' of West Yorkshire Licensing Committees have undertaken to hold regular meetings to develop closer working relationships and the issues around licensing databases moving to a common database and was an agenda item at their meeting on 19 October 2016 at Kirklees Civic Centre where they added their support to Officers' desire to move forward on this issue and have agreed to raise the issue at the next Combined Authority meeting of West Yorkshire Leaders of the Council (date still to be confirmed - either 10/11/2016 or 8/12/2016).

4 Corporate considerations

4.1 Consultation and engagement

- 4.1.1 All existing policies have been subject to consultation with feedback being considered by the Licensing Committee prior to final decisions or recommendations to the Executive.
- 4.1.2 The detail of the policy improvements and progress on Executive recommendations in respect of safeguarding in Taxi & Private Hire Licensing were presented to Citizens and Communities Scrutiny Board on 10 October 2016. (Draft note: There were no concerns raised by Scrutiny Board and the report seemed to be well received. Although the minutes are not yet released there were no direction actions required by the Board other than an update in 6 months' time which may be in the form of a briefing note.)
- 4.1.3 (To further include reference to Licensing Committee meeting on 1/11/16 and any issues raised).

4.2 Equality and diversity / cohesion and integration

- 4.2.1 Equality, Diversity, Cohesion and Integration Screening Assessments have been carried out on all policies agreed at Licensing Committee or approved by Executive decision.

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 The taxi and private hire service is a ring-fenced account with all licence income being expended on the service. Whilst the safeguarding and service improvements have incurred additional expenditure the service is able to meet

that from a controlled surplus budget and there is no additional cost to the Council.

4.5 Legal Implications, access to information and call In

4.5.1 The taxi and private hire service is a ring-fenced account with all licence income being expended on the service. Whilst the safeguarding and service improvements have incurred additional expenditure the service is able to meet that from a controlled surplus budget and there is no additional cost to the Council.

4.6 Risk management

4.6.1 The taxi and private hire service is a ring-fenced account with all licence income being expended on the service. Whilst the safeguarding and service improvements have incurred additional expenditure the service is able to meet that from a controlled surplus budget and there is no additional cost to the Council.

4.6.2 One of the main delivery objectives across West Yorkshire is that all authorities have sufficient skilled licensing enforcement resources and capability to sustain the very necessary controls required within the licensing environment. These are issues that are being pressed through the Combined Authority approach.

5 Conclusions

5.1 Good progress has been made on delivery of the directions given by Licensing Committee and Executive Board and these issues remain the subject of strong scrutiny within the Directorate.

6 Recommendations

6.1 Executive Board are asked to:-

Note and endorse the direction Officers and Members of Licensing Committee have taken and the progress of beneficial safety improvements for safeguarding in Taxi and Private Hire Licensing.

7 Background documents¹

7.1 Licensing Committee Report and minutes – 7 October 2014

7.2 Licensing Committee Report and minutes - 17 November 2015

7.3 Executive Board Report and minutes – 17 December 2014

7.4 Executive Board Report and minutes – 16 December 2015

¹ 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.

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LICENSING COMMITTEE WORK PROGRAMME 2016/17 - LAST UPDATED 21/10/16 (JG)

ITEM	DESCRIPTION	NOTES	TYPE OF ITEM
Items Currently Unscheduled			

ITEM	DESCRIPTION	Officer	TYPE OF ITEM
	Meeting date: 9th February 2016 HELD - Activity Update – Taxi and Private Hire Licensing – 1st July to 31st 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		
	Meeting date: 8th March 2016 – Held - The Night Time Economy - Leeds City Bids, Update Report on Legal Highs'		
	Meeting date: 12th April 2016 - Postponed		
	Meeting date: 10th May 2016 - Postponed		
	Meeting date: 20th 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		
	Meeting date: 5th July 2016 - HELD - Advertising on Wheel Chair Accessible Vehicles, Convictions Criteria - Psychoactive substances, Select Committee on the Licensing Act 2003, Future Training Arrangements		
	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		
	Meeting date: 6th 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		

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 21/10/16 (JG)

ITEM	DESCRIPTION	Officer	TYPE OF ITEM
Meeting date: 5th October 2016 – HELD - Taxi & Private Hire Licensing Service Overview, Hackney Carriage Vehicles - Wheelchair accessible vehicles – Corporate livery, Hackney Carriage Vehicles – Signs and Markings (LCC licence plate improvements)			
Meeting date: 1st November 2016			
Student Safety (Sexual Harassment) Deputation	To receive a report by the Head of Elections, Licensing and Registration which seeks to address concerns of student safety following a deputation to Council on 14 th September 2016	N Raper	B
Draft Report - Safeguarding in Taxi & Private Hire Licensing – 12 month review of progress	To consider a draft report of Head of Elections, Licensing and Registration, which sets out details of progress in respect of safeguarding in Taxi & Private Hire Licensing.	D Broster	B
Meeting date: 6th December 2016			
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
Large Casino – Annual Report	To receive a report by the Head of Elections, Licensing and Registration on the large Casino Annual Report	N Raper	B
City Centre CIP Review	To receive a report by the Head of Elections, Licensing and Registration which seeks to review the City Centre CIP	S Holden	RP

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 21/10/16 (JG)

ITEM	DESCRIPTION	Officer	TYPE OF ITEM
Meeting date: 10th January 2017			
Meeting date: 7th February 2017			
Annual Licensing Report	To receive the Annual Licensing Report prepared by the Head of Elections, Licensing and Registration	J Mulcahy	PM
DEFRA UK Air Quality Improvement Plan	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
Meeting date: 7th March 2017			
Policing and the Night time Economy	To receive a Presentation from Sergeant Dave Shaw, West Yorkshire Police on the issues of "Policing and the Night time Economy"	D Shaw	B

LICENSING COMMITTEE WORK PROGRAMME 2016/17 - LAST UPDATED 21/10/16 (JG)

ITEM	DESCRIPTION	Officer	TYPE OF ITEM
Meeting date: 4th April 2017			
Taxi & Private Hire Licensing Service – Improvements Overview (Progress Report)	To receive a report by the Head of Elections, Licensing and Registration which provides progress on developments within the Taxi and Private Hire Service	D Broster	B
Meeting date: 26th May 2017			

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