

Licensing Committee

Tuesday, 8th September, 2015

PRESENT: Councillor M Harland in the Chair

Councillors N Buckley, R Downes, J Dunn,
G Hussain, B Selby, C Townsley, B Flynn,
S McKenna and A Ogilvie

39 Appeals Against Refusal of Inspection of Documents

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

40 Exempt Information - Possible Exclusion of the Press and Public

RESOLVED – 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:-

The report entitled “Policing and the Night Time Economy” referred to in Minute No.48 was designated as exempt under Access to Information Procedure Rule 10.4 (3) because it contains information relating to, crime and disorder which may result in future legal proceedings.

It was considered that in respect of the above circumstances, the public interest in maintaining the exemption from publication outweighs the public interest in disclosing the information.

41 Late Items

There were no late items submitted for consideration.

42 Declaration of Disclosable Pecuniary Interests

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

43 Apologies for Absence

Apologies for absence were received from Councillors: Gettings, G Hyde, A Khan and Wilkinson.

44 Minutes of the Previous Meeting

RESOLVED – That the minutes of the previous meeting held on 4th August 2015 were approved as a true and correct record.

45 Matters Arising from the Minutes

There were issues raised under matters arising.

46 Information report - De-Regulation Act 2015 and its effect on Taxi & Private Hire Licensing matters.

The Head of Elections, Licensing and Registration submitted a report which set out proposals which are to be included into the De-Regulation Act 2015 which come into force in October 2015.

Appended to the report were a series of articles from organisations who had expressed concern about de-regulation measures relating to taxi and private hire vehicles. (Appendix 1 refers)

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:

- Removing the discretion of a local Authority not to issue a driver licence for a period of more than one year.
- Allowing for Private Hire Operator licences to be granted for a period of 5 years only without discretion for the Council to grant for a lower period.
- Removal of the strict control of sub-contracting a Private Hire journey from within a licensing district only to enable sub-contracting to take place on a national basis

A number of Members expressed concern about the removal of controls around sub-contracting; querying how a vehicle/ driver could be traced if it had been sub contracted to an operator in another district and was involved in an incident.

In responding the Section Head, Taxi and Private Hire Licensing said in such circumstances the responsibility rested with the lead operator, but accepted if the booking had been sub contracted to several operators, tracing the vehicle/ operator could be difficult.

Commenting on Section 3.4 of the submitted report and the reference that the City Council had no powers to conduct any enforcement activity on Private Hire Vehicles not licenced by this authority, Members questioned who would carry out enforcement proceedings on out of town vehicles.

The Section Head, Taxi and Private Hire Licensing said the City Council were reliant on the local authority that licenced the vehicle to take the necessary action. Work

was currently ongoing with the licensing sections from the West Yorkshire Combined Authorities to share enforcement powers across all authorities, so enforcement officers would be able to inspect vehicles that had been licensed by another authority.

Members referred to paragraph 2.9 of the report and the reference that “There currently was no detailed information or operational guidance on the de-regulation measures available from the Government, Department of Transport (Dft) or other organisations. Members expressed concern at the lack of guidance and the possible implications if something was to go wrong. It was suggested that issues be raised with Members of Parliament with a view to establishing what actions the Government were going to take.

In responding, the Head of Elections, Licensing and Registration said that the issues had been raised at great length by the Local Government Association during the public consultation stage. Following previous discussions with Members on the issues, a proposal had been made to put out a press release highlighting the council’s concerns for public safety as a consequence of the new legislation. Currently there were ongoing discussions to determine the appropriate Member in whose name the press release should go out.

A number of Members expressed the view that this issue had cross party support and the press release should be from the Chair of the Licensing Committee.

RESOLVED –

- (i) That the contents of the report be noted
- (ii) To support the issuing of a Press Release highlighting concerns about the introduction of de-regulation measures relating to taxi and private hire vehicles.

47 Licensing Committee Work Programme 2015/16

Members considered the contents of the Licensing Committee Work Programme for 2015/16

RESOLVED – That the contents of the Licensing Committee Work Programme for 2015/16 be approved.

48 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 in City & South Leeds, West Leeds, East Leeds 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 extended an invitation to Members of the Licensing Committee to accompany night-time patrols operating in the City Centre at weekends.

A number Members expressed an interest to participate in a night-time tour

RESOLVED –

- (i) That the contents of the presentation be noted
- (ii) That in consultation with WYP, arrangements be made for Members to participate in a night-time tour of the City Centre

49 Date and Time of Next Meeting

RESOLVED – To note that the next meeting will take place on Tuesday, 6th October 2015 at 10.00am in the Civic Hall, Leeds.