

Licensing Committee

Tuesday, 9th February, 2016

PRESENT: Councillor M Harland in the Chair

Councillors N Buckley, J Dunn, G Hussain,
G Hyde, G Wilkinson, B Flynn, S McKenna
and A Ogilvie

76 Appeals Against Refusal of Inspection of Documents

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

77 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:-

- (i) Appendix A to a report entitled “Entertainment Licensing Section – Annual Report January – December 2015” referred to in Minute No.87 was designated as exempt under Access to Information Procedure Rule 10.4 (1),(2), (3) and (7) because it contained information relating to an individual, information which was likely to reveal the identity of an individual, the financial or business affairs of any particular person and information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime and disorder which may result in future legal proceedings.
- (ii) Appendix A to a report entitled “Mint Festival 2015 – Members Debrief” referred to in Minute No.88 was designated as exempt under Access to Information Procedure Rule 10.4 (3) and (7) because it contained information relating to the financial or business affairs of any particular person and information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime and disorder which may result in future legal proceedings.

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

78 Late Items

Draft minutes to be approved at the meeting
to be held on Tuesday, 8th March, 2016

There were no late items submitted

79 Declaration of Disclosable Pecuniary Interests

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

80 Apologies for Absence

Apologies for absence were received from Councillors: R Downes, B Gettings, A Khan, B Selby, C Townsley and M Ingham

81 Minutes of the Previous Meeting

That the minutes of the previous meeting held on 15th December 2015 were approved as a true and correct record.

82 Matters Arising from the Minutes

There were no issues raised under matters arising.

83 Changes to the Hackney Carriage Trade Forum Meetings constitution

The Head of Elections, Licensing and Registration submitted a report which set out details of proposed changes to the Hackney Carriage forum constitution to amend the existing frequency of such meetings.

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 existing arrangements
- The vast majority of Trade issues were dealt with as they arose

In providing clarification the Section Head, Taxi and Private Hire Licensing said under the new proposal meetings of the Taxi and Private Hire forum would take place every four months (or as frequently as business demanded). Special meetings could be called as necessary to deal with issues as they arose.

In summing up the Chair said the proposal appeared to be a sensible way forward to enable the Council to meet the needs of the trade in a way that retained some formality but allowing flexibility for both parties.

RESOLVED – Members noted the changes to the Hackney Carriage forum constitution.

84 Review of Driver Licensing Requirement for Group II Medicals

The Head of Elections, Licensing and Registration submitted a report which sought the views of the Committee as to whether or not the existing Group II medical policy was sufficient in terms of public safety, or if it required to be strengthened by more frequent medical assessments.

Appended to the report were the following appendices:

- Report to the Licensing and Regulatory Panel dated 18th November 2008 concerning the introduction of a Group II medical report requirement (Appendix 1 refers)
- Medical Examination Report Form (Appendix 2 refers)
- C1 Criteria for insulin dependent drivers (Appendix 3 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:

- Existing LCC policy was in line with DVLA requirements
- The recommendations of the Glasgow Enquiry
- Whether the existing arrangements were satisfactory

It was the view of the Committee that the existing policy and requirements were satisfactory

RESOLVED – To approve that the existing policy in respect of Group II medical assessment requirements was satisfactory

85 Activity Update: Taxi and Private Hire Licensing 1st January to 31st December 2015

The Head of Elections, Licensing and Registration submitted a report which Provided a summary of the activity undertaken by the Taxi and Private Hire Licensing Section during the period 1st January to 31st December 2015.

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 number of licences issued
- Refusal and Revocation Decisions
- Suspension Decisions
- Complaints Received
- Appeals Received
- Changes to Policy
- Annual DBS

It was noted there had been a decrease in the number of Private Hire Operators.

In offering an explanation the Section Head, Taxi and Private Hire Licensing said the introduction of new technologies; smartphones and apps had encouraged companies to merge existing operating businesses to gain a larger stake in the industry.

It was reported the Private Hire Operator conditions approved by Committee had enabled for focussed enforcement activity in dealing with licensed drivers. There had been Operators in some PH companies where there had been a lack of management attention by the proprietor in respect of 'plying for hire' issues. The new conditions had been effective in contributing to improved business practices.

RESOLVED – That the contents of the report be noted

86 Licensing Committee Work Programme 2016

Members considered the contents of the Licensing Committee Work Programme for 2016.

RESOLVED – That the contents of the Licensing Committee Work Programme for 2016 be noted

87 Entertainment Licensing Section - Annual Report January - December 2015

The Head of Elections, Licensing and Registration submitted a report which Provided a summary of the issues dealt with by the Entertainment Licensing Section during the period January to December 2015.

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

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

- Licensing Act 2003: Application Statistics
- Licensing Act : Reviews
- Licensing Act : Appeals
- Statement of Licensing Policy
- Gambling Act 2005: Application Statistics
- Gambling Act 2005: Statement of Licensing Policy
- Large Casio
- Sexual Establishments
- Update of the Liaison & Enforcement Team
- Outdoor Events

RESOLVED –

- (i) That the contents of the report be noted

- (ii) To note that future report would be brought back to this Committee on an annual basis
- (iii) The Chair to discuss the timing of the report with the Chair of the Corporate Governance and Audit Committee given the fact the same information is presented to both Committees

88 Mint Festival 2015 - Members Debrief

The Head of Elections, Licensing and Registration submitted a report which provided details of the de-brief following the Mint Festival 2015 held at Wetherby Racecourse between 19th and 20th September 2015.

Appended to the report was the following appendix:

- Minutes of the Multi – Agency de-brief meeting held on 18th November 2015 (Appendix A refers)

The Principal Licensing Officer, Entertainment Licensing, together with Mark Black and Therese McMullan from Mint presented the report and responded to Members' questions and queries.

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

- Noise nuisance
- Consultation with Ward Councillors and local residents
- Traffic management issues
- Litter outside the site

Commenting on the noise nuisance complaint, a Ward Councillor for the area said although there was some noise, it was not a significant issue.

Referring to proposals for a 2016 Mint Festival, Mr Black said consideration was been given to staging the event over 1 day but at an alternative Leeds venue.

The Chair thanked Mr Black and Ms McMullan for their attendance and participation

RESOLVED – That the contents of the report be noted

89 Date and Time of Next Meeting

RESOLVED – To note that the next meeting will take place on Tuesday, 8th March 2016 at 10.00am in the Civic Hall, Leeds.