

## **Licensing Committee**

**Tuesday, 7th February, 2017**

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

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

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

There were no appeals against refusal of inspection of documents.

### **98 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 nature of the business to be considered.

### **99 Late Items**

There were no late items of business

### **100 Declaration of Disclosable Pecuniary Interests**

No declarations of disclosable pecuniary interests were made.

### **101 Apologies for Absence**

Apologies for absence were received from Councillors: B Gettings and J Heselwood

### **102 Minutes of the Previous Meeting**

**RESOLVED** – That the minutes of the previous meeting held 6<sup>th</sup> December 2016 were accepted as a true and correct record.

### **103 Matter Arising from the Minutes**

There were no issues raised under matters arising.

### **104 DEFRA Air Quality Improvement Plan & OLEV Grants**

The Director of Environments and Housing submitted a report which provided an update on the progress with regard to Clean Air Zone (CAZ) implementation and the submission of applications for funding.

It was reported that details of DEFRA's CAZ plans and the opportunity to submit funding requests were advised to this Committee in July 2016.

The Executive Programme Manager, Strategy & Resources, presented the report and responded to Members questions and queries.

Discussion ensued on the contents of the report which included:

- Current and Planned Actions to address air quality in Leeds
- Engagement Plans
- OLEV Clean Taxi Grant Bid
- DEFRA Taxi & Private Hire Licensing Scrappage
- Licensing Conditions

Referring to Section 2.3 of the report “Applications for Funding”, Members requested if a brief report could be provided to the next meeting on the uptake of applications seeking vehicle purchase funding.

It was also requested that a Briefing Note be prepared on “Home Charging Grants” which could be circulated to all Members of Council.

Officers confirmed the requested information would be made available.

Referring to Paragraph 1.4 of the submitted report, clarification was sought on the number of, and locations of the air quality monitoring areas. Members also queried why certain areas (Junction 28 of the M62 motorway) was not identified as a poor air quality area

In responding officers confirmed that there were 6 air quality monitoring areas located throughout the city: Burmantofts (Haselwood Close), Pool in Wharfedale (Main Street), City & Hunslet (Caspar Apartments), Kirkstall (The Normans), Beeston & Holbeck (Tilbury’s and Eustons) and Morley (Chapel Hill).

In terms of identifying poor air quality areas “hotspots” officers reported that an updated DEFRA model was being produced that would identify further areas in Leeds. However, it was not anticipated that DEFRA’s updated model would identify any unknown areas as the current measurement of air quality across the city was comprehensive.

It was suggested that a map showing the location of the air quality monitoring areas be circulated to all Members of the Committee.

Officers confirmed the requested information would be made available.

Referring to Paragraph 2.1.5 of the submitted report “Free parking had been offered to owners of zero and ultra - low emission vehicles at Council operated car parks”. Members queried if car park revenue would be affected as a consequence.

In responding officers suggested that the impact on revenue was being monitored annually and once there was a high take up of zero and ultra - low emission vehicles, the incentive would no longer be required.

Referring to the delivery of charge point infrastructure (Paragraph 2.3.6), one Member commented that on a recent journey to Scotland electric charging points were not available after 6.00pm, were officers aware of this restriction.

In responding officers reported that they were unaware of a 6.00pm cut off and they would ensure that this limitation was not in place in the charging networks installed within Leeds. In terms of the charge point infrastructure, it was anticipated that petrol station chains may in the near future begin to install electric charging points within their petrol stations but the uptake of electric vehicles needs to be established.

#### **RESOLVED –**

- (i) The information regarding the programme plans for delivery of a CAZ in Leeds, in particular the key milestone of the June Executive Board be noted
- (ii) To note the update on the submission of an application for funding from OLEV to support delivery of electric vehicle charge point infrastructure for the trade.
- (iii) To note that the authority had sought to secure funding to assist the taxi and private hire trade with the purchase of electric vehicles
- (iv) That in respect of (iii) above, a report setting out details of the uptake of applications seeking vehicle purchase funding be prepared for the March 2017 meeting of this Committee
- (v) That a further report be brought back to this Committee in June 2017 with details of any proposed vehicle licensing condition changes that may be considered following discussion with the other West Yorkshire and York authorities. The aim of these discussions is to look at a common approach across the region. Any proposals for change would be subject to full public consultation.

#### **105 Training Review, Taxi & Private Hire Licensing**

The Head of Elections, Licensing and Registration submitted a report intended to provide an understanding as to the reasons for a Training Review.

Appended to the report was a copy of the current training provision for Taxi and Private Hire Drivers & Operators (Appendix 1 referred)

Addressing the report the Executive Officer, Taxi and Private Hire Licensing reported that there were three main issues motivating the training review:

- Benefits to the trade
- Benefits to customers and staff
- Benefits of using a developed local market

In seeking clarification, Members asked if there had been any consultation with the trade.

In responding officers confirmed that discussions had taken place in two trade forums with different views being expressed. Subject to Members approval, wider consultation would take place in the next few weeks.

Referring to drivers from neighbouring authorities operating in Leeds, Members queried if the LCC training could be enforced on drivers licenced in other authorities.

In responding officers said LCC training could not be enforced on drivers from other authorities, the intention was to work with neighbouring authorities to encourage them to adopt similar standards to Leeds

The Chair queried if there was an issue around local knowledge.

In responding Officer's suggested there was not an issue but there was a difference of opinion within the trade. The use of satellite navigation provided alternative routes and real-time information, there was a view that local knowledge was not as valuable but the driver had to be competent.

## **RESOLVED –**

- (i) That the contents of the report be noted, including the suggested timescales for completion
- (ii) To support the proposals for the Council to consult with the Taxi and Private Hire trade on the review of the Council's Driver Training provision

### **106 Letter from Competition & Markets Authority**

The Head of Elections, Licensing and Registration submitted a report which drew to the attention of Members, a letter received from Competition & Markets Authority (CMA) setting out details of a number of Taxi & Private Hire related issues.

Appended to the report was a copy of the following documents:

- A Letter from the Senior Director, Advocacy, Competition & Markets Authority dated 14<sup>th</sup> December 2016 (Appendix 1 referred)
- Leeds City Council's current Taxi and Private Hire Licensing conditions (Appendix 2 referred)

Addressing the letter from the CMA, the Executive Officer, Taxi and Private Hire Licensing reported that the letter raised a number of issues, all relating to the impact of local authority regulations on taxi and private hire competition.

- The CMA states that passengers benefit in terms of both price and service quality from innovation and competition among taxis and private hire vehicle operators.

- Attention is drawn to recent CMA analysis of a merger between two Sheffield private hire operators.
- Attention was also drawn to the CMA response to Transport for London (TfL) consultation on proposed changes to private hire regulations in London.

It was suggested that the focus of CMA letter was on one aspect of the council's taxi and private hire licensing conditions, which the CMA suggests may reduce the potential for competition between firms and make it more difficult for a new entrant into the trade.

Referring to the merger of operators and the suggestion that competition may be reduced as a consequence, Members queried if there was any evidence to back up what was been suggested.

In responding Officers reported no evidence had been supplied, it also raised concerns around livery and identification.

In offering comments Members suggested that smaller operators often merged in order to compete with the larger operators.

Officers suggested that the views of the trade need to be sought in terms of them being more enterprising.

It was the view of Members that they had confidence in the current policy.

#### **RESOLVED –**

- (i) That the letter from the Competition & Markets Authority be noted
- (ii) That in responding the Competition & Markets Authority be informed that this Committee has every confidence in its existing licensing policy

#### **107 Taxi & Private Hire Licensing - 2017 Fees Review**

The Head of Elections, Licensing and Registration submitted a report which sought the support of Members in reviewing the Council's Taxi and Private Hire licensing fees.

Appended to the report was a copy of Leeds City Council – Taxi and Private Hire Licensing Fees (January 2010) – (Appendix 1 referred)

The Executive Officer, Taxi and Private Hire Licensing presented the report and responded to Members questions and queries.

Discussion ensued on the contents of the report which included:

- The fees for Taxi and Private Hire Licensing were last reviewed in December 2010
- To investigate the opportunity to review the current and future costs of the service and the fees charged by the Council to cover those costs

- To engage with staff, the local trade, neighbouring authorities and other stakeholders
- The review findings would have regard to Council Policy, Conditions and Criteria approved by Licensing Committee
- Suggested timescale for the review.

## **RESOLVED –**

- (i) That the contents of the report be noted, including the suggested timescales for completion
- (ii) To support the proposals for the Council to consult with the Taxi and Private Hire trade and other stakeholder on the review of licensing fees

## **108 Licensing Annual Report 2016**

The Head of Elections, Licensing and Registration submitted the Licensing Annual Report 2016 which provides a summary of the work undertaken in 2016 by Entertainment Licensing and Taxi and Private Hire Licensing.

The report provided information and statistics on the type and number of licensing applications processed by Entertainment Licensing and the Taxi and Private Hire Licensing Sections. The report also set out details of enforcement activity and liaison work undertaken by both sections.

Appended to the report was a copy of the Licensing Annual Report 2016 (Appendix 1)

The Head of Elections, Licensing and Registration presented the report and responded to Members questions and queries.

Discussion ensued on the contents of the report which included:

### Entertainment Licensing

- Evening and Night time Economy
- Strategy and Policy
- Proactive work
- Reactive work
- Licensing Act Application Statistics
- Gambling Statistics
- Large Casino
- Sex Establishments
- Outdoor Events

### Taxi and Private Hire Licensing

- Enforcement
- Safeguarding

- Service Improvement
- Licensing Statistics
- Decisions
- Refusals and Revocations
- Suspensions
- Complaints

Referring to the evening and night time economy, reference was made to a well-known fast food establishment on Boar Lane and the concerns around late night nuisance.

In responding Officers reported that the company had worked with the police and LCC Officers and provided additional security both inside and outside the premises, and as a result the situation had improved within the last six months. Referring to Taxi and Private Hire suspensions, Members sought clarification around none disclosure of medical reasons.

In responding Officers confirmed a driver's licence would be suspended if a medical assessment had not been carried out.

**RESOLVED –**

- (i) That the contents of the Licensing Annual Report 2016 be noted
- (ii) To note that the report will be considered by full Council in March 2017

**109 Licensing Committee Work Programme**

Members considered the contents of the Licensing Committee Work Programme for 2017. It was noted that in view of the decisions made earlier, the following items would be added to the Work Programme:

- Uptake of applications seeking vehicle purchase funding (March 2017)
- Vehicle Licensing Conditions – Consistency Across the West Yorkshire and York Region (June 2017)
- Training Review – Taxi and Private Hire Licensing (Update Report March 2017, Full Report June 2017)

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

**110 Date and Time of Next Meeting**

**RESOLVED –** To note that the next meeting will take place on Tuesday, 7<sup>th</sup> March 2017 at 10.00am in the Civic Hall, Leeds.