

LICENSING AND REGULATORY PANEL

TUESDAY, 6TH MAY, 2008

PRESENT: Councillor R D Feldman in the Chair

Councillors S Armitage, D Hollingsworth,
V Morgan, G Wilkinson and D Wilson

IN ATTENDANCE

Mr P Landau – LAPTA
Mr A Rashid – City Cabs
Mr K Gill – Leeds Taxi Owners Association
Mr B Heptinstall – Leeds Taxi Owners Association
Mr M Darwin – Head of Highways Development Services, LCC
Planning Services,
Mr J Wigmore – Standards Board for England (observing)

36 Chairs Opening Remarks

Noting this was the last meeting of the Licensing and Regulatory Panel for the 2007/08 Municipal Year the Chair thanked all Members and officers for their assistance with the work of the Panel over the last 12 months. Additionally he extended congratulations to all Members of the Panel who had been successfully re-elected at the recent local council elections.

37 Declarations of Interest

There were no declarations of interest

38 Apologies for Absence

Apologies for absence were received from Councillors A Blackburn, Dowson, Dunn, Grayshon and Selby

Additional apologies were received from
Helen Franklin – LCC Acting Head of Highways Services
Gary Bartlett – LCC Chief Highways Officer
Howard Claxton – LCC Traffic Engineering Manager, Highways Services
Keith Darch – LCC Principal Engineer, Highways Services
Clare McCall - LCC Community Safety
Paul Stephens - LCC Chief Economic Services Officer
Mr Tim McSharry – Access Committee for Leeds
Mr David Littlewood - Access Committee for Leeds
Mr Paul Roberts – WYPTE
Mr Des Broster – Section Head, LCC Taxi & Private Hire Licensing
Mr Martyn Johnson – LCC Taxi & Private Hire Licensing

39 Minutes

RESOLVED – That the minutes of the meetings held 8th January and 13th February 2008 respectively be agreed as a correct record

40 **Hackney Carriage Issues - Update report on Progress**

The Panel considered the report of the Assistant Chief Executive (Corporate Governance) which drew together updates from various parties on the progress so far with each individual issue raised by the Special Meeting in February 2008 called specifically to deal with Hackney Carriage issues in Leeds.

Mr Darwin briefly explained the role of highways services in the planning process for new developments in Leeds which included seeking kerb side provision for various forms of transport.

The Panel noted with regret the lack of attendance by key LCC officers at the meeting to present progress reports from within respective departments and then went on to discuss the matters raised in the report in further detail Ranks at new developments - Mr Heptinstall commented that the planning process did not have regard to taxi rank provision. He recollected only one rank – at the White Rose Centre – being implemented as part of a new development in the last 30 years. Mr Darwin responded that highways provided wherever possible, pick-up/drop-off points outside new hotels in accordance with LCC policy.

- The Panel, noting that pick-up/drop-off points could be utilised by private vehicles and both the HC and PH trade, supported a suggestion that LCC policy should be revised in order to ensure that new ranks be provided outside hotels instead of or in addition to pick-up/drop-off points
- The Panel requested Mr Darwin raise this matter with Mr S Speak, LCC Chief Strategy & Policy Officer and agreed a letter be sent directly to Mr Speak from the Panel

Shelters – information received from Mr Roberts of WYPTE was reported to the meeting regarding positive discussions held between METRO, T&PH Licensing and Highways on the installation of bus stop style shelters (including design; colour and signage) alongside further discussions on possible location of new ranks at existing or new bus stops, subject to appropriate funding. It was noted that Mr Roberts had reiterated METRO's commitment to improve facilities for taxi users with the proviso that this should not be to the detriment to bus operators and passengers

Update from Highways Services – Mr Heptinstall reported receipt of a report and schedule from Mr K Darch, principal engineer (traffic management) Highways Services. The report covered provision of ranks in the city centre; the design/legibility of taxi signs and contained a schedule of all the rank locations suggested previously by the HC Trade. The trade had discussed these with highways officers and the schedule set out the Departments' response on likely future action. The report had been sent to, but not received by the Chair, and copied to Mr Heptinstall for information.

The Legal Adviser briefly outlined the contents of the report. Mr Heptinstall on behalf of the trade welcomed the progress made so far. The Panel, whilst acknowledging that positive steps to address the issue of taxi rank location

had been taken, were concerned that this information had not been widely publicised and could have been presented as a formal late item to the whole Panel

- Members agreed to the suggestion that the report and schedule should be copied to all Members of the Panel

Leeds/Bradford Airport – the clerk reported additional comments received from Mr Tim McSharry of the Access Committee for Leeds. The Access Committee had written to the Chief Executive of Leeds/Bradford airport regarding customer service issues and a response was now awaited. Furthermore, Mr Broster of the T&PH Licensing Section was assisting the Committee in arranging a meeting date with an Airport representative

Enforcement Activity – Noting the local council elections had now taken place, it was agreed that the proposed letter highlighting the necessity of enforcement activity in the city centre having regard to public safety be sent to all Members of Council as soon as possible

RESOLVED –

- (a) To note the contents of the report and the additional information provided at the meeting
- (b) That officers report the Panels' desire to seek a revision to current LCC planning policy to the Chief Strategy & Policy Officer in order that provision of new taxi ranks adjacent to new hotel developments (instead of or in addition to passenger pick-up/drop-off points) be considered during the planning application process
- (c) That the Chair raise this matter directly with the Chief Strategy & Policy Officer in a letter to be sent on behalf of the Panel
- (d) That the report of the Acting Head of Highways Services be copied to all Members of the Panel
- (e) That the proposed letter regarding enforcement activity in the city centre be sent as soon as possible to all Council Members

41 Quarterly Reports of the Taxi and Private Hire Licensing Section (October to December 2007 and January to March 2008)

The Panel considered the report of the Assistant Chief Executive (Corporate Governance) setting out the licensing transactions undertaken by the Taxi & Private Hire Licensing Section under officers delegated powers during the last quarter of 2007 and the first quarter of 2008. Two separate reports were presented to the Panel, however Members considered both items together and went onto discuss the following matters:

Private Hire Vehicle and Driver Suspensions – Members noted the numbers suspended were most likely due to the Policies previously agreed by the Panel which concentrated on the safety and suitability of the older element of the PH fleet, and those drivers caught illegally plying for hire

- Members welcomed the information but requested that future reports include a breakdown of the reasons for the suspensions plus detail of any prosecutions undertaken

Enforcement – The Panel and trade representatives discussed the importance of enforcement work in identifying PH drivers illegally plying for hire. It was

noted that the T&PH Section had recently appointed more enforcement officers to provide a team of 12, however, there were 3500 PH vehicles in Leeds, and only so much could be done to address the problem of PH trade acting outside its' remit – such as illegally ranking up at taxi ranks or plying for hire

Use of CCTV evidence – Members were advised that CCTV footage from static cameras could not be used in evidence against PH drivers illegally plying for hire as the images could not provide evidence beyond reasonable doubt in a court of law. Footage showing a potential customer requesting a fare which the PH driver then agreed to provide could be used – and enforcement officers did undertake operations with WYP using buttonhole cameras to capture film evidence.

Police support – Discussion on the support necessary from WYP to undertake enforcement action followed. Representatives reported on the increasing tension in the city centre at night between the HC and PH trades which they believed was caused by PH drivers illegally ranking and plying for hire. The representatives reported the HC Trade had offered to fund one additional police officer specifically to deal with the traffic problems, but this offer had not been taken up by WYP. Furthermore the Trade now sought the Panels' support in seeking WYP assistance to deal with the increasing problems in the city centre

- The Chair advised representatives to write directly to the WYP Inspector with responsibility for the city centre, and to provide evidence of illegality in order for the police to take immediate action.
- Members agreed that, whilst they supported the trade, they could not provide WYP with the necessary evidence, however did agree that a letter be sent to the relevant Inspector on behalf of the Panel raising their own concerns about the current problems in the city centre.

Alternative direct action – Moving on, the Panel considered whether more immediate action could be taken when a driver was found to be acting illegally, such as the immediate suspension of a vehicle. Members were advised that the law provided for a vehicle to be suspended from use to allow time for it to be repaired to suitable standard, it did not provide for suspension to be employed as punishment for wrong-doing

Enforcement of parking fines – Mr Gill reported that during recent meetings held between the HC Trade and Mr M Jefford, LCC Parking Manager (Enforcement), Mr Jefford had favourably viewed the possibility of employing additional parking attendants during the early hours of the morning to enforce parking fines, which would go some way to address the problems caused by illegally parked cars, including PH vehicles

- The Panel were keen to receive more information on this initiative and requested that Mr Jefford be invited to attend a future meeting to provide a detailed update
- Noting that traffic problems impacted on dispersal of people after closing hours and the desire of WYP and the licensing authority to tackle this under the auspices of the Licensing Act 2003, it was

suggested that a joint meeting between the Licensing and Regulatory Panel and the Licensing Committee be arranged so that members of both decision making bodies could be updated on the initiative and other shared issues.

- Members reiterated their considerable concern at the lack of attendance of relevant officers and visible progress of the issues raised initially in 2004. The Panel considered future direct action to take, including approaching the Chief Executive, should this perceived slow progress continue.

RESOLVED -

- (a) That the contents of both reports be noted
- (b) To request that any future quarterly reports include a breakdown of the reasons for the suspension of vehicles or drivers and any subsequent prosecutions
- (c) That officers be requested to write, on behalf of the Panel, to the WYP Inspector with responsibility for the City Centre expressing the Panel's continuing concern over the traffic problems caused by PH drivers in the city centre and the impact of this on the night time economy and safety issues for passengers
- (d) That officers be requested to write Mr Jefford inviting him to attend the next appropriate Panel meeting in order to provide an update to Members on the initiative proposed to employ additional parking attendants through the early hours of the morning
- (e) That a joint meeting of the Licensing and Regulatory Panel and the Licensing Committee be arranged in order that both can consider shared issues relating to the night time economy, such as dispersal, traffic and the parking attendant initiative. To note that this meeting is likely to be held on Tuesday 3rd June 2008 at the conclusion of the first Licensing Committee for the 2008/09 Municipal Year