

JOINT LICENSING COMMITTEE & LICENSING AND REGULATORY PANEL

TUESDAY, 3RD JUNE, 2008

PRESENT: Councillor D Wilson in the Chair

Councillors S Armitage, A Castle,
M Dobson, J Dunn, R D Feldman,
T Grayshon, D Hollingsworth, G Hyde,
V Morgan, L Rhodes-Clayton, B Selby and
G Wilkinson

Apologies Councillor J Dowson and C Townsley

IN ATTENDANCE

D Littlewood – Access Committee for Leeds
T McSharry – Access committee for Leeds
Sgt Maxfield – West Yorkshire Police
PC Hemingway – West Yorkshire Police
B Heptinstall – Hackney Carriage Trade Representative
K Gill – Hackney Carriage Trade Representative
G Nabi – Hackney Carriage Trade Representative
A Rashid – Hackney Carriage Trade Representative
M DePlacido – LCC Taxi & Private Hire Licensing
J Mulcahy – LCC Head of Licensing & Registration
K Lawrance – LCC Community Safety
M Jefford – LCC Parking Manager (Enforcement)
M Darwin – LCC Head of Highways Development (Planning Services)
H Claxton – LCC Principal Traffic Engineer (City Services)
N Raper – LCC Entertainment Licensing

1 Declarations of Interest

There were no declarations of interest

2 Apologies for Absence

Apologies for absence were received from Councillors Castle, Dobson, Dowson, Hyde, Selby and Townsley

Apologies were received from the following officers
Mr P Roberts – METRO
Mr D Broster – Section Taxi & Private Hire Licensing
Mr G Bartlett – LCC Chief Highways Officer

3 Remit of the Meeting

The Assistant Chief Executive (Corporate Governance) submitted a report briefly setting out the remit of this special joint meeting of the Licensing and Regulatory Panel and the Licensing Committee called specifically to discuss issues relating to the Hackney Carriage trade in Leeds and impact on the night-time economy.

The request for the meeting had arisen from a meeting of the Licensing and Regulatory Panel in May 2008 when it was felt it would be beneficial to both decision making bodies if discussions could be continued with the Committee and interested parties in attendance

Appended to the report were copies of the minutes of the Licensing and Regulatory Panel held 13th February and 6th May 2008 to provide the basis of discussion

RESOLVED – To note the remit for the Joint Meeting as set out in paragraph 3.1 of the submitted report

4 Update on Highways Issues

The Acting Head of Highway Services submitted a report first discussed at the Licensing and Regulatory Panel meeting on 6th May 2008 covering the progress made so far by the Department on the provision of taxi ranks in the city centre and the design/legibility of taxi signs. A schedule of all rank locations previously suggested by the Hackney Carriage (HC) trade and including the Departments response on likely future action was also included within the report.

General Comments

Comments of Highways Services

Mr Howard Claxton informed the meeting that Highways Services were scheduled to meet with representatives of the HC trade the following day. That meeting would review the schedule of ranks proposed by the trade and prioritise favoured locations that both parties could agree on. Following that, the Department would progress the Traffic Regulation Orders necessary for the new and amended ranks. This would include placing advertisements and addressing any subsequent disputes which might arise from the current use of the identified sites as loading bays/service areas. Any such disputes might delay the implementation of the ranks however a budget for the works had been identified within the Departments' 2008/09 schedule of works.

Comments of the Members

The Chair on behalf of the Members expressed his dissatisfaction with progress so far, particularly as the issue of new or amended ranks was first discussed by the Licensing and Regulatory Panel 4 years ago. Moving on, it was suggested that as the process had been ongoing for some time, it would be prudent where locations were known to be problematic to provide an alternative for discussion with the trade

Noting highways' written responses to the proposed ranks; Members commented that, as some of the locations were proposed for night time use

only, the predicted disputes over service delivery areas/loading bays would not be applicable

Members also raised serious public safety concerns over certain areas of the city centre, such as The Calls/Lower Briggate which were not currently well served by taxi ranks, where members of the public spilled out from bars/clubs onto the streets and highways. Members recalled previous discussions on the fact that certain taxi ranks were empty yet others were over ranked

Comments of HC Trade Reps

Mr Heptinstall reported traffic problems on Boar Lane/New Station Street had escalated and HC drivers were being issued with Fixed Penalty Notices or points on their Driving Licence for traffic/parking offences. He acknowledged the trade in general needed to address the problem of some ranks being underused by drivers, however reiterated the importance of ensuring city centre ranks being in appropriate and popular locations for customers.

Comments of West Yorkshire Police

Sgt Maxfield stated the main responsibility for WYP in the city centre at night was to prevent violent crime, but he added that an operation was being planned to address Private Hire drivers illegally plying for hire. He agreed that HC drivers were being issued with FPN due to the driving and traffic offences they committed.

Comments of Access Committee for Leeds

Mr McSharry stated that as a public body, the Authority had a duty to undertake an impact assessment on the proposed rank changes with particular regard to needs of disability groups and up until now, officers had not requested the comments of the Access Committee.

Mr McSharry accepted the offer made by Mr Claxton to meet to discuss the schedule of ranks once officers and the HC trade had met on 4 June to prioritise the existing draft schedule

Mr McSharry offered to provide a separate briefing to Members on the relevant provisions of the Disability Discrimination Act which required Public Bodies to undertake equality assessments. However neither the Panel nor the Committee had powers to approve taxi rank locations and signage and therefore responsibility for any impact assessment lay with the relevant Highways Officers.

Notwithstanding that fact Members expressed strong concern that officers had not abided by the Panel resolution of 13th February 2008 to include the Access Committee in any rank discussions.

Comments on the schedule

Casa Mia/Great George Street - WYP reported no concerns with this proposed rank. Mr Lawrance stated this lay-by was used at night by staff of Casa Mia/Red Chilli as a car park and was only used for service deliveries during the day. Mr Darwin confirmed the planning permission for the entire

Electric Press building required the use of the lay-by as the designated loading area for daytime only. Mr Claxton stated further investigation would be required to look at the night time use of the lay-by including consultation with all users of the Electric Press Building. Users who objected to the re-designation of the bay as a night time rank would be required to provide evidence of its continuous use as a loading bay

Members expressed concern that the schedule had been drafted without reference to WYP. Additionally it was felt that the city centre CCTV system would provide relevant officers with the evidence they required to prove the use of any lay-bys/service areas

Members, noting that the schedule would be re-prioritised the following day and that they may have to review the list again, considered whether to continue or adjourn the meeting to allow time for WYP and the Access Committee to have input into the discussions. Members agreed at this point to continue in order that any comments made publicly could be taken on board by the relevant officers

Albion Street – Sgt Maxfield stated the police would object to the use of the bus stop outside Tiger Tiger as a rank and agreed with METRO that late buses did utilise that stop. Problems already occurred with buses unable to access the lay-by and kerbside. WYP reported considerable public safety concerns here with cars double parking and performing U-turn manoeuvres across traffic. In order to alleviate this problem they suggested restricting vehicular access to Albion Street or separating the carriage ways in order to prevent U-turns. The Chair instructed this be noted

Call Lane – Sgt Maxfield described the current access and traffic problems in this area caused by the existing rank being overburdened. He strongly suggested this remain as a rank and be properly enforced, additionally the authority could consider restricting night time vehicular access. The Chair instructed this be noted

Corn Exchange – Sgt Maxfield stated this cobbled street was effectively closed at night due to the nature of the businesses in the area

Enforcement Matters -

The trade sought clarification on why those 3 areas caused problems to WYP. Sgt Maxfield responded this was due to over-ranking and ranks spilling over onto junctions. Furthermore, in response to the comment that PH drivers inundated those areas and prevented proper use of the ranks by HC drivers, Sgt Maxfield stated that prosecutions of double yellow line offences fell within the remit of the local authority. Members commented that those police officers who were operational on an evening in the city centre but were reportedly not taking action against PH drivers ranking up, should be encouraged to tackle the issue or enforce parking/traffic matters. Sgt Maxfield reiterated that not all traffic matters were WYP responsibility. Furthermore, 2 entirely different policing teams operated at night – the Neighbourhood Policing Team which may move on problematic cars and the Operational Support Unit – which

would not as their remit was to respond to specific instances of crime. Additionally there was evidence that those cars which were moved on simply returned later.

Comments of LCC Parking Services Manager

Mr M Jefford addressed the meeting and confirmed that problems created by vehicles double parking or obstructing the highway fell within the remit of the police, however parking restrictions would be enforced by the local authority. Mr Jefford went on to say he was aware of the increasing concerns regarding this type of offence in the city centre during the night. To this end, the section had extended the hours of the traffic warden patrols from 20:00 hours until 23:00 hours, plus one further night until 01:00 hours. However, due to the current number of staff available this was on a voluntary basis. Proposals had been drawn up to employ additional staff which would provide teams to cover nights until 01:00 hours. He envisaged the full team would be operational within 4 months.

Members welcomed and supported the proposal urging close liaison between WYP and Parking Services. Members noted the request to provide details of those areas of the city centre which required late patrols to Mr Jefford

Members again considered whether to continue, and expressed their dissatisfaction that the officer meeting scheduled for 4 June could not have been held earlier and that several matters previously raised remained unresolved by officers. The Chair, noting the continuing concerns expressed by the Members

RESOLVED – To close the meeting