

Licensing Committee

Tuesday, 12th March, 2024

PRESENT: Councillor J Gibson in the Chair

Councillors A Ali, N Buckley, E Carlisle,
L Farley, S Hamilton, T Hinchcliffe,
S Holroyd-Case, L Martin, A Smart and
I Wilson

37 Appeals Against Refusal of Inspection of Documents

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

38 Exempt Information - Possible Exclusion of the Press and Public

The agenda contained no exempt information.

39 Late Items

No late items of business were added to the agenda.

40 Declaration of Interests

No declarations of interest were made.

41 Apologies for Absence

Apologies for absence were received from Councillors Downes, Firth, Hutchison and D Seary.

42 Minutes

RESOLVED – That the minutes of the previous meeting held 23rd January 2024 be agreed as a correct record.

43 Licensing Annual Report 2023

The Chief Officer, Elections and Regulatory, presented a report on the Licensing Annual Report 2023 which provided information relating to the granting of licences, enforcement action and proposed future work in relation to both the Entertainment Licensing Section and the Taxi and Private Hire Licensing Section. The Committee noted the Licensing Annual Report 2023 will be submitted to the 20th March 2024 Council meeting and was presented for information and discussion.

The following were in attendance:

- John Mulcahy, Chief Officer, Elections & Regulatory
- Nicola Raper, Section Head, Entertainment Licensing
- Sue Duckworth, Principal Licensing Officer, Entertainment Licensing
- Jason Singh – Head of Service for Taxi and Private Hire Licensing
- Valens Jacobs – Licensing & Finance Manager, Taxi and Private Hire Licensing
- Richard Perrett – Operations Manager, Taxi and Private Hire Licensing

In introducing the work of the Entertainment Licensing Section (ELS) included in the Annual Report, the Principal Officer (ELS) highlighted the following key issues:

- The city appeared to be returning to pre-Covid levels of activity, evidenced by the increased number of applications.
- The Annual Report now referenced Gambling Harms as recommended by Scrutiny Board (Environment, Housing and Communities) and outlined enforcement activity undertaken by the Gambling Commission which included action against the three land based operators with branches in Leeds - William Hill Group, Paddy Power & Betfair and Done Brothers.
- The “Clear, Hold, Build” strategy undertaken through multi-agency work with partners in the Harehills area had found large scale criminality including the sale of illegal tobacco, counterfeit alcohol and illegal vapes. Subsequently the Licensing Sub Committees had dealt with 12 Reviews of premises licences in Harehills which resulted in 7 revocations and modified conditions attached to 5 licences.

The Committee discussed the following matters:

The “Clear, Hold, Build” strategy -

- The Committee commended partners for their work in the Harehills area and sought to reassure them that the Committee was keen to play its part to ensure the law was upheld. Members expressed frustration that the current licensing regime permitted licences to be transferred during the period of representation prior to a Review Hearing.
- Recognition of the success of the strategy, noting a recent report stated that crime in Harehills had decreased 40%. The importance of the “build” element of the strategy was also acknowledged as being crucial for the communities of the area.
- In response, the Chair confirmed his intention to write to the Secretary of State with regards to the view that transfer of licence activity should be prevented during the process of Premises licence Review.

The Head of Service for Taxi and Private Hire Licensing (TPHL) introduced that part of the report relating to TPHL matters and highlighted that the Section had similarly seen business return to pre-Covid levels of activity with an increase in the number of licence applications.

The Licensing & Finance Manager reported that the Pilot Schemes for vehicle age criteria, tinted windows and to allow drivers to work for two operators had been welcomed by the trade. 1000 drivers had taken up the Scheme which allowed them to work for more than one operator. Overall, relationships had improved with the Hackney Carriage and Private Hire (HC/PH) trades and stakeholders. The following key issues were highlighted:

- Low emission vehicles now made up 77% of the HC/PH fleet, and although the distance range for Electric Vehicles (EVs) remained an issue for drivers and operators, the trade was identifying and proposing vehicles for HC/PH use.

- Over 4000 vehicle inspections had been undertaken during 2023, of those only 3 vehicles did not meet the required standards.
- 655 accidents involving HC/PH vehicles were reported in 2023, of those 228 required the team to carry out an inspection.
- Work with LCC Integrated Digital Services (IDS) had implemented E-Forms for applicants to use on-line for renewal and new licence applications.
- The vehicle conditions review had been completed and the consultation and engagement with different user groups had been successful. 1756 completed the on-line consultation. The Committee would receive a report in due course which would have regard to the Guidance issued by Government at the end of 2023.

The Operations Manager provided the following information:

- Enforcement – Ten enforcement officers carried out vehicle patrols. 31 joint operations were undertaken during 2023 with 1642 roadside vehicle checks. 207 vehicles found to be in a dangerous condition were immediately suspended. 1225 Leeds vehicles were inspected during 2023. 417 vehicles licensed by other authorities but operating in Leeds were also inspected with the findings reported back to the relevant licensing authority. 31 licences were revoked and 1 licence was refused during 2023.
- The Suitability Policy introduced in 2023 had been found to have an impact on the number of revocations – 9 licences were revoked for use of mobile phone whilst driving in 2023.
- The number of complaints received had increased from 579 in 2022 to 722 in 2023. Of particular concern was the rise in complaints of a sexual nature – from 15 in 2022 to 35 in 2023 – and work had been done to review how the complaints were reported and progressed.
- 9 appeals against revocation were heard at Magistrates Court, 4 were dismissed, 2 withdrawn and 1 appeal was upheld which the Licensing Authority intends to appeal. 2 further appeals heard at Crown Court were dismissed.

The Chair thanked the TPHL team for their work during 2023, particularly in relation to the vehicle conditions review, the consultation undertaken and the engagement with the trade and stakeholders.

The Committee welcomed the improved relationship between the Section and trade which had resulted in a safer service, and discussed the following matters:

- Complaints regarding HC/PH drivers use of mobile phones were often generated following the issue of a Fixed Penalty Notice by WYP or by members of the public. The amended Suitability Policy now addressed the use of mobile phones - should a driver use their mobile phone whilst driving, their licence could be revoked for 5 years.
- Members welcomed the dialogue undertaken with stakeholders and communities and received assurance that face 2 face dialogue would continue alongside use of regular trade bulletins.

- In response to comments regarding the time span of suspensions, the Committee heard that suspensions could have a financial impact on a driver who is unable to work. If the reported matter is serious, the Section would be reliant on other organisations to complete their reports, for example, if a case involved WYP the Section would have to wait for a criminal investigation to conclude.
- In response to an anecdotal report that some drivers had said they would not work in Leeds, it was felt that these comments could have been made prior to implementation of the Pilot Schemes, which the trade had welcomed i.e vehicles can now be licensed up to 15 years, and the introduction of on-line forms which had simplified the licensing process for applicants.
- Driver medical checks and the process of notification to the licensing authority by the DVLA once a GP had notified the DVLA that a driver should not be driving. It was noted that conditions of the licence require a driver to report when they are too unwell to drive.
- In respect of the reduced number of applications for vehicle age extensions (down from 1737 in 2023 to 1156 in 2023), this was due in part to an increase (by 400) in the number of drivers/operators purchasing new hybrid vehicles, particularly since Bradford introduced a Clean Air Zone.
- The impact of city centre highways works and access of the trade. It was noted that these issues were often discussed at the HC/PH forum meetings and feedback was provided to LCC Highways.
- The number of female HC/PH drivers and whether there were any measures available to encourage more female drivers in the trade. Members noted the Section was aware of the low numbers and some of the barriers to uptake, and work had been done to provide female only training, however there was an opportunity to work Jobs & Skills and the Communities team to further encourage take-up.

In conclusion, the Chair and the Committee thanked officers for their work during the 2023 reporting period. The Chair also passed on the thanks expressed by the representatives of the HC/PH trade in attendance at the meeting to officers of the TPHL Section.

RESOLVED –

- a) To note the contents of the Licensing Annual Report 2023 and the discussions held by Committee.
- b) To note that the Annual Report 2023 will be submitted to full Council on 20th March 2024.

44 Leeds City Centre Evening and Night-Time Economy

The Committee received a report from the Chief Officer, Elections and Regulatory, as an introduction to a presentation from the Head of Community Safety Services, Safer, Stronger Communities Team on the city centre and night-time economy (NTE). The report provided an overview of the partnership working to date, an outline of challenges faced, and opportunities moving forward. The report and presentation followed on from discussion on the City Centre Cumulative Impact Assessment at the Committee meeting held 23rd January 2024 (minute 35 refers).

The following were in attendance for this item:

- Seamus Kennedy, Principal Liaison & Enforcement Officer, Entertainment Licensing
- Simon Hodgson, Head of Community Safety Services

The presentation highlighted the following issues:

- Leeds had a strong City Centre Community Safety Partnership Board which included representatives of the responsible authorities, the Chair of Pub Watch, representatives of the night time economy and representatives of hotels and venues, and BACIL (Business Against Crime in Leeds). The Partnership also established a Tasking Group led by WYP and theme specific groups to tackle specific issues, such as the Violence Against Women and Girls (VAWG) tasking group.
- The statistics drawn from the 2023 Joint Strategic Assessment showed areas of service demand by day and time. People and businesses were encouraged to report incidents on the partnership portal –
 - both total crime and anti-social behaviour peaked afternoon to evening, with crime also showing a peak overnight at weekends.
 - Offences/incidents recorded as alcohol/drink related peaked during the late evening/overnight and at weekends.
 - The data showed that Violent/Sexual Offences generally occurred during the evening/overnight and two thirds of violent crime recorded in the city is male on male violence.
- Non-statutory measures undertaken by the Partnership provided added value to community safety in the night time economy with a focus on early intervention and prevention. These included the “Ask for Angela campaign” which had been successfully implemented in clubs and bars; Angels of Freedom who worked with LGBTQ community; Safe Zone/Safer travel funded by WYCA which funds safer travel PCSOs at Leeds Bus Station; Leeds Watch/CCTV; Night Street Marshalls; Outreach/Detached Work, Active Bystander training; #Stop the Spike/#No Regrets Leeds campaigns; a Walk Safe App launched in September 2023 which provides users with information on businesses which had signed up to be safe spaces in the city, the Women’s Night Safe Space and Night Safe Leeds.
- Challenges to the night time economy had been discussed with night time economy businesses to identify measures they could implement to address them, these included:
 - The shift in business - People seek to pre-drink alcohol before going out later in the evening and people sought more experience-led entertainment. The city had become increasingly weekend focussed and had an increased resident population.
 - Management of grey space – information was passed to Highways on taxi ranks and vehicle movements around the city.
 - Management of Social media – particularly it’s influence on people’s perceptions of the city and the fear of crime.

- Opportunities for additional measures to further improve the NTE experience were identified as including:
 - Development of a Leeds NTE Association.
 - Development of an On Street /In-Premise Code of Practice to provide training and development for staff of the NTE.
 - To give enforcement powers to Night Street Marshalls.
 - Expansion of the Women's Safe Space to provide another access point in the city.
 - To review and improve wayfaring, transport and access.

The Committee discussed the following issues:

- The uptake of the Ask for Angela initiative. The Committee noted that the Partnership received reports from premises and WYP on its use. The initiative aimed to challenge and change men's behaviour and this message had been successfully embedded. The Committee noted that two Members had attended a course for men focussing on how to help women and that course had been rolled out to larger premises in the city, however it was acknowledged that there was high turnover of NTE staff and this should be revisited.
- The diversification of the city centre offer, improved quality, a later more varied offer and a shift away from alcohol led high footfall premises. The shift to events-led/experiences has and will be crucial for the survival of some premises and Leeds compared favourably to other cities where some premises no longer opened later hours.
- How to encourage premises located outside of the city centre to join BACIL by further emphasising the benefits of the scheme.
- The development of an NTE Association which could be further promoted in discussions with the all Party Parliamentary Group and with businesses to take a lead.
- The background to Leeds' decision not to implement a Late Night Levy. The Committee noted that a Levy could not target a specific area and would apply across the whole of the Leeds Licensing Authority district. Additionally, a good proportion of the Levy would be ringfenced to the Police to be used at their discretion and not specific to licensing matters.
- Support for the expansion of the Women's Safe Space and/or the Night Safe scheme to include a mobile pop-up at the Valentines Fair or near to the Arena on events nights. It was noted that funding was guaranteed for Women Friendly Leeds to run the Women's Safe Space until September 2024 and future funding could be generated from local business support.
- The work undertaken with the operators of the three Sex Entertainment Venues in the city following the annual renewal of their licences which included close inspection of the premises, their licence conditions and links with agencies who could offer support and advice to dancers had been provided.

The Committee acknowledged and thanked the team for their work to keep the Leeds NTE safe and their efforts in securing funding to implement the intervention and prevention initiatives. The Committee also supported a

suggestion that a NTE walking site visit be arranged for Members to observe the NTE.

RESOLVED –

- a) To note the contents of the presentation which provided an overview of the partnership working and schemes within the City Centre night-time economy.
- b) To note the intention for the Committee to undertake a walking night-time economy site visit which will be arranged for a future date.

45 Harehills and Burmantofts Cumulative Impact Assessment 2024

The Committee considered the report of the Chief Officer, Elections and Regulatory, presenting a review of the Harehills element of the Harehills and Burmantofts Cumulative Impact Assessment which has been subject to public consultation in February. The report included a copy of the Harehills and Burmantofts Cumulative Impact Assessment (CIA) and outlined the consultation responses. The CIA would come into effect once it was approved by Licensing Committee.

The Principal Licensing Officer, Entertainment Licensing, introduced the report and provided the background to the review, highlighting the following key issues:

- The Harehills CIA had previously focused on alcohol dependent street drinkers and had not reflected problems currently experienced in the area, which included large family groups congregating in the street and consuming alcohol and causing a nuisance.
- Statistics from West Yorkshire Police (WYP) and Leeds Anti-Social Behaviour Team (LASBT) informed the CIA.
- There were 30 off licences in Harehills which meant alcohol was readily available.
- The “Clear Hold Build Strategy” had been successful – recently the Licensing Authority had dealt with 12 reviews of premises licence brought by WYP, resulting in 7 revocations.

During discussions, the following matters were considered:

- Displacement and concern that operators in Harehills were looking to move their business to the Burmantofts and Richmond Hill ward. The Committee noted the opportunity to establish a CIA for the ward.
- The nature of on-street drinking had changed from lone on-street drinkers to large groups of social drinkers, who could cause more nuisance to residents.
- The work undertaken by LASBT with communities in Harehills to address group drinking.

The Committee expressed thanks to officers and partners for the work undertaken to engage with the Harehills community and refresh the CIA. The Chair also expressed his thanks to the Committee for Members work and cross party approach throughout the year.

RESOLVED - That the Harehills and Burmantofts Cumulative Impact Assessment 2024 be approved.

46 Date and Time of Next Meeting

RESOLVED - To note the proposed date and time of the next meeting as Friday 24th May 2024 at 11.00 am.