

Licensing Committee

Tuesday, 14th March, 2023

PRESENT: Councillor J Gibson in the Chair

Councillors N Buckley, R Downes, L Farley,
B Flynn, A Forsaith, A Garthwaite,
S Hamilton, J Illingworth, L Martin,
L Richards, A Smart and I Wilson

46 Appeals Against Refusal of Inspection of Documents

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

47 Exempt Information - Possible Exclusion of the Press and Public

The agenda did not include any exempt information.

48 Late Items

There were no late items of business.

49 Declaration of Interests

No declarations were made.

50 Apologies for Absence

Apologies for absence were received from Councillor Hutchison.

51 Minutes

The Committee noted a request from Councillor Garthwaite that her apologies for the previous meeting be recorded correctly.

RESOLVED – That, subject to an amendment to Minute 42 to include apologies from Councillor Garthwaite, the minutes of the previous meeting held 24th January 2023 be agreed as a correct record.

52 Matters Arising

Minute 44 Leeds Festival

- Expressions of interest were sought from Members to join the Sustainability Working Group to consider the environmental impact of the Festival.
- The Committee noted one Members continuing concerns over public safety, crime and disorder and that the overall control of the event remains with Festival Republic Ltd. In respect of the process for the sign-off of the Event Management Plan for the festival, in response to the request that the full Committee had access to the Event Management Plan prior to sign off in order to fulfil a condition of the Licence, it was agreed that work would be undertaken to provide Members with access to the EMP which is held on the Resilience Direct software

RESOLVED –

- a) To note that Councillors Gibson, Wilson, Flynn, Forsaith and Richards offered to join the Leeds Festival Sustainability Working Group.
- b) That work be undertaken to provide Members with access to the EMP

53 **Licensing Annual Report 2022**

The Chief Officer, Elections and Regulatory, presented a report on the Licensing Annual Report 2022 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 Section. In his introduction, the Chief Officer introduced Jason Singh in his new role as Head of Service for Taxi and Private Hire Licensing.

The Committee noted the Licensing Annual Report 2022 will be submitted to the 22nd March 2023 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 – Taxi and Private Hire Licensing, Licensing & Finance Manager

Richard Perrett – Taxi and Private Hire Licensing, Operations Manager

Phil Arnett - Taxi and Private Hire Licensing, Quality and Standards

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

- The continuing impact of the coronavirus pandemic on licensed premises evidenced in the number of applications being lower than pre-pandemic.
- The operation of the Cumulative Impact Area (CIA) policies and the reasons why some applications for premises in the Headingley & Hyde Park and the Armley wards had been granted.
- The number of complaints submitted in 2022 particularly in terms of unlicensed activity and noise/anti-social behaviour. Members noted the impact of the pandemic on the enforcement service due to the relaxation to off sales and outdoor drinking; the subsequent rise in complaints could be attributed to residents sensing noise and disturbance more readily now that licensed premises are resuming more normal levels of trading.
- In response to previous requests, future work would include reviews of the Armley CIA and the Dewsbury Road CIA. Evidence gathered since the requests were made would be analysed to inform that work.

The Committee discussed the following matters:

Appeals – The Committee noted that there were extended delays for appeals as the court system recovered from the backlog of work following the pandemic, currently one appeal against a Licensing decision for a premises within the Gipton and Harehills ward was in process.

Film Classifications – Work was being undertaken to review the process for the consideration of film classifications.

Patron behaviours – Members noted the comment that patron behaviours had changed post pandemic, as people re-entered society their focus was on enjoying their time out again which perhaps led to them having less regard to noise and behaviours and could cause friction with bar staff and security staff.

The Committee also noted a request that the End Violence Against Women and Girls working group be added to the Liaison Section of the Annual Report.

The Head of Service for Taxi and Private Hire Licensing introduced that part of the report relating to TPHL matters and highlighted the following key issues:

- During 2021-22 the Section issued 5467 ‘Additional Restrictions’ grants totalling £2.1m drawn from the Covid Economic Development Budget which had been used to provide a free 3 year licence to existing drivers.
- The Section had retained some funds from the Clean Air Fund to support drivers and operators changing from petrol/diesel vehicles to low emission vehicles. £1.1 m had been granted to 1843 vehicle owners who had made use of the £600 individual grant and approximately 3000 of the 4000 vehicle fleet were now low emission vehicles.
- Enforcement work undertaken by the team offers a 24 hour/7 day week service and 1187 Leeds licensed vehicles and 281 vehicles licensed by neighbouring authorities were checked during the reporting period.
- The number of driver and vehicle applications remains lower than pre-pandemic, however this reflected the national trend, as some drivers left the trade and had not returned.
- The Vehicle Conditions Working Group would meet on 20th March with work planned through to July with representatives of the trade and user groups

The Committee discussed the following matters:

Vehicle Inspections – Members noted that of 3646 inspections undertaken only 6 vehicles failed to meet the minimum standard which was highlighted as a credit to the trade. Members requested an amendment to page 17 of the Annual Report to properly reflect the percentage of total number of inspections.

Complaints – Members noted an upturn in the number of complaints categorised as “Driver Behaviour – Disability Complaint” and it was agreed that a breakdown of the reasons for the complaints would be provided to Members in due course.

Enforcement and Compliance – One Member commented that complaints he received from the trade related to illegal plying for hire and drivers/vehicles licensed in neighbouring authorities working in Leeds. The Committee noted the response that Enforcement Officers checked as many vehicles as possible, including those licensed outside of Leeds, TPHL worked closely with neighbouring authorities but it was difficult to estimate how many non-Leeds licensed vehicles were operating in Leeds as the De-Regulation Act 2015 had allowed cross-border work.

Standard of Driving points – In respect of the two reported instances of drivers operating with 27 points on their licence, Members heard that should a refusal or revocation be appealed, the driver can plea a case of hardship to the Magistrates, and the court may choose not to revoke but to add more points to the licence.

Sexual Offences – The Committee noted the upturn in reports of sexual offences and noted the work undertaken with proprietors to provide training to drivers.

Vehicle Emissions – Members noted that the Clean Air Fund grant could be used to support purchases of either low emission/hybrid or electric vehicles however the grant had now ceased and that there was no equivalent fund available. The Committee acknowledged that given the number and length of journeys a vehicle would make, operators would have concerns over keeping the vehicle charged. Members also noted the Government ambition to phase out diesel vehicles by 2030.

In conclusion, the Chair and the Committee thanked officers for their work during the 2022 reporting period.

RESOLVED –

- a) To note the contents of the Licensing Annual Report 2022 and the discussions held by Committee
- b) To note the Annual Report 2022, subject to the amendment to the vehicle inspections statistics, will be submitted to full Council on 22nd March 2023.

54 Any Other Business

The Chair reported on correspondence he had received from the Private Hire Trade seeking consideration of 'dual operators' which would allow Private Hire Drivers to work for two operators. The Committee agreed that this particular Private Hire Driver licence condition could be reviewed, and

RESOLVED - To undertake a review of the Private Hire Driver licence condition specifying a driver be registered with one operator.

55 Date and Time of Next Meeting

RESOLVED – To note the next meeting is proposed as Friday 26th May 2023 at 11.00 am.