



## LICENSING COMMITTEE

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Meeting to be held in Civic Hall, Leeds on  
Tuesday, 1st August, 2023  
at 10.00 am

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### MEMBERSHIP

#### Councillors

- A Ali - Gipton and Harehills;
- N Buckley - Alwoodley;
- E Carlisle - Hunslet and Riverside;
- R Downes - Otley and Yeadon;
- L Farley - Burmantofts and Richmond Hill;
- J Gibson (Chair) - Cross Gates and Whinmoor;
- S Hamilton - Moortown;
- T Hinchcliffe - Bramley and Stanningley;
- S Holroyd-Case - Ardsley and Robin Hood;
- A Hutchison - Morley North;
- L Martin - Roundhay;
- D Seary - Pudsey;
- A Smart - Armley;
- I Wilson - Weetwood;

Please do not attend the meeting in person if you have symptoms of Covid-19 and please follow current public health advice to avoid passing the virus onto other people.

Note to observers of the meeting. To remotely observe this meeting, please click on the 'View the Meeting Recording' link which will feature on the meeting's webpage (linked below) ahead of the meeting. The webcast will become available at the commencement of the meeting.

[Council and democracy \(leeds.gov.uk\)](https://leeds.gov.uk/council-and-democracy)

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**Agenda compiled by:**  
**Governance Services**  
**Civic Hall**

**Helen Gray**  
**37 88657**

# A G E N D A

| Item No | Ward | Item Not Open |  | Page No |
|---------|------|---------------|--|---------|
| 1       |      |               | <p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></p> <p>To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>   |         |
| 2       |      |               | <p><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</b></p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p><b>RESOLVED</b> – That the press and public be excluded from the meeting during consideration of those parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information</p> |         |

| Item No | Ward | Item Not Open |  | Page No |
|---------|------|---------------|--|---------|
| 3       |      |               | <p><b>LATE ITEMS</b></p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>   |         |
| 4       |      |               | <p><b>DECLARATION OF INTERESTS</b></p> <p>To disclose or draw attention to any interests in accordance with Leeds City Council's 'Councillor Code of Conduct'.</p>   |         |
| 5       |      |               | <p><b>APOLOGIES FOR ABSENCE</b></p>  |         |
| 6       |      |               | <p><b>MINUTES</b></p> <p>To approve the minutes of the last meeting held on 26<sup>th</sup> May 2023.</p>  | 7 - 10  |
| 7       |      |               | <p><b>LEEDS FESTIVAL 2023</b></p> <p>To consider the report of the Chief Officer, Elections and Regulatory, which advises Members of the progress of the multi-agency meetings and the Event Management Plan for the Leeds Festival 2023. The report also seeks consideration of the mechanism for approving the final Event Management Plan prior to the Festival, which will be held in the grounds of Bramham Park over August Bank Holiday weekend</p> | 11 - 22 |

| Item No | Ward | Item Not Open |   | Page No |
|---------|------|---------------|---|---------|
| 8       |      |               | <p><b>LICENSING SUB COMMITTEE - REVOCATION OF TAXI DRIVER LICENCES ON THE BASIS OF MINOR MOTORING CONVICTIONS</b></p> <p>To consider the report of the Chief Officer, Elections and Regulatory, providing an update on revocation of taxi driver licences on the basis of minor motoring convictions. The Licensing Committee held 9<sup>th</sup> August 2022 agreed that, for a trial period of 12 months, any decisions to revoke taxi drivers' licences on the basis of minor motoring convictions should be determined by Licensing Sub-Committee. The report highlights that during the trial period there have been no cases where such decisions have been required, however, there are now a number of pending cases where revocations may need to be considered and the Licensing Committee is requested to approve a further 12 months trial of this process.</p>   | 23 - 26 |
| 9       |      |               | <p><b>DATE AND TIME OF NEXT MEETING</b></p> <p>To note the date and time of the next meeting as Tuesday 19<sup>th</sup> September 2023 at 10.00 am</p> <p><b><u>Third Party Recording</u></b></p> <p>Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.</p> <p>Use of Recordings by Third Parties– code of practice</p> <ol style="list-style-type: none"> <li>a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.</li> <li>b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.</li> </ol> |         |

| Item No | Ward | Item Not Open |   | Page No |
|---------|------|---------------|---|---------|
|         |      |               | <p>We strive to ensure our public committee meetings are inclusive and accessible for all. If you are intending to observe a public meeting in-person, please advise us in advance of any specific access requirements that we need to take into account by email (<a href="mailto:FacilitiesManagement@leeds.gov.uk">FacilitiesManagement@leeds.gov.uk</a>). Please state the name, date and start time of the committee meeting you will be observing and include your full name and contact details.</p> |         |

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## Licensing Committee

Friday, 26th May, 2023

**PRESENT:** Councillor J Gibson in the Chair

Councillors Ali, E Carlisle, R Downes,  
L Farley, B Flynn, S Hamilton, Hinchcliffe,  
Holroyd-Case, A Hutchison, L Martin,  
D Seary and I Wilson

**1 Appeals Against Refusal of Inspection of Documents**

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

**2 Exempt Information - Possible Exclusion of the Press and Public**

The agenda contained no exempt information.

**3 Late Items**

No formal late items of business were added to the agenda, however a supplementary document relating to Item 7 “Licensing Committee – Annual Governance Arrangements” was tabled at the meeting presenting the updated Sub Committee membership schedule following confirmation of the Committee membership by Annual Council on 24<sup>th</sup> May 2023. (Minute 7 refers)

**4 Declaration of Interests**

No declarations of interest were made.

**5 Apologies for Absence**

Apologies for absence were received from Councillor Buckley.

**6 Minutes**

**RESOLVED** – That the minutes of the previous meeting held on 14<sup>th</sup> March 2023 be agreed as a correct record.

**7 Licensing Committee - Annual Governance Arrangements**

The City Solicitor submitted a report which sought to establish the governance arrangements for the Licensing Committee for the 2023/2024 Municipal Year. The Principal Legal Officer, Legal Services, presented the report providing a brief overview of its contents:

- Licensing Committee Terms of Reference as set out in Appendix 1 of the report
- Membership of each Licensing Sub-Committee as set out in amended Appendix 2 tabled at the meeting
- Licensing Sub-Committee Terms of Reference as set out in Appendix 3 of the report

- The delegation of Licensing functions to the Director of Communities, Housing and Environment as contained in Appendix 4.

The Committee noted that no changes had been made to the Terms of Reference for the Committee and its Sub Committees or to the relevant Officer Delegation Scheme.:

**RESOLVED –**

- To note the terms of reference of the Licensing Committee as shown at Appendix 1.
- That the five Licensing Sub-Committees for hearings required under the 2003 and 2005 Acts be established with the following Memberships for the 2023/2024 Municipal Year:
  - A Councillors: Ali, Flynn and Martin
  - B Councillors: N Buckley, Holroyd-Case and Wilson
  - C Councillors: Downes, Hamilton and Hinchcliffe
  - D Councillors: Carlisle, Gibson and Smart
  - E Councillors: Farley, Hutchison and D Seary
- That approval be given to the terms of reference for the Licensing Sub-Committees as set out in Appendix 3 of the report.
- That approval be given to the delegation of specified Licensing functions to officers in accordance with the Officer Delegation Scheme (Council (Non-Executive) Functions) of the Director of Communities, Housing and Environment as shown in Appendix 4 of the report.

**8 Licensing Procedure Rules, The Code of Practice for Determining Licensing Matters and Prescribed Licensing Training**

The City Solicitor submitted a report seeking approval of draft procedure rules relating to meetings and hearings of the Licensing Committee and its Sub Committees which apply to proceedings under both the Licensing Act 2003 and the Gambling Act 2005 and which cross-refer to the relevant regulations and sought the approval of Members to the adoption of these to govern committee procedure.

The report also requested consideration of the Code of Practice for the Determination of Licensing Matters and sought the agreement of the Committee to follow the Code.

The Committee noted comments regarding Members responsibilities in decision making and attendance at Sub Committees.

**RESOLVED –**

- That the Licensing Procedure Rules as set out as Appendix 1 of the submitted report be approved.
- To approve and resolve to follow the contents of the Code of Practice for the Determination of Licensing Matters as set out in Appendix 2 of the submitted report.
- To note the arrangements for the prescribed training programme.



- d) To note that once approved the Code of Practice for the Determination of Licensing Matters will be brought to the attention of all Elected Members.

**9 Date and Time of Next Meeting**

**RESOLVED** – To note the date and time of the next meeting as Tuesday 27<sup>th</sup> June 2023 at 10.00 am.

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## Leeds Festival 2023

Date: Tuesday, 1<sup>st</sup> August 2023

Report of: Chief Officer Elections and Regulatory

Report to: Licensing Committee

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

### Brief Summary

Leeds Festival (“the Festival”) takes place each August Bank Holiday at Bramham Park.

The Festival is authorised under a Premises Licence (“the Licence”), granted under the Licensing Act 2003 and issued by the Licensing Authority to Festival Republic Limited (“Festival Republic”) in 2006.

The Licence is subject to a condition that the Event Management Plan and any revisions to the Event Management Plan must be approved by the Licensing Authority prior to the Festival.

The licensing regime contributes to Best City Priorities 2020-25 (see the [latest version available here](#)):

- Culture
- Safe, Strong communities
- Inclusive Growth

### Recommendations

The Licensing Committee is asked to:

Hear from Mr Melvin Benn and representatives of Festival Republic, on the planning and preparation for the 2023 Festival, and receive comments from partners of the Safety Advisory Group, and to either:

- Delegate approval of the final Event Management Plan to the Chief Officer, Elections and - Regulatory, or
- Delegate approval of the final Event Management Plan to a three members Licensing Sub Committee to be convened on Tuesday, 22<sup>nd</sup> August 2023.

Members may consider it appropriate for the public to be excluded from part of the meeting to allow Mr Benn of Festival Republic and other attendees to provide Members with confidential information associated with the Festival which falls under the Access to Information Procedure

Rule 10.4(3), as it includes information relating to the financial or business affairs of a particular person or organisation; and/or Rule 10.4 (7), information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime and in each case in all the circumstances of the matter the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

### **Why is the proposal being put forward?**

- 1 The premises licence is subject to a condition that an Event Management Plan (“EMP”) and any revisions to the EMP must be approved by the Licensing Authority prior to the Festival.
- 2 The EMP sets out all arrangements for the event which contribute to the licensing objectives:
  - The prevention of crime and disorder;
  - The prevention of public nuisance;
  - Public safety; and
  - The prevention of children from harm.
- 3 The EMP is an evolving document and the final version is not normally available until shortly before the start of the Festival; hence the recommendations set out above.

### **History**

- 4 The original Premises Licence for Bramham Park was granted in 2006.
- 5 The premises licence is subject to a condition that an Event Management Plan (“EMP”) and any revisions to the EMP must be approved by the Licensing Authority prior to the Festival.
- 6 The EMP is uploaded by the document owner to Resilience Direct, a secure national government platform for the storing of sensitive documents and information. Resilience Direct is accessible by all blue light and relevant services, who are also partners of the Leeds Safety Advisory Group (“SAG”) co-ordinated by the Resilience & Emergencies Team.
- 7 Partners of the SAG include West Yorkshire Police, West Yorkshire Fire & Rescue Service, Yorkshire Ambulance Service, Public Health, Leeds Teaching Hospitals Trust, West Yorkshire Combined Authority, Security Industry Authority, Highways England and Leeds City Council’s departments of Highways, Environmental Services, Environmental Health, Health & Safety, Building Control and the Licensing Authority.
- 8 Members of the Licensing Committee have also been granted access to Resilience Direct, strictly for the purpose of accessing the current version of the EMP and subject to maintaining the confidential nature of that information.
- 9 In January 2023 the Licensing Committee received a debrief from the 2022 Festival.
- 10 Hearing from the licence holder and Festival organiser’s representative, Mr Melvin Benn, and from partners of the SAG, a number of matters were noted and assurances for 2023 provided, including:
  - a. There shall be a ban on all campfires;

- b. A new provision of Air Hubs (Assistance, Information, Response) spread across campsites offering welfare and support facilities;
- c. Challenge 25 to replace Challenge 21 proof of age scheme;
- d. A robust system to provide a more accurate figure of the numbers of 16 and 17 year olds in attendance;
- e. Spiking Test Kits to be more widely advertised as available to purchase;
- f. Provision of quality security and stewards, particularly in campsite areas to improve public engagement;
- g. Improved engagement and information sharing with the Security Industry Authority to allow adequate time for the service to carry out their role;
- h. There shall be a new medical provider for 2023 equipped with onsite x-ray facilities. The Committee heard in January that early engagement was already underway with the Yorkshire Ambulance Service;
- i. Whilst the new traffic plan was deemed a success, this was to be further reviewed with partner agencies to identify congestion alleviation from the A1/M and to address certain other aspects, including access for key services to Aberford;
- j. Improvements to lighting and directional signage and the provision of quality stewarding, particularly on egress routes leading from the arena to campsites, car parks, pick up locations and public transport hubs;
- k. Safety messaging for customers using taxis/private hire vehicles of the dangers of getting into an un-booked vehicle; and
- l. A review of the salvage operation for which a subgroup has been established to consider options to scale up this operation.

11 The Licensing Committee also heard in private session of matters pertaining to the prevention of crime & disorder, and public safety.

**What impact will this proposal have?**

Wards affected: Wetherby & Harewood

Have ward members been consulted?  Yes

**What consultation and engagement has taken place?**

- 12 The original premises licence application approved in April 2006 was subject to the formal consultation process as prescribed by the Licensing Act 2003, including consultation with designated responsible authorities and public notice.
- 13 The EMP is accessible via Resilience Direct to Licensing Committee Members and partners of the Safety Advisory Group.
- 14 Multi-agency meetings under the Safety Advisory Group process have been taking place since early this year in preparation for the 2023 festival.
- 15 Subgroups have also been established to consider safeguarding, traffic management and sustainability/salvage.
- 16 Festival Republic hold regular meetings with local representatives and Parish Councils.

## What are the resource implications?

- 17 No resource implications for the licensing authority have been identified.

## What are the legal implications?

- 18 Members may consider it appropriate for the public to be excluded from part of the meeting to allow Mr Benn and other attendees to provide Members with confidential information associated with the Festival which fall under the Access to Information Procedure Rules: specifically Rule 10.4(3) (information relating to the financial or business affairs of any particular person); and Rule 10.4 (7) (information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime) and, in each case, whether, in all the circumstances of the matter, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- 19 The Licence is subject to the following condition:
- “The Event Management Plan and any revisions to the Event Management Plan must be approved by the Licensing Authority prior to the Festival.”*
- 20 Should the Licensing Committee approve delegation of the EMP, it is necessary to confirm one of the following options:
- In order for the Chief Officer’s approval to be valid, it is necessary for the Licensing Committee to delegate its authority to approve the EMP to the Chief Officer Elections and Regulatory; or
  - In order for the Licensing Sub Committee’s approval to be valid, it is necessary for the Licensing Committee to delegate its authority to approve the EMP to a Licensing Sub Committee.
- 21 There is no scope for the Licence to be amended, suspended, or revoked under the recommendations in this report. A copy of the Premises Licence details providing the operating schedule, including the licensable activities and hours, is attached at Appendix 1.

## What are the key risks and how are they being managed?

- 22 There are no key risks identified.

## Does this proposal support the council’s 3 Key Pillars?

- a.  Inclusive Growth     Health and Wellbeing     Climate Emergency
- 23 The Festival will bring benefits to the region supporting the City’s economy and highlighting Leeds as a place to visit. Attracting up to 89,999 attendees, some of whom will visit the City’s hospitality and retail sector, stay in accommodation, and use public transport. For many it will be their first experience of Leeds and they may return later to enjoy the City.
- 24 A range of welfare services are available throughout the site provided by several voluntary/social care agencies.

- 25 Festival Republic has a commitment to reducing carbon emission and environmental impact, promoting 'No Music on a Dead Planet', via public messaging and encouraging recycling and composting throughout the site. Where viable, alternative and reusable energy source is used, and the pilot of an Eco Campsite in 2022 was a resounding success with customer demand doubling for 2023.
- 26 Appeals are made for customers to take camping equipment home with them or to donate it at the designated points, for which rewards and incentives are offered.
- 27 A subgroup involving Licensing Committee Members and Festival Republic's Sustainability Team has been established to consider options for enhancing the salvage operation.
- 28 The traffic management plan includes a shuttle bus service which frequently runs between Leeds City Centre and the festival site with additional services during times of peak demand. A limited service is also provided to the North of the City.

### **Options, timescales and measuring success**

- 29 Multi-agency meetings will continue until and throughout the duration of the Festival. One such meeting is held on the Friday evening following the first show day which provides for any matters to be addressed for the subsequent days.
- 30 Following the Festival, a debrief meeting will be held to help inform the Event Management Plan for subsequent years.

### **Appendices**

- 31 Appendix 1 – Premises Licence Details

### **Background papers**

- 32 None

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## Details of premises licence

For: Leeds Festival



This document provides details of the premises licence issued to the stated premises and is not a licence itself.

|   |   |
|---|---|
| <b>Licence number:</b>                      | PREM/02193/012  |
| <b>Premises the licence relates to:</b>     | Leeds Festival, Bramham Park, Thorner Road, Wothersome, Wetherby, Leeds, LS23 6ND |
| <b>Date licence first effective:</b>        | 28 <sup>th</sup> April 2006   |
| <b>Date current version effective from:</b> | 3 <sup>rd</sup> August 2018   |

The dates for Leeds Festival 2023 are Wednesday 23rd, Thursday 24th, Friday 25th, Saturday 26th and Sunday 27th August 2023

### Licensable activities authorised by the licence:

|  |                                |
|--|--------------------------------|
| Sale by retail of alcohol<br>Every Day   | 00:01 - 00:00                  |
| Provision of late night refreshment<br>Wednesday to Sunday                                   | 23:00 - 05:00                  |
| Performance of a play<br>Thursday<br>Friday to Sunday  | 19:00 - 03:00<br>12:00 - 03:00 |
| Exhibition of a film<br>Thursday<br>Friday to Sunday   | 19:00 - 03:00<br>12:00 - 06:00 |
| Performance of live music<br>Thursday<br>Friday to Sunday                                    | 19:00 - 03:00<br>12:00 - 06:00 |
| Performance of recorded music<br>Thursday<br>Friday to Sunday                                | 19:00 - 03:00<br>12:00 - 06:00 |
| Performance of dance<br>Thursday<br>Friday to Sunday   | 19:00 - 03:00<br>12:00 - 03:00 |
| Entertainment similar to live music, recorded music or dance<br>Thursday<br>Friday to Sunday | 19:00 - 03:00<br>12:00 - 06:00 |

**Opening hours of the premises:**

Everyday

00:01 - 00:00

**Premises licence holder(s):**

Festival Republic Ltd, 30 St. John Street, London, England, EC1M 4AY

**Designated premises supervisor:**

Mr Ian Donaldson

**Access to the premises by children**

Access to the premises by children is restricted.

## Annex 1 – Mandatory Conditions

1. Only individuals licensed by the Security Industry Authority may be used at the premises to guard against:-
  - a. unauthorised access or occupation (e.g. through door supervision), or
  - b. outbreaks of disorder, or
  - c. damage
2. No supply of alcohol may be made under this licence
  - a. At a time when there is no designated premises supervisor in respect of the premises licence, or
  - b. At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
3. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
4. The admission of children under the age of 18 to film exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendations made
  - a. By the British Board of Film Classification (BBFC,) where the film has been classified by the Board, or
  - b. By the Licensing Authority where no classification certificate has been granted by the BBFC, or,
  - c. where the licensing authority has notified the licence holder that section 20 (3) (b) (74 (3) (b) for clubs) of the Licensing Act 2003 applies to the film.
5. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -

- a. games or other activities which require or encourage, or are designed to require or encourage individuals to -
  - i. drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
  - ii. drink as much alcohol as possible (whether within a time limit or otherwise);
- b. provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- c. provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- d. selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorize anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

- e. dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
6. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
7. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -

- a. a holographic mark, or
  - b. an ultraviolet feature.
8. The responsible person must ensure that -
- a. where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
    - i. beer or cider: ½ pint;
    - ii. gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - iii. still wine in a glass: 125 ml;
  - b. these measures are displayed in a menu; price list or other printed material which is available to customers on the premises; and
  - c. where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
9. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

For the purposes of the condition set out in paragraph 1 of this condition -

- a. "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- b. "permitted price" is the price found by applying the formula  $P = D + (D \times V)$  where -
  - i. P is the permitted price,
  - ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- c. "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
  - i. the holder of the premises licence,
  - ii. the designated premises supervisor (if any) in respect of such a licence, or
  - iii. the personal licence holder who makes or authorises a supply of alcohol under such a licence;

- d. "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- e. "value added tax" mean value added tax charged in accordance with the Value Added Tax Act 1994.

Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

- (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

## **Annex 2 – Conditions consistent with the operating schedule**

### **Additional details in respect of licensable activities authorised by this licence**

#### Provision of late night refreshment

Location of activity: Both indoors and outdoors

#### Performance of a play

Location of activity: Both indoors and outdoors

#### Exhibition of a film

Location of activity: Both indoors and outdoors

#### Performance of live music

Location of activity: Both indoors and outdoors

#### Performance of recorded music

Location of activity: Both indoors and outdoors

#### Performance of dance

Location of activity: Both indoors and outdoors

#### Entertainment similar to live music, recorded music or dance

Location of activity: Both indoors and outdoors

#### All activities

Non standard timings: The times and dates of licensable activities will be submitted and agreed within the Multi Agency forum at least 6 months prior to the festival or such lesser period as agreed from time to time within the multi-agency forum.

The premises licence is for the on and off sales of alcohol to ticket holders for 24 hours on the dates which will be agreed within the multi-agency forum.

The licence also provides for the supply of alcohol to staff 24 hours on the dates which will be submitted and agreed with the multi-agency forum at least 6 months prior to the festival each year or such lesser period as agreed from time to time with the multi-agency forum.

The application for an extension of existing hours from 03:00hrs to 06:00hrs Saturday, Sunday and Monday submitted in March 2008 applies to the following campsites only:

Brown/Green campsite DJ  
Orange campsite DJ  
Yellow Bubble campsite DJ  
Blue Valley campsite DJ  
Red campsite DJ  
Piccadilly campsite DJ  
Silent Disco

The location and names of these campsites may be determined from a site plan submitted each year.

### **Conditions consistent with the operating schedule relating to the licensing objectives**

#### **General – All four licensing objectives**

10. The Premises Licence Holder shall comply with the terms and requirements of the Event Management Plan each year.
11. There shall be an Event Management Plan which incorporates the Operating Schedule submitted to the Licensing Authority at least six months prior to the festival each year.
12. The Event Management Plan and any revisions to the Event Management Plan must be approved by the Licensing Authority prior to the Festival

#### **Public safety**

13. The maximum permitted capacity at the event is 85,000 ticket holders and 4999 guests (89999 persons in total). The proposed capacity for each event will form part of the Event Management Plan notified to the Licensing Authority and the Multi Agency partners under the conditions of this Licence.

### **Annex 3 – Conditions attached after a hearing by the licensing authority**

None

## Licensing Sub Committee – Revocation of taxi driver licences on the basis of minor motoring convictions

Date: 1st August 2023

Report of: Chief Officer, Elections and Regulatory

Report to: Licensing Committee

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

### Brief summary

On 9 August 2022 Licensing Committee agreed that, for a trial period of 12 months, any decisions to revoke taxi drivers' licences on the basis of minor motoring convictions should be determined by Licensing Sub-Committee.

In the trial period there have been no cases where such decisions have been required. However, there are now a number of pending cases where revocations may need to be considered. Accordingly, Licensing Committee are requested to approve a further 12 months trial of this process.

### Recommendations

- a) Licensing Committee delegate to Licensing Sub-Committee the power to determine the potential revocation of taxi and private hire drivers' licences on grounds of minor motoring convictions.
- b) The delegation of this power be reviewed after a period of 12 months.

## **What is this report about?**

- 1 On 9<sup>th</sup> August 2022 Licensing Committee considered a series of policy considerations in relation to the suitability of taxi and private hire drivers who receive convictions for minor motoring offences. In this context convictions include fixed penalties / licence endorsements in addition to convictions in criminal courts.
- 2 At that meeting the Committee made a series of policy recommendations to Executive Board which were subsequently approved. This included guidance that revocation of a driver's licence would be appropriate when they have reached 9 penalty points on their DVLA licence and have previously attended training in this regard.
- 3 As part of the Committee's decision members concluded that for a trial period of 12 months any licences subject to potential revocation relating to minor motoring offences be referred to the Licensing Committee or one of its sub committees for determination, to be reviewed by the Licensing Committee after 12 months.
- 4 The benefit of this approach is that the involvement of members in making these decisions may improve confidence of the trade in how the new policy criteria will be applied.
- 5 In order for this proposal to function efficiently and effectively the referral of potential revocations will be to Licensing Sub-Committee which already deals with hearings of other licensing matters.
- 6 During the subsequent 12 month period there have been no suitable cases for consideration by the Sub-Committee and so in practice the trial has not commenced. However there are now a number of qualifying cases being dealt with by Taxi & Private Hire Licensing officers where potential revocation may soon have to be considered.
- 7 It is therefore judged appropriate to have a further 12-month trial period of this approach to making such decisions.

## **What impact will this proposal have?**

- 8 The proposal will first and foremost help to encourage confidence in the new policy among members of the taxi and private hire trade. The policy development process was contentious and confidence among the trade was demonstrably low. It is believed that the involvement of members in these decisions, for a trial period at least, may help alleviate that lack of confidence.
- 9 The proposal is for the Sub-Committee to consider potential revocations based on written representations only, i.e. officer reports and representations from the licence holder in the form of written representations and/or a written record of information disclosed by the licence holder when interviewed by officers.
- 10 This approach mirrors the existing procedure for officer-made decisions. Consequently, the proposal is not expected to have any impact in relation to any protected characteristics or other equalities grounds in comparison to the previous process.

## **How does this proposal impact the three pillars of the Best City Ambition?**

Health and Wellbeing

Inclusive Growth

Zero Carbon

- 11 The licensing regime aligns with the council's priorities for Health and Wellbeing insofar that its primary focus is on public and passenger safety.



## What consultation and engagement has taken place?

Wards affected:

Have ward members been consulted?       Yes                       No

12 There was extensive consultation around policy development in 2022, the results of which were presented to members in August last year. As there has been no opportunity to implement the previously agreed procedure there has been no opportunity for additional engagement to gauge its impact.

## What are the resource implications?

13 There are some implications in respect of officer time in setting up Licensing Sub-Committee hearings and training members. However, given the regularity with which they already meet this is likely to be limited in its impact.

14 Taxi & Private Hire Licensing officer time will be required in putting together reports for members to consider. However this will only be a slight increase on the requirements currently in place for officer-made decisions and should be manageable if numbers of qualifying cases remain low. All resource implications will be met from existing budgets.

## What are the key risks and how are they being managed?

15 There are no risks associated with this proposal. The only risks are those that already apply to officer-made decisions, such as the risk of a successful appeal to the courts against a decision made by the authority. These will be mitigated by ensuring all members participating in such decisions have received appropriate training.

## What are the legal implications?

16 In accordance with the Council's Constitution the Licensing Committee can delegate various licensing functions to either Sub-Committees or officers, within statutory limitations.

17 The determination of potential licence revocations on the grounds of minor motoring convictions lies squarely within the functions which can be delegated to either, therefore it is legally viable to delegate minor motoring conviction cases to the Sub-Committee while all other revocation decisions lie with officers. For the avoidance of doubt, the existing officer delegation to revoke licences on the grounds of minor motoring convictions shall not be exercised for the duration of the trial period. Enforcement action in respect of minor motoring convictions will continue to be taken by officers in accordance with the Council's policy and will only be referred to Licensing Sub-committee when revocation is considered appropriate.

## Options, timescales and measuring success

### What other options were considered?

18 The previous procedure, where officers make decisions to revoke licences in such cases, will be the default position at the expiry of the 12 month trial. If the recommendation to extend the trial is not approved, just as potential cases may arise for consideration, the Council will have missed the opportunity to improve confidence among the trade in the new policy on minor motoring convictions.

### **How will success be measured?**

19 Feedback from the trade will be assessed after sufficient cases have been considered by Licensing Sub-Committee. Success will be achieved if confidence in the Council's revised policy and decision making is increased, both with the trade and with the public who can be reassured that appropriate action is taken in respect of taxi drivers who are considered a risk to public safety.

### **What is the timetable and who will be responsible for implementation?**

20 The extended trial will begin with immediate effect. Implementation will be the responsibility of the Head of Regulatory and City Centre Services.

### **Appendices**

- None

### **Background papers**

- None