



LICENSING COMMITTEE

MEETING TO BE HELD IN CIVIC HALL, LEEDS ON
TUESDAY, 16TH NOVEMBER, 2010 AT 10.00 AM

MEMBERSHIP

Councillors

S Armitage - Cross Gates and Whinmoor;
M Dobson - Garforth and Swillington;
R Downes - Otley and Yeadon;
J Dunn - Ardsley and Robin Hood;
Mrs R Feldman - Alwoodley;
R D Feldman - Alwoodley;
T Grayshon - Morley South;
T Hanley - Bramley and Stanningley;
G Hussain - Roundhay;
G Hyde - Killingbeck and Seacroft;
V Morgan - Killingbeck and Seacroft;
B Selby - Killingbeck and Seacroft;
C Townsley - Horsforth;
D Wilson - Rothwell;
G Wilkinson - Wetherby;

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A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 25 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 25, written notice of an appeal must be received by the Chief Democratic Services Officer at least 24 hours before the meeting)</p>	
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</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>RESOLVED – 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/Equal Opportunities	Item Not Open		Page No
3			<p>LATE ITEMS</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>DECLARATIONS OF INTEREST</p> <p>To declare any personal/prejudicial interests for the purpose of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct</p>	
5			<p>APOLOGIES FOR ABSENCE</p>	
6			<p>MINUTES</p> <p>To approve the minutes of the last meeting held on 14th September 2010</p> <p>(Copy attached)</p> <p><u>TAXI AND PRIVATE HIRE LICENSING MATTERS</u></p>	1 - 4
7	All Wards;		<p>NVQ AND VRQ QUALIFICATIONS FOR DRIVERS - UPDATE AND REVIEW REPORT</p> <p>To consider the report of the Assistant Chief Executive (Corporate Governance) setting out the progress of the NVQ and VRQ training programme introduced in 2008 and seeking to review the current policy that all new applicants must achieve the qualification within 12 months of being granted a licence and existing licence holders by December 2011.</p> <p>(Report attached)</p> <p>PLEASE NOTE: The following appendices to the report will be available at the meeting as background information to the consultation Appendix 4a); Appendix 4b) and Appendix 4f)</p>	5 - 64

Item No	Ward/Equal Opportunities	Item Not Open		Page No
8	All Wards;		<p><u>LICENSING ACT 2003 MATTERS</u></p> <p>LCC ENVIRONMENTAL PROTECTION TEAM - PREMISES LICENCES - PREVENTION OF PUBLIC NUISANCE</p> <p>To consider a report from the Chief Officer (Health and Environmental Action Service) providing information on how applications made under the Licensing Act 2003 are assessed by the Environmental Protection Team in relation to the prevention of public nuisance and the evidence subsequently provided to the Licensing Sub-Committee. Officers will attend the Committee to make a presentation to Members</p> <p>(Report attached)</p>	65 - 68
9	Harewood; Wetherby;		<p>LEEDS FESTIVAL 2010 - GROUNDS OF BRAMHAM PARK, BRAMHAM, LEEDS LS23</p> <p>To consider the report of the Assistant Chief Executive (Corporate Governance) informing Members of the matters arising from the Leeds Festival 2010 following the multi-agency debrief meeting held on 7th October 2010</p> <p>(Report attached)</p>	69 - 76
10			<p>THREE YEAR REVIEW OF THE STATEMENT OF LICENSING POLICY 2011 - 2013</p> <p>To consider the report of the Assistant Chief Executive (Corporate Governance) advising the Committee of the review and public consultation on the Statement of Licensing Policy for the Authority. The Council is required to prepare and publish a Policy every 3 years under the Licensing Act 2003 and a revised Policy is due for adoption by 5th January 2011.</p> <p>(Report attached)</p>	77 - 86

Item No	Ward/Equal Opportunities	Item Not Open		Page No
11	All Wards;		<p><u>GAMBLING ACT 2005 MATTERS</u></p> <p>LARGE CASINO UPDATE</p> <p>To consider the report of the Assistant Chief Executive (Corporate Governance) on the progress of the Large Casino project and the delegated responsibilities of the Licensing Committee</p> <p>(Report attached)</p> <p><u>OTHER REGULATORY MATTERS</u></p>	87 - 90
12			<p>SEXUAL ENTERTAINMENT VENUES UPDATE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982</p> <p>To receive a brief update on the work undertaken by the Sexual Entertainment Venue Working Group.</p> <p>(Report and minutes of the last WG meeting attached)</p>	91 - 98
13			<p>LICENSING WORK PROGRAMME</p> <p>To consider the contents of the Licensing Work Programme for the 2010/11 Municipal Year</p> <p>(Schedule attached)</p>	99 - 102
14			<p>DATE AND TIME OF NEXT MEETING</p> <p>To note the date and time of the next meeting as Tuesday 21st December 2010 at 10.00 am</p>	

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Agenda Item 6

Licensing Committee

Tuesday, 14th September, 2010

PRESENT: Councillor S Armitage in the Chair

Councillors M Dobson, R Downes, J Dunn,
T Grayshon, G Hussain, V Morgan,
D Wilson and G Wilkinson

IN ATTENDANCE

Mr J Bradford – Pubwatch Co-ordinator, LCC Community Safety
Mr J Hancock – Chair, Leeds City Centre Pubwatch
Mr P Landau – Unite Leeds Hackney Carriage Association
Mr Q Cooper – Unite Leeds Hackney Carriage Association
Mr J Akhtar – Councillor and Private Hire representative

24 Chairs Opening Remarks

The Chair welcomed all present to the meeting and indicated the presentation on the Leeds Pubwatch scheme would be dealt with as the first item of business.

25 Late Items

Three Late Items of business were included within the agenda for the meeting as follows:

- Minutes of the Special Licensing Committee meeting held 3rd September 2010 (minute 29b) refers)
- Minutes of the Sexual Entertainment Venues Working Group held 3rd September 2010. (minute 31b) refers)
Both of the above meetings took place one working day prior to the despatch of the agenda. As such, the minutes were not available on the day of agenda despatch
- The minutes of the last Licensing and Regulatory Panel meeting held 22nd June 2010 were also tabled as a Late Item as the clerk had omitted these from the agenda. The work of the former Panel had been assumed by Licensing Committee on 20th July 2010 and this was the first proper meeting able to consider the minutes. (minute 30 Refers)

26 Declarations of Interest

There were no declarations of interest

27 Apologies for Absence

Apologies for absence were received from Councillors Mrs Feldman; R D Feldman; Hanley; G Hyde; Selby and Townsley

28 Leeds Pubwatch

The Committee considered the report of the Assistant Chief Executive (Corporate Governance) setting out details of the Leeds Pubwatch scheme and its role in supporting the prevention of crime and disorder licensing

objective under the Licensing Act 2003. Appended to the report was a copy of the National Pubwatch Good Practice Guide document for reference.

Mr J Bradford LCC Pubwatch Co-ordinator and Mr J Hancock licensee and Chair of Leeds City Centre Pubwatch attended the meeting and provided information on the following:

- The role of the Pubwatch Co-ordinator as the central point of contact for all Leeds licensees.
- The advice and guidance offered by the Co-ordinator and the liaison undertaken by him between the licensees and Responsible Authorities
- Approximately 20 local Pubwatch schemes were operating in Leeds
- The Leeds City Centre Pubwatch met bi-monthly and had forged close links with responsible authorities to address licensing issues

During discussions the following matters were considered:

Adherence to the Pubwatch condition – Members were aware that membership of a local Pubwatch scheme was often suggested by West Yorkshire Police and imposed at a Sub Committee hearing as a measure to address the crime prevention objective. It was reported that in such instances the Co-ordinator provided the licensee with an overview of the benefits of the Pubwatch scheme and monitored their participation at subsequent Pubwatch meetings. The Pubwatch Chair recorded attendance and if necessary the Co-ordinator would contact any licensee who appeared to have difficulty in attending

Extending the Pubwatch membership – Members noted a comment that all-night supermarkets and off-licences were often regarded as central to incidents of alcohol fuelled anti social behaviour etc. It was noted that some schemes elsewhere did incorporate such premises, and consideration was being given to extending the Pubwatch membership in Leeds to include them in the long term

Pubwatch and the police – Members noted the process by which a patron could be barred from a specific premises and then be placed on the local Pubwatch “banned list” and queried whether the police should also have the opportunity to place patrons on the list. Officers responded the scheme was purely for licensees, however it was agreed that licensees should feel able to discuss any problems they experienced with an individual patron, informally, with a police officer.

Pubwatch and local residents – It was noted the Co-ordinator did liaise with members of the public regarding premises near their homes, although the public were not members of the scheme.

The Committee expressed its continued support for the Pubwatch schemes and thanked Mr Bradford and Mr Hancock for their informative presentation. Members suggested relevant Pubwatch documentation should be sent to all Members of Council and/or presentations be given to Area Committees to ensure greater awareness amongst the public and partner organisations.

RESOLVED –

- a) To note the contents of the report and to thank Mr Bradford and Mr Hancock for their presentation
- b) To request officers approach West Yorkshire Police, the Community Safety Office and Chairs of LCC Area Committees with a view to timetabling a similar presentation to the Area Committees

29 Minutes

RESOLVED – That the minutes of the following meetings be agreed as a correct record:

- a) 20th July 2010
- b) Special meeting held 3rd September 2010

30 LATE ITEM - Minutes of the Licensing and Regulatory Panel

The minutes of the last Licensing and Regulatory Panel meeting held 22nd June 2010 were tabled as a Late Item. The work of the former Panel had been assumed by Licensing Committee on 20th July 2010 and this was the first proper meeting able to consider the minutes. The clerk had omitted these from the agenda in error

RESOLVED – That the minutes of the Licensing and Regulatory Panel held on 22nd June 2010 be agreed as a correct record

31 SEV Working Group Update

The minutes of two meetings of the Sexual Entertainment Venue Working Group (SEV WG) held on 16th July and 3rd September 2010 respectively were submitted for noting. The WG had been established by the former Licensing and Regulatory Panel on 22nd June 2010 (minute 8b) refers) and that function now fell within the remit of the Committee.

The Chair and members of the WG highlighted the useful discussions undertaken so far during the SEV policy development process

RESOLVED – To note the minutes of the following meetings

- a) 16th July 2010
- b) 3rd September 2010

32 Licensing Work Programme 2010/11

RESOLVED – To note the contents of the Licensing Work Programme

33 Date and Time of the Next Meeting

RESOLVED – To note the date and time of the next meeting as Tuesday 19th October 2010

34 Chairs Closing Remarks

Councillor Armitage reported she was aware of e-mail correspondence sent on behalf of Unite Leeds Hackney Carriage Association to Members of the Committee; full Council and local M.P's relating to the ongoing personnel issue within the Taxi and Private Hire Licensing Section. The Chair reiterated that no final decision had been reached on the matter and Members of the Committee would be made aware of the outcome once that decision was reached.

Councillor Armitage added that, as with any other service, if any service user had a concern regarding the conduct of an employee, then those concerns should be made formally in writing in order that they could be investigated and, where appropriate, action taken. However rumours, gossip and insinuations would not be considered

Members expressed their concern over the content and tone of the e-mail and requested a robust response be sent to Unite Leeds with a copy to the relevant M.P's.



Originator:	Kate Coldwell
Tel:	2143057

Report of the: Assistant Chief Executive (Corporate Governance)

Licensing Committee

Date:

Subject: NVQ & VRQ Qualifications - Further Information and Review of Timescales

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

1. The Taxi and Private Hire trade is essential to an integrated transport system but unlike drivers in other forms of passenger transport, Taxi and Private Hire drivers have not had easy access to skills development or the opportunity to obtain recognition for the job that they do. However, back in 2007, GoSkills (the Sector Skills Council for Passenger Transport), with the support of the trade, developed an NVQ Level 2 qualification for Taxi and Private Hire drivers.

This report sets out further information for Members of events since they approved, in September 2008, the introduction of mandatory NVQ and VRQ qualifications for all licensed Hackney Carriage and Private Hire drivers and those new applicants entering the trade.

Members will be asked to consider the key issue of the deadline of December 2011 for all existing drivers to have achieved the mandatory qualifications and 12 months for new applicants to the trade, in the face of limited government funding.

1.0 Purpose Of This Report

- 1.1 To inform Members of the progress of the NVQ and VRQ training programme and to review the current policy that all new applicants must achieve the qualification within 12 months of being granted a licence and existing licence holders by December 2011.

2.0 Background Information

- 2.1 VRQ Level 2 Certificate in Road Passenger Transport – the aim of this qualification is to develop and enhance the knowledge of existing and prospective Taxi and Private Hire drivers. Customer service, a professional image and dealing with special needs, such as disability, are considered important, in addition to understanding health and safety requirements and Taxi and Private Hire regulations. Drivers are also required to demonstrate that they have the necessary knowledge and understanding by answering a series of multi-choice questions.
- 2.2 NVQ Level 2 in Road Passenger Vehicle Driving (Hackney Carriage and Private Hire Vehicles) – this qualification was developed to improve customer service and driving standards for Hackney Carriage and Private Hire drivers and reflects current legislation and codes of practice. It is a work based qualification and drivers are observed and assessed on their performance of everyday tasks, not just their knowledge and understanding of the Hackney Carriage / Private Hire driver job role.

To achieve a full certificate in Road Passenger Vehicle Driving, drivers are required to achieve the 7 units in the Hackney Carriage / Private Hire Vehicle route which cover the following:

- Ensure the health and safety in a work environment
- Drive Taxi or Private Hire vehicles safely and efficiently
- Provide professional customer service
- Deal effectively with difficult passengers
- Deal with emergencies and incidents during a journey transporting passengers
- Provide a transport service for passengers who require assistance
- Transport children and young persons

- 2.3 Members approved the introduction of the NVQ and VRQ qualifications for all licensed Hackney Carriage and Private Hire drivers and those applicants accessing the trade, at the September 2008 Licensing and Regulatory Panel meeting. Existing drivers were given until December 2011 to achieve them whilst new applicants are expected to achieve the qualifications within 12 months i.e. prior to the renewal of their licence. The original report and minutes are attached at Appendix 1 for ease of reference with the report Main Issues detailed at Section 3.0 and the resolution of the minutes detailed at number 14.
- 2.4 At the September 2008 Licensing and Regulatory Panel meeting, Members were advised that the attainment of the qualifications was currently cost free but that funding may expire in 2010 and it would be costly to drivers once that occurred. It should be noted that the VRQ was never funded under the Train to Gain programme. The majority of training providers offered this alongside the NVQ as a goodwill gesture but have been unable to sustain this support.
- 2.5 The trade have been kept abreast of all issues surrounding the expiry of funding with the Licensing Leeds newsletter being the main form of communication. The

newsletter is issued quarterly and Issue 6 Summer 2009, of the Licensing Leeds newsletter (Appendix 2) advised licence holders to act quickly to secure their fully funded places and served as a reminder to the trade that the Train to Gain funding would not last forever. Details of all known training providers with fully funded places were also published from this issue onwards.

- 2.6 Emails have been sent, where we hold an email address, to all Private Hire Operators, Taxi Associations and trade representatives, as and when the Taxi and Private Hire Licensing Section have been made aware of funded places becoming available.
- 2.7 All enquiries to the Section regarding training providers and funding, have been given the most up to date information available regarding fully funded places available.
- 2.8 In July 2009, the Learning & Skills Council (LSC) in the Yorkshire and the Humber region reprioritised its Train to Gain funding for 2009/10 to address three key priorities;
- Response to Redundancy - the LSC directed funding in Yorkshire and the Humber to deliver training for unemployed adults or adults at risk of redundancy.
 - Brokerage referrals and Sector Compacts – the LSC want training providers to respond to and meet the needs of employers and learners referred from Brokers i.e. Business Link Yorkshire
 - Economically valuable qualifications - the LSC in Yorkshire and the Humber prioritised the most economically valuable qualifications it wished to buy from training providers and did not regard the continued funding of self-employed Taxi and Private Hire drivers through Train to Gain as a priority for the use of Train to Gain funding.

The trade were advised of this change in Issue 7, Autumn 2009, Licensing Leeds newsletter (Appendix 3). Details of training providers with fully funded places were also published.

- 2.9 However, to date training providers based outside of the LSC Yorkshire and the Humber region have continued to secure funding to deliver the NVQ and are delivering the VRQ alongside at little or no extra cost to the learner.
- 2.10 In August 2009, the LSC in Yorkshire and the Humber made available funding worth £500,000 through the Enhancement Fund. The funding was available based on a price of £1,000 per NVQ and the Enhancement Fund made a contribution of £600 i.e. a 60% contribution. This aimed to support at least 800 learners across the region and at least 650 full NVQ achievements.
- 2.11 In September 2009, four training providers were selected to receive the additional funding. These were;
- Bradford College – covering drivers based in Leeds and Bradford
 - Wakefield College – covering drivers based in Calderdale, Kirklees and Wakefield
 - Craven College – covering drivers based in North Yorkshire
 - IB2K – covering drivers based in the Humber

- 2.12 In November 2009, the LSC advised that the Train to Gain Enhancement Fund supporting Taxi Drivers had generated more support than originally planned, at no extra cost;
- West Yorkshire – originally planned for 200 starts; able to deliver 500
 - South Yorkshire – originally planned for 400 starts and remained at 400
 - Humberside – originally planned for 70 starts; able to deliver 100
 - North Yorkshire – originally planned for 150 starts and remained at 150
- 2.13 To date, there remain at least four training providers offering fully funded places to deliver the NVQ.
- 2.14 In July 2010, GoSkills, the Sector Skills Council for Passenger Transport, commenced consultation with Local Authorities and trade representatives with a view to reviewing the existing qualifications by the end of 2010. It is anticipated that a revised qualification will be delivered from January 2011, although official confirmation is yet to be received from GoSkills.
- 2.15 Figures supplied by GoSkills indicate that nationally, in 2008-09, 22,513 drivers achieved the NVQ in Road Passenger Vehicle Driving. Some 11,557 drivers achieved the VRQ in Road Passenger Transport.
- 2.16 Figures supplied by the Skills Funding Agency (which took over responsibility for Adult Skills from the Learning and Skills Council in April 2010) indicate that some 3,780 learners in the Leeds Licensing district have signed up to the NVQ programme, with 3,043 achieving their qualification.¹ This represents 60% and 49% of the licensed trade respectively.²
- 2.17 The Taxi and Private Hire Licensing Section currently offer 20 new applicant appointments per week, which will be extended from September due to demand.
- 2.18 Some drivers who have already undertaken the training have expressed views on its value. Examples of these have previously been published in the Licensing Leeds newsletter and can be found at Appendix 2.
- 2.19 Officers have not taken any action against new drivers who have failed to attain the qualifications within 12 months.
- 2.20 Other Local Authorities who have made the qualifications mandatory have found themselves in a similar position to Leeds City Council. To date both Stockton-on-Tees Borough Council and Sefton Council have extended the timescales they previously set for their licence holders.
- 2.21 Where training providers identify that learners require further support to achieve the NVQ and/ or VRQ, Skills for Life qualifications are offered that are designed to help learners develop skills that are used in everyday life such as reading, writing or maths. Skills for Life certificates are available in i) adult literacy, ii) adult numeracy iii) information and communications technology (ICT). These courses are fully funded with no cost to the learner.

¹ Figures provided by Skills Funding Agency (formerly the LSC) 24/08/10.

² On 02/09/2010 6,260 driver licences had been issued over a rolling 12 month period.

3.0 Main Issues

- 3.1 Members will need to determine if the achievement of the NVQ and VRQ remains necessary and proportionate to the needs of the Councils responsibilities in today's transport environment, providing a safe and quality service to the travelling public.
- 3.2 If it is considered to be necessary then Members will need to consider the implications of that decision in terms of how it is carried forward and some proposals might be:

- 3.2.1 That new applications for licences will continue to require the applicant to attain the qualifications within 12 months of the licence being granted and that those existing licence holders will continue to be required to attain the qualifications by December 2011.

As per 2.19, Officers are not currently enforcing the position regarding new applicants to the trade. The cost of the qualifications may present difficulties to new applicants, who already face significant financial outlay in obtaining a licence.

Although it was made clear to existing licence holders that funding may expire, this occurred sooner than anticipated due to the economic climate. This may have impacted on those licence holders who believed they would be able to achieve the qualifications free of charge by the December 2011 deadline.

- 3.2.2 That new applications for licences will require the applicant to attain the qualifications within a specified time period, for example within three years and that those existing licence holders are given a revised timescale to attain the qualification which is reasonable to their learning needs and financial outlay, for example December 2013.

This would allow both new applicants and existing licence holders to budget for the cost of the qualifications and time to enrol with a suitable training provider. This would also allow for any amendments to the current NVQ to be implemented by GoSkills without detriment to licence holders.

- 3.2.3 That those applicants who have achieved the qualifications prior to December 2011 be given an incentive upon renewal of their licence, for example a reduction on their renewal fee.

This would have a significant impact on the resources within the Licensing Office and may be difficult to administer. The financial incentive would need to be of significant value so as to make it desirable to achieve the qualifications.

- 3.2.4 That Officers explore the possibility of procuring one training provider to deliver to all new applicants and existing drivers at one set cost

This would involve a timely procurement exercise and Officer resource to undertake. The outcome may result in one training provider delivering the qualifications, possibly with a reduction on the current cost which is variable dependant upon the training provider.

- 3.3 It should be noted that any extension of timescales would be due to the current economic climate, allowing licence holders to budget accordingly for the cost of attaining the qualification, and should not be perceived as a reduction in standards.
- 3.4 Any extension to the timescales should be subject to immediate review were further funding to become available.
- 3.5 Should it be considered that these occupational qualifications are desirable but should no longer be a Condition of a licence, it would be appropriate for the Licensing Committee to give an indication of any training issues they wish Officers to address.

3.6 The Consultation Undertaken

Officers have implemented a full consultation process regarding these proposals. The process involved all licence holders, trade representatives and the general public. Details of the consultation process are set out below;

3.6.1 Internet

- Taxi and Private Hire Licensing Webpage – www.leeds.gov.uk/taxiconsultation

On 13 September 2010, the Taxi and Private Hire Licensing webpage was updated with;

- i) Overview of the policy
- ii) Consultation document
- iii) Licensing and Regulatory Panel report of 2 September 2008
- iv) NVQ Specification
- v) Details on how to provide feedback

- Talking Point Consultation Portal

Talking Point is the Council's online resource for recording all community engagement and consultation activity in one central place. It is the sole universal system available for recording and co-ordinating consultation and engagement activity done by the council city-wide and is also the only place that gives residents and other interested groups an overview of ongoing, completed and planned consultations in Leeds.

Details of the NVQ/VRQ consultation exercise were placed on Talking Point on 13 September 2010 along with an online questionnaire for users to complete.

- Leeds City Council Intranet

On 17 September 2010, a news item was published on the Intranet page giving a brief overview of the consultation and directing readers to the Taxi and Private Hire Licensing webpage.

- Leeds.gov.uk

On 17 September 2010, a front page news item was placed on the Leeds City Council webpage giving a brief overview of the consultation and directing readers to the Taxi and Private Hire Licensing webpage.

3.6.2 Email Notification

An email to Private Hire Operators and Taxi Associations (where we hold an email address) was sent by the Taxi and Private Hire Licensing Section on 16 September 2010. This email made them aware of the consultation, included the consultation document, made reference to the webpage and asked them to circulate the information amongst their drivers.

Additionally emails were sent to the following organisations on 16 September 2010;

- GMB
- Known training providers delivering in the Leeds Licensing district
- GoSkills
- Skills Funding Agency
- Stop Hate
- Leeds Access Committee
- NHS Communications team
- Student Unions
- One Stop Centres

Emails were sent to the following organisations on 17 September 2010;

- Leeds libraries
- ALMOs (asked to share amongst their Residents Associations)

The Equality Team sent an email to their Equalities Assembly Mailing List (where they hold an email address) on 21 September 2010

All emails sent contained an overview of the consultation, included the consultation document and made reference to the Taxi and Private Hire Licensing webpage.

3.6.3 Trade Forums

Attendees of the Private Hire forum on 17 September 2010 and the Hackney Carriage forum on 22 September 2010, were given a brief overview of the consultation and advised how feedback could be given.

3.6.4 Signage

A notice was placed in the Reception at the Taxi and Private Hire Licensing Section on 16 September 2010.

Posters were sent to One Stop Shops and libraries week commencing 20 September 2010.

3.6.5 Letters

Individual letters were sent to each licence holders home address on 21 September 2010. The letter gave a very brief overview of the consultation and explained where further information could be obtained.

3.6.6 Press Release

A press release was drafted on 17 September 2010. The Yorkshire Evening Post picked this up and published an article on 23 September 2010.

3.7 Copies of consultation and information documents used during the process are attached as Appendix 3 to this report for Members information.

3.8 The views of the trade and general public identified through the consultation.

Considerable feedback has been given through the various consultation methods.

- 9 letters have been received, over half of which are generally supportive of the NVQ
- 24 emails have been received, over two thirds of which are generally supportive of the NVQ
- 74 responses have been collated using Talking Point, almost three quarters of which are supportive of the NVQ

The views raised are attached at Appendix 4a-f for ease of reference for Members.

3.9 Members will note that there have been mixed views and recommendations received from both the general public and the licensed trade.

4.0 Implications For Council Policy And Governance

4.1 The policy currently in place will be updated or rescinded dependent upon the decision of Members to extend the timescales or remove the mandatory requirement for the qualifications.

5.0 Legal And Resource Implications

5.1 By virtue of Section 51 (2) of the Local Government (Miscellaneous Provisions) Act, 1976, a Local Authority can impose Conditions upon the grant of a licence and a training and testing regime as this would be considered such a Condition.

5.2 Additionally, once a licence has been granted. An existing licence may be suspended for a variety of reasons, one of which is Section 61 (1) (c), 'any other reasonable cause'. If it was considered there was a requirement to undertake training and a driver refused or failed to pass the appropriate training test this Section would enable the Council to take suspension, revocation action, or refuse to renew the licence.

5.3 There are no undue resource implications associated to this issue for the Council should an extension be granted to the timescales and as long as training is delivered by accredited providers.

5.4 Should licence holders be given a reduction in their renewal fee, this would involve extra administrative duties within the Licensing Office which would require extra resources.

5.5 If one training provider were to be procured, this would involve a lengthy procurement exercise taking up Officer time.

6.0 Conclusions

- 6.1 That matters have been appropriately administered within the terms of the Constitution and that the recommendations are proportionate to public safety and the requirements of the Council in administering its statutory licensing function.

7.0 Recommendations

- 7.1 Members consider the options set out within 3.2 and that:
- 7.1.1 Members approve the proposal to extend the timescale for new applicants to attain the qualifications within three years.
 - 7.1.2 Members approve the proposal to extend the timescale for existing licence holders to attain the qualifications by December 2013.
- 7.2 If Members approve the proposal to extend the timescales, that they also consider that the attainment of the NVQ and VRQ be imposed as a Condition upon the grant of a licence.

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Report of the: Assistant Chief Executive (Corporate Governance)

To the: Licensing and Regulatory Panel

Date: 2nd September 2008

Subject: INTRODUCTION OF A REQUIREMENT FOR OCCUPATIONAL ACCREDITATION (BTEC & NVQ) FOR PRIVATE HIRE & HACKNEY CARRIAGE DRIVERS

Electoral Wards Affected:

All

Ward Members consulted
(Referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

EXECUTIVE SUMMARY

This report sets out the developing training and requisite skills issues which are being introduced across the United Kingdom transport sector for passenger carrying services.

The information provided at this Panel meeting will highlight the government drive for improved training, how this translates into learning development for licensed drivers and potential options for the future.

Members will be asked to consider the role of licensed drivers in providing such services to a diverse range of people and if the information provided leads Members to believe that increased levels of professional competence are requisite to the role.

If that was the case Members would need to address another key issue; the options for the introduction of such training for existing licence holders and new applicants.

1.0 Purpose Of This Report

- 1.1 To introduce to Members proposals for the training of Hackney Carriage and Private Hire drivers applicants and existing licence holders requiring them to achieve a NVQ - BTECH level of attainment appropriate to the trade

2.0 Background Information

(Existing arrangements in Leeds City Council)

- 2.1 The existing knowledge program for applicants applying for a licence consists of a seminar outlining the legislation and licensing Conditions. There has been no testing of applicants, with the exception of a local knowledge test of roads and routes for Hackney Carriage driver's.
- 2.2 There is evidence of non compliance across a range of issues by existing licence holders which may be deliberate, but which may also be indicative of a general lack of knowledge about the standards expected in service delivery or unwillingness to learn.
- 2.3 Officers who deliver the training seminars for Private Hire drivers would inform Members that there are strong indications of 'an attendance only' mentality amongst a significant proportion of applicants.
- 2.4 Existing Private Hire driver licence holders are subject to a Condition on their licence in respect of training to expected standards of service. The only available training is the 'attendance seminar' (subject to any policy change on other matters being considered by Members) and there is no policy requiring existing drivers and applicants to undertake training and accreditation to the level set out in this report.
- 2.5 The training and how it is delivered and tested has been welcomed by Private Hire Operators and Hackney Carriage Associations during the consultation and development process. They regard it as an important step forward in driving up standards within the industry. There has been a voluntary take up, by both trades.

(The Government initiative on skills training)

- 2.6 The public funded organisation with responsibility for improving training is the Learning and Skills Council (LSC) and their role is set out at Appendix A.
- 2.7 GoSkills are responsible for developing and maintaining National Occupational Standards (NOS) for the Taxi & Private Hire sector. NOS identify the competencies, knowledge and understanding that employers require from those working in their industry developing industry specific standards. They also work with other Sector Skills Councils and Standards Setting Bodies to ensure that the views of the sector are considered when they develop other standards of relevance to the sector e.g. Customer Service. All National Occupational Standards are available free of charge.
- 2.8 As part of their role, GoSkills work closely with awarding bodies and providers in the development and delivery of qualifications for the sector, contributing to the development of pre-employment qualifications, higher level qualifications, work-based qualifications and apprenticeships. Their declared aim is to ensure that the content of qualifications reflects the skills needs identified by employers

- 2.9 The standards identified for the Taxi & Private Hire trade are identified and appear within the document 'Edexcel Level 2 NVQ Road Passenger vehicle driving', the document is some 258 pages and can be viewed directly at :- <http://www.edexcel.org.uk/quals/nvq/rpt/2/rpvd/>.

An overview of the mandatory and optional skills appears at Appendix B

- 2.10 Members of the GoSkills organisation will be present to assist the Panel with an overview of the Government initiative, the national picture on the trade and particularly the design and benefits of this industry based NVQ and BTEC.
- 2.11 It will also be an opportunity for Members to hear first hand the impact there has been on the trade, perhaps particularly in relation where there may be concerns regarding a potential inability to learn because of language and comprehension issues.

3.0 **Main Issues**

- 3.1 Members will need to determine if the training is necessary and proportionate to the needs of the Councils responsibilities in today's transport environment providing a safe and quality service to the traveling public, or if it is only desirable.

- 3.2 If it is considered to be necessary then Members will need to consider the implications of that decision in terms of how it is adopted and some proposals might be:

3.2.1. That new applications for licences will require the applicant to attain the qualifications prior to the licence being granted.

3.2.2 That new applications for licences will require the applicant to attain the qualifications within 12 months of the licence being granted.

(NB: there would be some protection for the Council with such a policy if there was a knowledge screening test in place and enable licence holders to learn 'on the job'.)

3.2.3 That existing licence holders be given a time scale to attain the qualification which is reasonable to their learning needs and helpful to the training providers.

(For example December 2010 or December 2011, but there is a need to be alert as some licence holders may seek to defer for as long as possible and potentially undermine the value of the training plan. The Hackney Carriage Associations would wish to balance any timescale for those who may be leaving the trade around that period)

3.2.4 That existing licence holders need only attain the qualification in the event of some form of complaint being proven against them or a conviction or caution administered.

- 3.3 Should it be considered that this occupational accreditation is desirable, but not to be a Condition of a licence, it would be appropriate for the Panel to give an indication of any training issues they would wish Officers to address.

- 3.4 Some Private Hire Operator's who have already undertaken the training have expressed views on its value and how the training is delivered. It should be borne in mind that the training is designed for those drivers who are at the service face. What might be obvious, or easy, for a business manager can be an essential issue for a driver, and the training elements should be considered in that light.
- 3.5 Appendix B sets out the mandatory and the optional additional units a pupil can undertake. As part of the course they must undertake at least two optional units to achieve their accreditation.
- 3.6 Members may feel that there are some optional units which should be part of the learning phase, and accreditation requirement. In particular units 11, 12, 13, 14, 15, 16 and 18 appear to be relevant and Members could direct that they are considered relevant and necessary, in addition to achieving the NVQ / BTEC accreditation.
- 3.7 Currently this training is cost free, but that may expire in 2010 and there will need to be a genuine desire to undertake this training now on the part of drivers if they wish to have it free of charge. It would be costly to drivers if funding was to expire.

4.0 Implications For Council Policy And Governance

- 4.1 None

5.0 Legal, Consultation and Resource Implications

- 5.1 By virtue of Section 51 (2) of the Local Government (Miscellaneous Provisions) Act, 1976, a Local Authority can impose Conditions upon the grant of a licence and a training and testing regime as this would be considered such a Condition.
- 5.2 Additionally, once a licence has been granted. An existing licence may be suspended for a variety of reasons, one of which is Section 61 (1) (c), 'any other reasonable cause'. If it was considered there was a requirement to undertake training and a driver refused or failed to pass the appropriate training test this Section would enable the Council to take suspension, revocation action, or refuse to renew the licence.
- 5.3 There is strong support from those who have responded to this proposal from the Hackney Carriage Associations and Private Hire Operators who have followed the progress of this initiative. Go Skills have held a series of open days at the Taxi & Private Hire Licensing offices and attended the formal forums with the trades. However, there are a majority of Operators and drivers who have not taken up these opportunities. There are indications of a voluntary take-up within the trade, but despite having had the opportunities to take the initiative the indications are that there may need to be a mandatory element.
- 5.4 There would be a need for wider information for licence holders to ensure, as far as possible, that all information has been supplied to drivers. This could be achieved by a letter to every driver, information in renewal notices, use of the Taxi & Private Hire Web site, media release, flyers to Operator bases and displays on the Sections digital information screens.
- 5.5 GoSkills and Officers would also arrange open days in areas convenient for the majority of the trade to assist them in understanding and applying.

5.6 There are no undue resource implications associated to this issue for the Council as training is delivered by accredited providers.

6.0 Conclusions

6.1 That matters have been appropriately administered within the terms of the Constitution and that the recommendations are proportionate to public safety and the requirements of the Council in administering its statutory licensing function.

7.0 Recommendations

7.1 Members consider the options set out within 3.2, 3.3 and 3.6 and direct Officers to take the appropriate action on their decision (s).

7.2 That Members direct Officers that any approved policy, procedure and Conditions, along with future amendments to this policy or procedures and adjustments to Conditions are carried out under 'Delegated Powers'.

8.0 Background Papers

- Skills development in the Hackney Carriage and Private Hire Vehicle industry (report for the Department for Transport July 2008 – Author: - GoSkills)
- EDEXCEL Level 2 NVQ in Road Passenger Vehicle Driving (community transport, Private Hire vehicles and chauffeurs), logbook for candidates October 2007
- GoSkills website: - www.goskills.org
- EDEXCEL website: - www.edexcel.org
- Government training program website: - www.traintogain.gov.uk



Leading learning and skills

About the LSC

Who are we?

The Learning and Skills Council (LSC) is a publicly-funded organisation charged with building a dynamic and successful Further Education (FE) system for England, to give young people, adults and employers the high quality learning and skills they need for economic and social success.

What do we do?

- We invest in people to give them the skills they need for success in work and in life.
- We fund all learning for young people, aged 16–19 in colleges, schools and training providers, ensuring they have a full range of high quality courses to choose from, so that they gain the skills and qualifications they need to progress into further learning, including Higher Education, and employment.
- We are passionate advocates of the role of skills in supporting greater social mobility and social justice. We encourage people from all backgrounds to engage in learning that helps them to realise their full potential.
- We work with employers so that they can develop the skills of their workforce.
- We help people get new skills to support their wider ambitions and career progression.
- We help those who are not in work to get the training and support they need to get a good job. We give people the skills that local employers need, so that everyone benefits from greater economic growth.

Why do we do this?

- We know that if young people stay in some form of learning beyond the age of 16, they are far more likely to realise their full potential.
- We know that improving your skills leads to better jobs and a better quality of life.
- We know that more investment in training and skills helps our country compete more successfully in a global economy.

- We also know that gaining skills is the best route out of poverty and the best way to provide economic security for your family.

How do we do it?

We work locally, regionally and nationally to:

- **Create demand for learning and skills** – we make sure more people and employers are aware of the benefits of learning and skills, so they are more prepared to invest their time and money in them.
- **Transform the FE system** – we work on behalf of people and employers, to make sure that schools, colleges and providers offer a wide range of high quality learning and training that meets their needs and aspirations.
- **Aid economic development** – we work with partners to make sure that skills are central to economic development and support social justice.

WHAT WE DELIVER

Economic Success

- We want the FE System to deliver the skills that a successful economy and society need.
- We want all young people progressing into further learning and employment that rewards their talents and ambitions.
- We want adults to progress too, with more people updating and refreshing their skills to help them get work and progress in their chosen careers.
- We want employers to truly recognise and value the impact that developing the skills of the workforce has on boosting the productivity and competitiveness of their business.
- And we want more people and employers to recognise the value of skills and therefore invest more in gaining them.

Simplification

- We recognise how complex the FE system is. Our commitment is to try and make it simple for people and employers to gain the learning and training they need in the way that suits them best.
- And we want to simplify our own processes for the schools, colleges and providers we work with. We will continue to increase our efficiency and minimise waste so that more and more funding can be spent on front line delivery of learning and skills.

Expertise

- We are in a unique position to draw together information on skills and employment trends to inform our investment in learning and skills and to influence the activities of others.
- We understand skills: we know where the demand is and where the gaps are. We know where excellent learning and training takes place and we know where there are weaknesses that need to be addressed. We use our expertise to act as the voice on skills: advising and influencing the activities of others so that we respond collectively to the skills challenges that face us.
- Crucially, we work on the ground. Unlike most other public bodies we work locally, regionally and nationally. We listen to what local communities and employers tell us about their skills needs and aspirations and we feed that through to government. And we act on behalf of government: securing excellent value for money in the investment of public money in skills.
- Our strength is our ability to work closely with partners at all levels – connecting the local with the regional and national in a truly flexible and dynamic partnership. We recognise that we are part of a wider system: our relationships with schools, colleges and providers are critical to us – we believe that working together we can deliver more for people and employers.

APPENDIX B

Mandatory units	45
Unit 1: Ensure the health and safety in your work environment in the Road Passenger Transport Industry	47
Unit 2: Drive Community Transport, Chauffeured, Taxi or Private Hire Vehicles Safely and Efficiently	59
Unit 3: Provide Professional Customer Service in the Community Transport, Chauffeur, Taxi and Private Hire Vehicle Industries	77
Unit 4: Deal Effectively with Difficult Passengers	92
Unit 5: Deal with Emergencies and incidents during a Journey Transporting Passengers in the Community Transport, Chauffeur, Taxi and Private Hire Vehicle Industries	101
Unit 6: Provide a Transport Service in the Community Transport, Chauffeur, Taxi and Private Hire Vehicle Industries for passengers who require assistance	112
Unit 7: Achieve Effective Working Relationships with Colleagues in the Road Passenger Transport Industry	125
Unit 8: Transport Children and Young Persons by Taxi, Private Hire or Chauffeuring	137
Option units	145
Unit 9: Operate a Community Transport Service for Children and Young Persons	147
Unit 10: Operate a Community Transport Service	161
Unit 11: Transport Passengers in the Community Transport Industry who have Special Requirements	171
Unit 12: Implement Defensive Driving in the Road Passenger Transport Industry	179
Unit 13: Support Learners by Mentoring and Coaching in the Workplace	189
Unit 14: Develop and Maintain your Work Skills and Knowledge in the Community Transport, Chauffeur, Taxi and Private Hire Vehicle Industries	199
Unit 15: Routine Cleaning of Passenger Transport Vehicles	205
Unit 16: Transport Parcels, Luggage and Other Items in the Community Transport, Chauffeur, Taxi and Private Hire Vehicle Industries	213
Unit 17: Plan Routes in the Road Passenger Transport Industry	223
Unit 18: Process Fares in the Community Transport, Chauffeur, Taxi and Private Hire Vehicle Industries	231
Unit 19: Manage and Administer Small Businesses in the Community Transport, Taxi or Private Hire Vehicle Industries	239
Unit 20: Process Telephone Bookings in the Road Passenger Transport Industry	247

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LICENSING AND REGULATORY PANEL

TUESDAY, 2ND SEPTEMBER, 2008

PRESENT: Councillor R D Feldman in the Chair

Councillors S Armitage, J Dunn,
T Grayshon, V Morgan, G Wilkinson,
D Wilson and C Townsley

IN ATTENDANCE

D Broster - Section Head, LCC Taxi & Private Hire Licensing
Mr R Silver - GoSkills
D Cowley – LCC Taxi & Private Hire Licensing
M Johnson – LCC Taxi & Private Hire Licensing
C Page – LCC Taxi & Private Hire Licensing
T McSharry – Access Committee for Leeds
A Garczynski - Norton Webb training provider
K Gill – Hackney Carriage Trade Representative
B Heptinstall – Hackney Carriage Trade Representative
A Rashid – Hackney Carriage Trade Representative
A Pennock – Private Hire Trade Representative
M Hanif – Private Hire Trade Representative
A Waheed – Private Hire Trade Representative
A Ali – Hackney Carriage Trade representative

10 **Declarations of Interest**

There were no declarations of interest

11 **Apologies for Absence**

Apologies for absence were received from Councillors Dowson and Selby and from Mr D Littlewood, Access Committee for Leeds

12 **Minutes**

RESOLVED – That the minutes of the previous meeting held on 1st July 2008 be agreed as a correct record

13 **Introduction of a Professional Knowledge Test for Private Hire Drivers**

The Assistant Chief Executive (Corporate Governance) submitted a report setting out the training issues considered appropriate to improve the professional standards within the Private Hire (PH) Trade. The report also detailed proposals to introduce knowledge testing for PH Drivers.

Mr R Silvers of GoSkills attended the meeting to provide the Panel with the background to the development of training packages for all passenger transport sectors which are supported with funding available from Central Government. Schemes such as the knowledge test aimed to improve standards within the trade. Mr Silvers' remarks informed Members of the importance of licensing authorities in participating in improving driver/customer service skills across the board

Minutes approved at the meeting
held on Tuesday, 18th November, 2008

The Panel received a short demonstration of the proposed testing regime and equipment from officers of LCC Taxi & Private Hire Licensing Section which would cover knowledge of the legislation, conditions, geography of Leeds, places of interest and the use of an A to Z.

(Councillor Grayshon joined the meeting at this point)

Members noted a number of PH drivers had undertaken a pilot test of the proposed training package and appended to the report was a schedule showing a breakdown of test results. Officers outlined the consultation exercise undertaken so far with PH Operators and the proposals to extend consultation to ensure each individual PH driver was contacted. It was reported that the PH trade generally supported the introduction of the training package.

The Panel discussed

- The pilot test - noting the areas of knowledge where the greatest number of participants failed was on their knowledge of conditions. It was noted that historically drivers had not been required to pass any test
- Conditions booklets - typeface within the booklets of conditions given to applicants regarded as too small. Officers reported this was due to be addressed in the next print run
- Sat-Nav – the screening test would emphasise the need for a working knowledge of the geography of the whole city. Participants would be required to know areas outside of those where they mostly worked and reliance on sat-nav would not assist them.
- Implementation - Members supported the introduction of the test and discussed its rollout, agreeing that it be required of new applicants in the first instance, then those who had substantiated complaints against them. The Panel generally felt that those PH drivers with 20 years experience should not be included in the first phase

The Panel were especially keen to include those PH drivers licensed in Leeds who actually resided in other districts and expressed the view that these drivers would not have a detailed knowledge of Leeds and its districts because they lived elsewhere.

Furthermore, Members noted the screening test would not impact upon those PH drivers licensed by other authorities who came into Leeds to work and requested officers ensure that neighbouring authorities are aware of the Leeds approach to training and development of standards for PH drivers

Representatives in attendance commented

- welcomed the importance placed by GoSkills on the PH and HC trades as public transport providers; especially for disabled passengers and urged officers to ensure the training package meaningfully involved disabled people

- introduction of knowledge/screening test in conflict with the next item on the agenda about NVQ/BTEC although noted officer response that the screening test concentrated on geography and how passengers were treated. The following item dealt with acquiring skills and recognised qualifications on the job

RESOLVED –

- a) That the proposals for training and testing as set out in this report be approved
- b) That approval be given for the introduction of the proposed testing regime on new applicants where those applications are received after the date of this formal approval.
- c) That approval be given to the proposal to require the retraining and testing of all existing licence holders. This to be implemented with the following priorities:
 - (i) In the first instance: to retrain and test those licence holders in the event of a substantiated public complaint, non compliance to Conditions or a conviction or caution specific to the Local Government (Miscellaneous Provisions) Act 1976; The Town Police Clauses Act 1847; or Disability Discrimination Act. These may be reported by a member of the public, a licensed Operator or Officer of the Council. It is also agreed that this requirement would apply to all existing and outstanding complaints and prosecutions.
 - (ii) In the second instance: to devise and implement a rolling programme for all licence holders or at the point of licence renewal
- d) That the proposal for disability training be dealt with in the first instance by the supply (at the applicants expense) of the recognised 'GoSkills Disability Awareness' DVD be approved
- e) That in the event of a substantiated complaint on a disability issue the Panel approves the approach that drivers be referred to the Council's preferred training organisation for formal training at the licence holders own expense.
- f) That officers be authorised to implement the policy, procedure and Conditions, along with any subsequent amendments to the policy, procedures and Conditions, under 'Delegated Powers'.
- g) That the proposals to offset the cost of this programme of work by an appropriate increase in fees on Private Hire driver applications and the retraining of existing licence holders be noted

14 Introduction of a requirement for Occupational Accreditation (BTEC and NVQs) for Private Hire and Hackney Carriage Drivers

Minutes approved at the meeting
held on Tuesday, 18th November, 2008

The Assistant Chief Executive (Corporate Governance) submitted a report setting out the training and requisite skills issued which are currently being introduced nationwide for passenger carrying services and supported by Central Government. The report set out options for the introduction of training and BTEC/NVQ qualifications for drivers within both the Private Hire (PH) and Hackney Carriage (HC) trades

Appended to the report was an information leaflet on the role of the Learning and Skills Council which had responsibility for improving training and a copy of the mandatory units and optional additional units a pupil could undertake

Officers outlined the consultation undertaken with both trades so far. The Panel noted that although both trades had acknowledged the benefits of training and accreditation there was a mix of views as to whether it should be undertaken on a voluntary basis as currently, or be a mandatory requirement for all drivers.

Mr R Silvers of GoSkills gave a short presentation on the training and accreditation programme aimed to achieve a consistency of skills nationally, and provide a nationally recognised qualification. Funding for the accreditation was expected to be available for three years through the Train to Gain initiative, however all political parties were supportive of the enhancement of skills nationwide and it was likely that funding would be extended. Mr Silver reported on the take-up and results of similar training in other local authorities

The Panel supported the principle of training and accreditation for drivers as it was felt this would improve standards. Members also took the view that accreditation should be mandatory and undertaken by the trade themselves. The Panel then went onto consider options for implementation in Leeds, bearing in mind the number of drivers and funding timetable

Members agreed that implementation of the qualification and training for all drivers should be prioritised. Members considered the scheme should be introduced to all new PH and HC driver applicants in the first instance. Members suggested the first phase should also include those existing drivers against whom a substantiated complaint had been made; and those drivers with less than 2 years experience. Members were also keen to encourage any driver who wished to undertake the scheme voluntarily. The Panel felt that very experienced drivers with no previous complaints should not be included within the first phase

(Councillor Wilkinson withdrew from the meeting)

The Panel noted the comments of the trade representatives as follows:

- it was noted that 300 HC and PH drivers from 20 companies were undertaking the accreditation/training voluntarily
- it was suggested that LCC should include the accreditation/training scheme as a condition within the procurement process for contracts for LCC education/social services passenger transportation provision

- expressed view that the usefulness of the NVQ far outweighed that of the screening test
- expressed concern that mandatory introduction would result in job losses. It was reported that the scheme had been introduced on a mandatory basis in Bournemouth and that Authority would not renew the licences of those drivers who had not achieved the accreditation. In response, Mr Silvers confirmed that some of the 900 drivers had been reluctant to take up the training/accreditation although he reported these were drivers either close to retirement or not currently making use of their licence. He concluded the scheme had been a success overall
- previously some drivers had been excluded from undertaking the training as they were regarded as overqualified, however Mr Silvers confirmed that the Government had now lifted the previous restrictions to entrants

Ms Garczynski commented that as a training provider she could report excellent feedback and support from drivers/operators who had already received the training/accreditation in the Yorkshire & Humberside area on a voluntary basis. However she expressed concern that the introduction of the package on a compulsory basis may have a negative impact and not affect meaningful take-up of the qualification courses. Members responded that successfully achieving the qualification was to the benefit of the drivers and passengers in terms of safety, awareness and travel experience. Furthermore the PH and HC trades were regarded as providers of a service to the public and it was unusual amongst public service providers in that there currently was no element of accreditation.

Members noted the comments of Mr T McSharry regarding the need for quality training and inclusion of training on disability issues and went onto consider which, if any, training units currently designated as "optional" could be included within the Leeds training package

RESOLVED –

- a) That having considered the proposals and options available, the Panel regard the requirement for training as necessary and proportionate to the needs of the Councils responsibilities to provide a safe and quality service to the public in the current transport environment
- b) The Panel therefore approves the introduction of a compulsory requirement for training to be implemented in the following way:
 - (i) That new applications for HC & PH driver licences will require the applicant to attain the qualifications within 12 months of the licence being granted. (NB: there would be some protection for the Council with such a policy if there was a knowledge screening test in place and enable licence holders to learn 'on the job'.)
 - (ii) That existing licence holders be given a time scale to attain the qualification by December 2011 which is considered to be reasonable to their learning needs and helpful to the training providers. (There is a need to be alert as some

licence holders may seek to defer for as long as possible and potentially undermine the value of the training plan. The Hackney Carriage Associations would wish to balance any timescale for those who may be leaving the trade around that period)

- (iii) Those drivers who have already attained the qualifications voluntarily will not be required to undertake the “screening test”

- c) That in addition to Mandatory Units proposed as part of the NVQ/BTEC accreditation (Units 1 to 8 outlined in appendix B of the report), the following Optional Units be deemed to be relevant and necessary and be included within the learning phase : Units 11 (transporting passengers with special requirements) 12 (implementing defensive driving) 13 (supporting learners in the workplace) 14 (developing and maintaining work skills) 15 (routine cleaning) 16 (transporting parcels, luggage etc) and 18 (processing fares)

- d) That officers be authorised to implement the approved Policy, procedure and Conditions, along with any future amendments to the Policy or procedures or adjustments to Conditions under ‘Delegated Powers’

At this point, the Panel took a short adjournment in order to conclude the meeting in another Committee Room. The Chair noted the remaining item on the agenda was not related to the PH or HC trades and took the opportunity to thank all the PH and HC representatives for their attendance and contribution to the meeting as they withdrew.

Councillor Townsley withdrew from the meeting.

The Panel reconvened at 12 noon

15 Local Government (Miscellaneous Provisions) Act 1982 - Licensing of Sex Establishments - Licence Fee Review

The Assistant Chief Executive (Corporate Governance) submitted a report seeking approval in principle to a revision of the fees currently charged to applicants on the grant, renewal or transfer of a Sex Establishment under the provisions of the Local Government (Miscellaneous Provisions) Act 1982. Any change to the fees would be undertaken in consultation with the trade with a view to implementing any change on 1st January 2009 at the time of Annual Renewal

Officers outlined the changes to the administrative and enforcement duties associated with such establishments since the fees were last revised in 1999 and the report detailed the costing exercise undertaken during the fees review and included a table of comparative fees charged by other local authorities. Appended to the report was a copy of a representation received regarding the current fee levied.

Members expressed dissatisfaction with the proposals to reduce the fees however did acknowledge this was due to changes to the regulation and monitoring of such establishments. The Panel was advised that the cost to the Council would be great should a representative of the trade choose to challenge the current fee by way of Judicial Review. Some Members commented that a reduction in the fees would encourage more Sex Establishment operatives to move into Leeds

Officers reported that the perceived loss of revenue to the Council would be subsumed within budget as the requirements for monitoring and regulation work previously associated with such establishments no longer existed.

RESOLVED –

- a) That approval be given to the proposed licence changes as set out in paragraph 4 of the submitted report
- b) That officers of the Licensing Section be authorised to consult with members of the industry on the proposed changes
- c) That, subject to the views expressed during the consultations, officers be authorised to implement the revised fees with effect from 1st January 2009

16 Date and Time of the Next Meeting

RESOLVED – To note the date and time of the next meeting as Tuesday 18th November 2008 at 10.00 am

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**NEW
LOOK**

Inside this issue

NVQ

**Private Hire
Knowledge Test**

**Amendments
to Vehicle Age
Criteria Policy**

Licensing Leeds

Taxi and Private Hire Licensing



Group II Medical Update

To ensure safety for licensed drivers and passengers alike, the requirement for a Group II Medical is now in place for all Hackney Carriage and Private Hire drivers.

The policy applies to:

- ➔ All new Private Hire and Hackney Carriage driver applications
- ➔ All existing Private Hire and Hackney Carriage drivers at the point of renewal of their existing licence

From age 45, a Group II Medical is required every 5 years.

From age 65, each annual renewal of the licence must be accompanied by a Group II Medical.

Group II Medical Reports will only be accepted from your own GP, or another GP in the same practice. If for any reason your own GP is unwilling to carry this out, please ask them to refer you to another suitable GP, providing a covering letter to inform the Taxi and Private Hire Licensing Section.

We will accept a Group II Medical which has already been carried out for any other purpose but it must cover the entire period of the licence being granted. ■

Act now to ensure you receive Train to Gain funding



If you haven't already enrolled with a training provider to undertake your NVQ Level 2 in Road Passenger Vehicle Driving (Hackney Carriage and Private Hire Vehicles) and VRQ Level 2 Certificate in Road Passenger Transport, then now is the time to act.

Remember, the Train to Gain funding which gives you access to free training will not last forever. Please see below for the names of training providers who have, so far, demonstrated to us that they are delivering to Leeds City Council's requirements:

- Hull College** 01482 308058
- ESTL** 01484 609777
- Norton Webb Limited** 0113 2178361
- PDM Training** 01264 321320
- Cablecom Training** 01642 764000
- Tyro Training** 01756 793370
- Joseph Priestley College** 0113 3076042
- Profound Training Services** 0191 5878161
- Yorkshire Business School** 01924 256420
- Trescom/ Park Lane College** 01274 201854
- Bradford College** 01274 433102
- ATL (Yorkshire) Ltd** 01274 735844
- Anissa UK** 01274 499815

Leeds City Council welcomes approaches from other providers who can demonstrate that they deliver to the council's requirements.

Some Frequently Asked Questions about the NVQ & VRQ:

Q: I already have a Level 2 NVQ Passenger Carrying Vehicle Driving (Bus and Coach); do I have to go through training again?

A: Yes, the required qualifications for licensed drivers within the Leeds Licensing District are those listed above, NVQ Level 2 in Road Passenger Vehicle Driving

(Hackney Carriage and Private Hire Vehicles) and VRQ Level 2 Certificate in Road Passenger Transport. This programme is specifically designed for the Taxi and Private Hire trade and allows drivers to attain two nationally recognised qualifications relative to their job.

It is the certificate for both of these qualifications that we need to have on your file to fulfil your licence obligations from 2011.

Q: I have been contacted by a training provider who states they can deliver the training in just 4 weeks however I know of other drivers who have been told it will take them 10-16 weeks to complete. How long should it take?

A: The time it takes to undertake the training will vary from driver to driver. However, it is generally recognised by the awarding bodies i.e. the companies (Edexcel, EDI, City & Guilds) who oversee the development of NVQs and approve the assessment Centres, that a 10 week time period should be the minimum time period.

Q: I have heard rumours that some drivers are being paid to undertake the training with certain providers and are also making use of translators. Is this the case?

A: Training providers have been warned about inappropriate behaviour including:

- ➔ Delivering the training within hours rather than weeks
- ➔ Paying drivers and Operators
- ➔ Using translators

The Learning and Skills Council will investigate all claims of inappropriate behaviour. In addition, an external verifier, someone appointed by the awarding body to report on the quality of the work done by the training provider, may disallow the qualifications before you

actually get your certificate.

If your training provider is inspected and found to be delivering inappropriately you may end up without an NVQ and/ or VRQ so please think very carefully before you sign up to a 'too good to be true' offer!

Q: English is not my first language and whilst I can speak and understand English, I am concerned that my reading is not good

enough to undertake the test. What help can I get?

A: It is NOT appropriate for any aspect of the training or testing to be translated into your first language or for training providers to assist in providing the answers. If your training provider is found to be doing this then your qualification may not be recognised.

All training providers should offer Skills for Life which are designed to help you develop

skills used in everyday life such as reading, writing or maths. Please talk to your training provider or visit www.direct.gov.uk if you feel you would benefit from a Skills for Life course.

You will be supported through your NVQ by your assessor however you must undertake the test included in the VRQ qualification yourself, under test conditions i.e. no translation service, with only a bi-lingual dictionary for assistance.

Testimonial/ Good News Stories

A driver from Streamline-Telecabs who undertook his training with Norton Webb

I have never had a qualification; I left school without any qualifications at all and I have done alright in life and have a good job but I feel that doing the course and gaining a qualification has been a good thing.

I thought it was going to be really difficult to complete but it wasn't bad at all. The video assessments were quite difficult to work with; as soon as the camera came on it was a bit daunting but you get used to it.

I have had my badge 26 years and I wondered why I had to do the course but there are things I have learnt. I especially learnt about drinking and driving and how long

it takes alcohol to leave the system. I also learnt other things especially about stopping distances and about how long to leave for braking time. A lot of the disability rules were new to me, such as the use of a white stick with the red bands and the burgundy jackets for the hearing dogs.

I had to work really hard to revise for the test and I stayed up all night to read through everything I had learnt so that I could the pass the exam first time. It felt great when I took and passed the exam!

I was quite apprehensive to start with but knew I had to do it and I have to admit that I have learnt quite a lot more than I thought I would. I would recommend it to other people. It has been worthwhile.

A driver who undertook their training with Yorkshire Business School

Roz suffered a tragic accident at the age of 9 which left her battling a long illness and meant she entered a schooling system that was not equipped to deal with her needs or support her education after a 2 year absence. This lack of support and understanding meant that she never caught up with her peers and she left school with no qualifications.

Once her children had grown up, Roz visited her local Job Centre to look for work. Her advisor suggested that she looked at taking on the school-run with her local Private Hire Operator. As a Private Hire driver in the Leeds area, Roz was required to undertake the VRQ and NVQ qualification in Road Vehicle Passenger Transport but her poor experience and fear of learning had left her with very low confidence and self esteem making her incredibly apprehensive.

In February 2009, Roz nervously came to the Yorkshire Business School to start her learning. Her tutor talked her through the course and was able to offer the support and guidance Roz needed to face her fear of learning

and computers, "I have not done any learning since I left school, being in a small class size with a relaxed atmosphere meant that it was not as scary as I thought"

Part of Roz's programme involved a learndirect online course and as she had never used a computer before, she was not confident in being able to continue. With support from her tutor however she successfully completed her first online course which boosted her confidence immensely. The next hurdle was undertaking an online test for the VRQ part of her programme and she was convinced that she would never pass an exam, especially a computer based one.

At her first attempt, Roz passed both her VRQ tests and was thrilled to achieve this (her first ever) qualification! She stated that: "Passing the BTEC VRQ on my first go was a great feeling. I knew more than I thought; it really amazed me and boosted my confidence. If any body feels the same as me, do not let yourself be put off as it is not as scary as you would think. The buzz of my achievement was uplifting and made me feel very confident about myself."

A driver who undertook their training with Norton Webb

I have been a Taxi driver for 30 years and thought I knew everything about the trade; how wrong I was.

During the course there were many things I learnt that I was not previously aware of; I have learnt all about Disability Discrimination Awareness (DDA), the correct way to deal with emergencies and health and safety regulations. I have also learnt how to transport children and young people correctly following the law. I now feel I give a more professional service as a Taxi driver.

After 30 years of driving, I actually thought I had lost the ability to learn any new skills but taking the NVQ course opened my eyes and gave me back the opportunity to start learning again and I have now become an NVQ assessor!

I used to find it very difficult to understand computers and was afraid of using them; since taking the NVQ I have become competent in using them.

I would like to thank all those concerned, especially Norton Webb, for giving me the chance to turn my life around. Undertaking the NVQ really did change my life and has given me back the ability to learn. ■

Crime Prevention and Safety Advice

Inspector Tony Reed, Chapel Allerton NPT



I'm the Neighbourhood Inspector with responsibility for the Chapel Allerton area of North East Leeds and one of my responsibilities is to ensure the Police and other partners respond to emerging crime and disorder issues across the Chapel Allerton area, to make the Ward a safer place to live and work. Fear of crime is an issue that affects the quality of life of both individuals and communities alike. Thankfully we have made good reductions in crime in the last 12 months with a 16% overall crime reduction.

I am aware of issues facing

Taxi and Private Hire drivers and Operators which service the Chapeltown area. In recent months up to April 2009 we had seen an increase in robberies on drivers, generally late in the evening, and whilst the number of instances were relatively few I am aware of how the fear of becoming a victim can effect your feeling of personal safety.

We take instances like this very seriously and I am please to give you the news that significant arrests have taken place recently on two people believed to have been involved in these crimes. One of those people arrested, has been charged and will be appearing in Court shortly.

Since the arrests, reported offending against drivers in Chapeltown has reduced significantly. We will continue to do all we can to make your working environment as safe as possible; however, there are steps you can take yourself to further reduce your risk of being attacked. I encourage you to read the practical steps you can take, below, and take on-board the simple advice it offers.

If you have any information which may assist us in making the area safer for everyone please contact us using the details opposite.

It is extremely important that all Taxi and Private Hire drivers, especially those who are new to the industry, understand the dangers involved and learn how to avoid becoming a victim of crime.

There are many reasons why you are at risk whilst at work

- You work alone
- You work late at night or very early in the morning
- You work in isolated areas
- You are usually in possession of cash
- You deal with strangers

Leeds City Council advise all drivers to avoid displaying national flags, religious items, political paraphernalia etc. This may be a point of disagreement between the driver and passenger which has the potential to result in confrontation.

Have a prearranged code word to be used in cases of genuine emergency to warn the Operator/contact that you require Police assistance, without raising the suspicions of the passengers(s).

- **NEVER** tell a customer that you've had a good day and made lots of trips or money.
- **AVOID** driving into alleys/back lanes or areas you are not familiar with.
- **ALWAYS** know your location at all times.
- **KEEP** the minimum amount of cash on you.
- **DO NOT** wear an expensive watch or jewellery as this could provide temptation. Only wear a thin neck chain that would break before it harms you.
- **KEEP** windows up and doors locked – open your window wide enough to speak but not wide enough for someone to reach in.
- **BE ALERT** at all times & be aware of what is going on around you, whether you are parked or driving.
- **BE AWARE** of vague instructions. Make sure that the customer gives you a fixed destination before driving away. Inform your operator of your destination address especially if the customer suddenly redirects you enroute.

Seatbelts save lives

What will you be wearing tonight?



We suggest a seat belt

 **Seat Belts Save Lives**
It's a fact



Statistics released recently show that 2008 returned the lowest levels of traffic related casualties in Leeds since 1974, when the current district was formed.

However the challenge is not over and an area for continued concern is the killed and seriously injured (KSI) rates for car occupants which have also remained relatively static over recent years and are not decreasing at the rate at which road safety experts would like. This may in part be linked with a continuing reluctance by some car users not to belt up. Surveys carried out during 2008 and 2009 showed an alarming percentage of car occupants choosing not to wear seatbelts and this of course suggests

a reason as to why in car casualties remain static.

A new 'Seat Belt On?' road safety campaign was launched in Spring 2009, developed in a bid to tackle this issue.

How does this affect Taxi and Private Hire drivers?

Although traffic laws change to address new road hazards, the laws of physics never do. If you hit something, such as another car or a lamp post, you will almost certainly be injured at whatever speed you are travelling. Wearing a seat belt will help reduce the risk of you being killed or seriously injured.

In a crash at 30 mph, an

unrestrained person will be thrown forward with the weight equivalent to a baby elephant, about three and a half tonnes.

It also makes sense to ask your passengers to belt up, because during a crash they too will be thrown forward with the same force and you could be the first thing they hit.

So why don't you wear one?

Cars are fitted with safety devices to help save your life. Seat belts act against the energy of the crash, slowing down the body and reducing the energy at the point of impact to a more survivable level. By wearing a seat belt you can greatly reduce the damage you may suffer in an accident. The injuries will still hurt but nothing like as much.

The fact that the law of the land allows you to not wear seat belts in certain circumstances is not the issue – your safety is.

We know why you don't like to wear seat belts.

But it will be of no use to say, "I didn't have to wear a seat belt" when you are in the casualty department and doctors are trying to save your life. If you choose to accept a greater risk of injury than other drivers do, quoting the law of the land will do no good. This argument will not matter at the point of impact; it will not protect you from death or serious injury. Only a correctly worn seat belt will do that.

The 'Seat Belt On?' campaign is a partnership between Leeds City Council, West Yorkshire Police, West Yorkshire Fire and Rescue and the accident and emergency unit of the Leeds Teaching Hospitals NHS Trust.

The Road Safety Promotion Unit have previously carried out a survey of insurance companies specialising in Taxi/Private Hire insurance:

If you are injured in a road collision and the insurance company judges that your injuries could have been reduced by wearing a safety belt, **YOU WILL LOSE 20-25% OF ANY COMPENSATION YOU MAY BE ENTITLED TO!**

This may not be in the small print either but nonetheless it is an industry standard policy. ■



Private Hire Knowledge Test

In the Spring issue of

Licensing Leeds we told you about the introduction of the Private Hire Knowledge Training and Testing package that all new applicants to the Private Hire trade must

undertake prior to being granted a licence. Existing licence holders, who have not undertaken an NVQ, will be required to undertake the test as part of a rolling programme.

The test has a pass mark of 90% for each module so it is important that the training pack is studied before attending the training and undertaking the test.



A further message from the Police

North East Leeds Division of

West Yorkshire Police has recently attended several incidents involving damage to Private Hire vehicles and assaults allegedly committed by the drivers/colleagues of the vehicles sustaining the damage.

On some occasions drivers have used the call sign '606' followed by their location to summon 'back up' from their colleagues rather than contacting the Police.

This MUST stop immediately for the following reasons:

1. The consequences of these actions are likely to enflame the situation
2. Drivers will contravene Road Traffic legislation when 'responding'
3. The potential dangers of untrained drivers racing across the city to assist colleagues are obvious and will not be tolerated
4. The actions in themselves confuse and contaminate the investigation of the original incident

A recent example of an incident Police attended saw somewhere in the region of 70-80 Private Hire vehicles which had 'responded'. The situation had been made far more volatile than would otherwise have been the case due to the presence of drivers.

So, what action should you take if you find yourself in a tricky situation:

- ➔ Use a prearranged code to use in cases of genuine emergency to warn your operator/ contact that you require Police assistance
- ➔ At the earliest opportunity, report any incident of a criminal nature direct to the Police via **0845 6060606** or **999** where appropriate

By providing a speedy, detailed report to the Police you maximise opportunities to identify and prosecute those responsible. Failure to provide statements will not allow the police to do their job properly. ■

What happens if I fail the test?

Module Failed	Title	Outcome
1	Knowledge of Legislation and Conditions	Re-sit the seminar and retested on Module 1 only
2	Districts of Leeds	Re-sit and tested on modules 2-4
3	City Centre Locations	Re-sit and tested on modules 2-4
4	A to Z Questions	Re-sit and tested on modules 2-4

NB. The test is automatically failed if the question(s) regarding 'plying for hire' is (are) incorrectly answered as part of module 1.

If the test is failed, a second training date will be given however if this subsequent re-test is failed, applicants must wait three months before re-booking to ensure that they have enough time to study the training material.



Training Seminars

	No. of attendees	Pass	Fail
Actual Volume	249	114	136
%		46%	54%

The training seminars have been running for five months with interesting results. ■

Building Work Update

As you may be aware, the building works are well underway at 225 York Road. In the last month the building of the extension has been completed and it is expected that the office space within the new building will be fully functional by the end of August.

There will be further disruption to our service between the end of August and the end of September when remodelling work begins on the existing Reception and office areas. We will continue to keep you informed, via Operators/ Taxi Associations, our webpage

and information in the Licensing Office, as to what changes may be occurring and when.

It continues to be our aim to ensure that we offer the best possible service in the given circumstances, which have been both messy and disruptive for Licensing Officers to work in, and hope that you will understand that any delays encountered are unavoidable and we will resume business as usual as quickly as possible.

Staff here are doing all we can to try and minimise the level of disruption to the trade and we thank you for your patience and understanding. ■

Amendments to the Vehicle Age Criteria Policy

On 7 July 2009, proposals to change the age criteria condition upon Hackney Carriage and Private Hire saloon and people carrier vehicle licences were presented to the Licensing and Regulatory Panel.

After considering the proposals, Elected Members of the Panel agreed to change the vehicle licensing Conditions in respect of age criteria and approved the Inspection Regime for vehicles seeking to be licensed beyond 7 years of age.

The amended Condition is listed below:

2. AGE CRITERIA

a) VEHICLES BEING LICENSED FOR THE FIRST TIME

The age of a vehicle, for licensing purposes, shall be determined by the date of first registration on the V5 document (log book). A vehicle will only be accepted for licensing if the date of first registration is less than 5 years from the date of application. The vehicle must be licensed for use within one month from the date of application.

b) EXISTING LICENSED VEHICLES SEEKING TO BE RE-LICENSED (UNDER 7 YEARS OLD)

A currently licensed vehicle will continue to be re-licensed for up to 7 years from the date of first registration providing that all other licensing requirements relating to that vehicle have been complied with, and that the licence is renewed before

the Taxi and Private Hire Licensing Section's last working day of the month of expiry of the licence. Any break in the licence will result in part (a) of this condition coming into effect.

c) INSPECTION POLICY FOR LICENSED VEHICLES SEEKING TO BE RE-LICENSED BEYOND 7 YEARS

A currently licensed vehicle may continue to be re-licensed beyond 7 years from the date of first registration providing that it is:

- ➔ In suitable mechanical condition
- ➔ Safe
- ➔ Comfortable

and meets all licensing conditions. This will be determined by a formal inspection by an Authorised Officer of the Taxi and Private Hire Licensing Section. It is the responsibility of the vehicle proprietor to ensure that vehicle inspection arrangements are in place prior to the expiry of the vehicle licence, allowing sufficient time for both the inspection and any remedial work to be completed prior to the expiry date.

A copy of the inspection policy for vehicles seeking to be licensed beyond 7 years of age can be requested from:

Taxi and Private Hire Licensing, 225 York Road, Leeds, LS9 7RY.

Tel: 0113 2143366

taxiprivatehire.licensing@leeds.gov.uk ■



Private Hire Consultation Research

In December 2008 an external company, QA Research, was commissioned by the Taxi and Private Hire Licensing Section to conduct research that would gather drivers' views on using an external agency to manage consultation amongst our licensed drivers and Operators, and the financial implications of using this approach.

The aims of the consultation exercise were:

1. To understand if current levels of consultation are sufficient

2. To evaluate the existing methods of delivering information to the trade
3. To identify any improvements
4. To identify the preferred method of consultation amongst drivers and Operators
5. To gather views on a licensing fee increase to allow for an external agency to carry out consultation

In April 2009, 5,000 licence holders, predominantly Private Hire drivers were sent a survey pack which included a 4 page survey. Thank you very much to all of those drivers who completed and returned their surveys. The results have been collated and analysed by QA Research and the final report has now been received by the Taxi and Private Hire Licensing Section and is currently being reviewed.

We will keep you informed of any changes to the way in which we consult as applicable. Once again, thank you very much to all those drivers who contributed. ■

A day in the life of...

The Taxi and Private Hire Licensing Operations Manager

Martino Deplacido

I'm a familiar face at Taxi and Private Hire Licensing having joined the section as a Vehicle Examiner in 1991 after 11 years with the council's Central Vehicle Workshop and I've seen a lot of changes over the years!

I joined the council straight from school, firstly as an apprentice mechanic before becoming a fully qualified vehicle technician and I joined the Taxi and Private Hire Licensing Section as a Vehicle Examiner when we were housed in the old tram shed; drivers and Operators who were involved in the trade at the time will remember that set up only too well! There was just one inspection pit, shared by two examiners, if it rained the pit would fill up with water and need to be bailed out before any further inspections took place. Those were the days! When the new facility was built in 1999

it was a whole new world of up to date equipment and clean, bright conditions.

I became an Enforcement Officer in 2001 and really enjoyed incorporating all aspects of the role; dealing more with drivers and Operators. As you can imagine some of the work involved dealing with licensed

proprietors and drivers who were in conflict with licensing Conditions. I found this the side of the job very rewarding, and I still believe that our Enforcement function improves standards within the industry.

After three years as an Enforcement Officer, I became the Senior Vehicle Examiner. It was my responsibility to carry out a survey of the licensed fleet of vehicles in Leeds. You will be well aware of the consequences of that survey and resulting report that went to the Licensing & Regulatory Panel of the council on 7 July 2009.

I officially became the Operations Manager in August 2008 and I'm now able to put to use the knowledge and experience gained over the years to effect the future of the Taxi and Private Hire trades for the better and continue to see standards improve. I'm enjoying this challenging role although the working days seem to be somewhat longer that they use to be!

One of the most enjoyable things about working in this job is the different types of people you deal with on a daily basis. Over the years I have come to deal with a whole range of people and you come across some real characters! This only makes the job more interesting; it is never boring. However, there are times when I need to exercise my responsibility and that brings conflict with individuals who may not want to abide by the rules but that's my job and I will continue to do it to the best of my abilities.

The standard of licensed vehicles in Leeds has improved enormously since I first joined the Section but there are still a number of proprietors that need to clean up their act when it comes to maintaining there vehicles for the benefit and safety of drivers and their passengers however, on the whole I find the people who work within the trade in Leeds to be honest, hard working people who want to earn a living, provide for their families and it's a good feeling when I can help people to do that.

Martino Deplacido
Operations
Manager

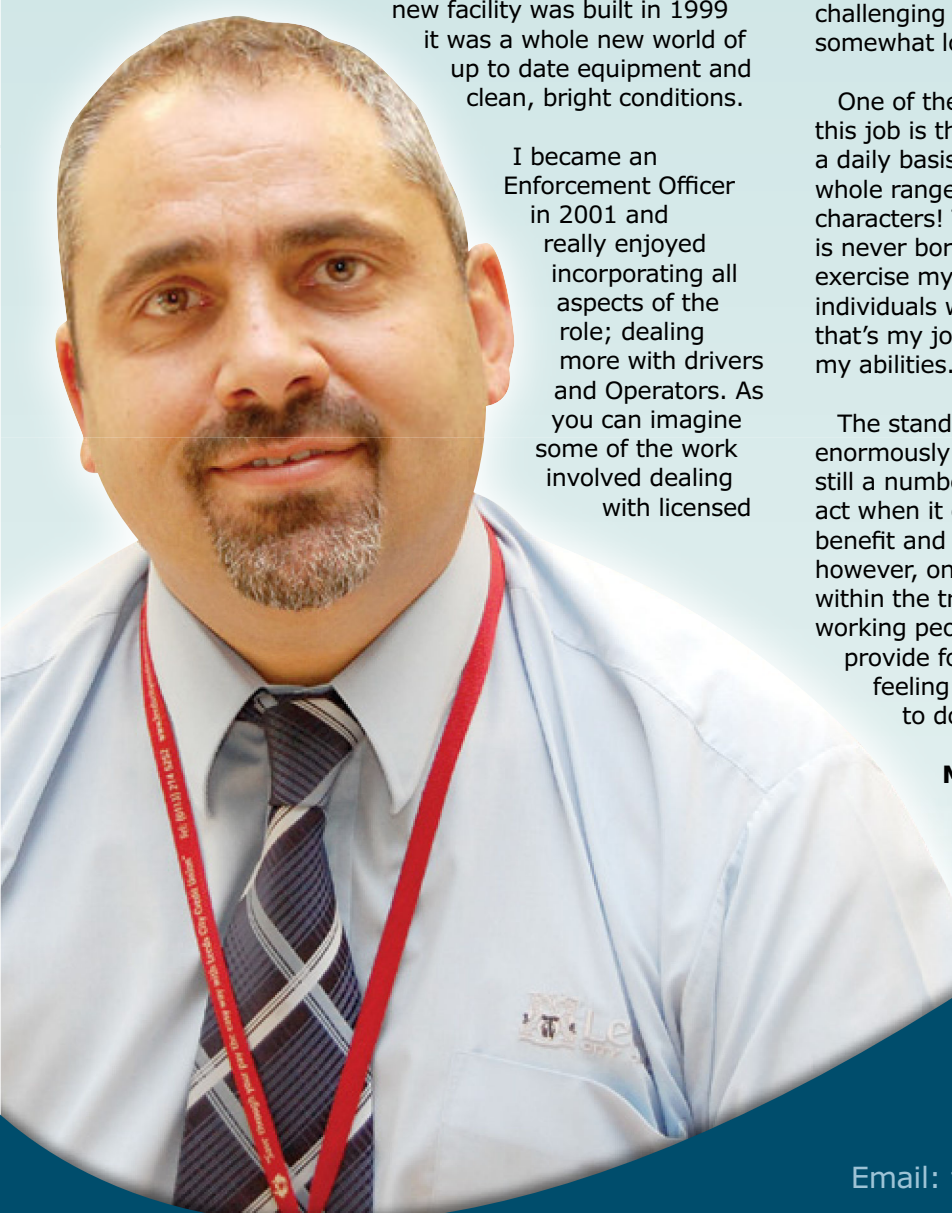
Taxi and Private Hire Licensing
225 York Road
Leeds
LS9 7RY

Tel: 0113 2143366

Email: taxiprivatehire.licensing@leeds.gov.uk

Section Opening Hours: Mon-Thurs – 08:00-15:30 Fri – 08:00-15:00

Staff Training: 2nd Tuesday in every month 08:00-10:00



Inside this issue

***Update on NVQ/VRQ
funding***

***Road Safety Week
23-29 November***

***Frequently Asked
Questions***

***Moves to tackle City
Centre congestion
and much, much more.***

**NEW
LOOK**

Licensing Leeds

Taxi and Private Hire Licensing

Road Safety Week 23-29 November



<http://www.roadsafetyweek.org/>

Not a drop, Not a drag - Stay Sober, Save Lives

Given that there have been so many awareness-raising campaigns about the dangers of drink driving, it is a scandal that some people still drink and drive, both after drinking and also the morning after drinking, and the deaths continue. It is equally scandalous that some drivers drive after taking illegal drugs. Illegal drugs can stay in your system for weeks or even months - it just isn't possible to have driving and illegal drugs in your life at the same time.

In Road Safety Week 09, Brake is calling on all drivers to commit to not drink even a drop of alcohol before driving, nor take even a drag on a joint or any other illegal drug.

At least 15,935 people in the UK were killed or hurt by drink and drug-drivers in 2007. That's:

- ➔ 1,328 people every month
- ➔ 306 people every week
- ➔ 44 people every day
- ➔ 2 people every hour

In fact, one in six deaths on our roads are caused by drivers over the legal alcohol limit. In the UK, 478 people were killed by drivers over the drink-drive limit in 2007



Although accurate drug-driving figures aren't available, research by TRL, the Transport Research Laboratory, suggests that similar numbers of deaths may be due to illegal drug drivers. Researchers at TRL found that 17% of drivers who die in road crashes (almost one in

five) have traces of illegal drugs in their system that may have affected their driving.

TRL also found that almost 6% of drivers (one in 17 drivers) who die in road crashes have traces of medicinal drugs that may have affected their driving.

Drug driving - the facts

The different ways that drugs can affect a driver's behaviour and body include:

- slower reaction times
- poor concentration
- sleepiness/fatigue
- confused thinking
- distorted perception
- over-confidence

How is your driving likely to be affected if you drive after taking some of the most common illegal drugs:

Cannabis

You have slow reaction times and struggle to do two tasks at once (like change gear and steer straight). Combining cannabis with alcohol magnifies its effect. Cannabis strengths vary wildly. Even one spliff can affect you for up to four hours.

Ecstasy

On ecstasy you have blurred vision and can't judge distance or speed. You might suffer extreme emotions that are lethal behind the wheel, like anxiety and paranoia. The effects of ecstasy can last 12 hours, but tiredness from being up all night can affect you for days.

Cocaine

You'll probably think you're the best driver on the road - but you are erratic, likely to take risks, may suffer from paranoia, and even hallucinate. Combining cocaine and alcohol can be lethal behind the wheel. Intense effects of cocaine last about an hour, but after-effects can last much longer.

Speed

Amphetamines make you over-excited, restless and can lead to risk-taking. You may experience strong emotions like fear, panic and aggression. You may get dizzy or collapse. The effects can last more than four hours.

LSD

You are likely to suffer from hallucinations, delusions, dizziness, nausea, blurred vision, poor control and confused thinking - a killer combination.

Heroin

You are sluggish, sleepy and unable to control a vehicle. Strong effects can last for 24 hours.

Drink driving - the facts

If you drive at twice the legal alcohol limit you are at least 30 times more likely to cause a road crash than a driver who hasn't been drinking.

Your reaction times are slower after just one drink. You can't judge speed or distances accurately, you're over-confident and you make bad decisions. It's impossible to calculate exactly how much alcohol is in your system or whether you're over the drink-drive limit.

The speed at which alcohol is absorbed into your system (and how quickly your system gets rid of it) depends on a large number of factors, including your sex, weight, metabolism, health and when you last ate.

You may still be over the limit the morning after - nearly one in six convicted drink-drivers are caught the morning after.

Women are much less likely than men to be involved in drink drive crashes as drivers. However, nearly a third of the total casualties in drink drive crashes are women.

- Never drink any amount of alcohol if you're driving
- Never drink if you're driving early the next morning
- Take responsibility for others and never buy a drink for someone who is driving
- Tell your employer immediately (and in confidence) if you catch a colleague drink-driving, for their own safety and that of other road users



Getting caught drink or drug driving

If you kill someone after drink or drug driving, you could go to prison for 14 years for the offence of causing death by careless driving under the influence of alcohol or drugs.

Even if you don't kill someone but are caught, you could face six months in prison, a one year ban and a £5,000 fine.

In addition, Leeds City Council licence holders will not be eligible to reapply for a Hackney Carriage or Private Hire drivers licence until 6 months after their DVLA licence has been returned.

And if you think you won't get caught, think again. More than half a million breath tests for alcohol are carried out each year and the

police can test you for drugs at the roadside and again at the station. Some drugs can still be traced in your system more than a month after you took them, depending on various factors. ■

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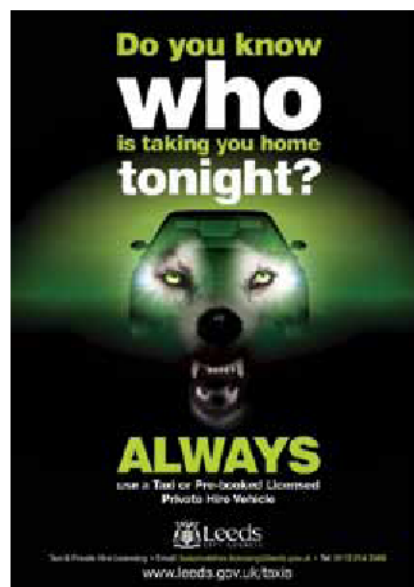
Do you know who is taking you home tonight?

Enforcement Officers from the Taxi and Private Hire Licensing Section recently attended this year's Intro Week at Leeds University to give new students to the city key safety advice.

The event took place over 4 days at the end of September and saw Officers explaining to students the difference between Hackney Carriages and Private Hire and, amongst other things, the importance of always pre-booking Private Hire vehicles.

The general public will be seeing more of the 'Do you know who is taking you home tonight?' campaign in the lead up to Christmas.

Remember, unlawfully plying for hire? Don't do it – you are likely to lose your licence, your livelihood and end up with significant costs awarded against you.



Graphic design and illustration by DCM Graphics

Key Points of the Plying for Hire Policy

- Where a driver is found to be plying for hire with evidence that supports a criminal prosecution, that driver will normally be suspended and immediate consideration given to the revocation of their licence
- Where a driver's licence has been successfully revoked or not renewed, that driver will, normally, not be granted a further licence for 1 year
- This would also apply where there is an existing conviction or formal caution for this type of offence, wherever it occurred, when an application for a new licence is received
- In the event of a second such incident, the driver or applicant would normally not have a licence granted for 3 years ■

Switching off the engine can help you breath easy

As part of Leeds City Council's efforts to improve air quality throughout the city, bus, taxi and fleet drivers are being asked to switch off their vehicles' engines when parked – especially when waiting or loading.

Switching off idling engines helps to reduce air pollution but also saves businesses money in these economically turbulent times by making worthwhile improvements to fuel consumption.

Air pollution can seriously affect the health of many people – particularly those with breathing difficulties. Switching off an engine can prevent high pollution levels where vehicles are parked and

help reduce the background levels that exist across the city when the pollution from all other sources are mixed together. And less fuel use reduces a vehicle's 'carbon footprint' and in a very small way can help to tackle climate change.

But the biggest difference they may notice is the saving on fuel costs, which at the moment can help businesses fighting to reduce costs during the recession.

For further information phone 0113 222 4406 or email env.health@leeds.gov.uk

Councillor James Monaghan, Leeds City Council's executive board member for environmental services, said:

"Poor air quality affects us all, but there are simple things people can do to help – turning off idling engines is just one of them.

With their vehicles running and we're asking them to get into the habit of turning their engines off – saving them money, improving air quality and helping to protect the environment." ■



Private Hire Knowledge Test Results

We will be making a regular feature of the Private Hire driver training seminar results which have now been running for eight months.

Actual Volume	No. of attendees 462	Pass 223	Fail 239
%		48%	52%

As previously reported, the Knowledge Test has a pass mark of 90% for each module which cover the following areas;

1. Knowledge of Legislation and Conditions
2. Districts of Leeds
3. City Centre Locations
4. A to Z Questions

Results to the end of September show us that each module has the following failure rate:

- 31% Conditions
- 28% District of Leeds
- 28% City Centre
- 28% A – Z Questions

Private Hire Operators please encourage all prospective drivers to study the material they receive at the time of application. As the results show, applicants cannot just turn up on the day and hope for the best. The test really does ensure drivers know their Conditions and the Leeds District. ■

NVQ/VRQ Funding

In the Summer issue of the Licensing Leeds newsletter we reported that licence holders should act quickly to take advantage of the Train to Gain funding.

Many drivers have now contacted the training providers known to be delivering the qualifications and have been told, in the main, that funding is no longer available. This is as a result of the Learning Skills Council (Yorkshire and the Humber) re-prioritising the Train to Gain funding for 2009/10 to address 3 key priorities;

1. **Response to Redundancy:** the Learning Skills Council has directed funding in Yorkshire & the Humber to deliver training for unemployed adults or adults at risk of redundancy.
2. **Brokerage referrals and Sector Compacts:** the Learning Skills Council want training providers to respond to and meet the needs of employers and learners referred from Brokers i.e. Business Link Yorkshire.
3. **Economically valuable qualifications:** the Learning Skills Council is prioritising the most economically valuable qualifications it wishes to buy from providers and does not regard the continued funding of self-employed Taxi and Private Hire Drivers through Train to Gain as a priority for the use of Train to Gain funding.



Please be assured that we are investigating all avenues to ensure that licence holders and new applicants alike can achieve the NVQ Level 2 in Road Passenger Vehicle Driving (Hackney Carriage and Private Hire Vehicles) and the VRQ Level 2 Certificate in Road Passenger Transport at the lowest possible cost. These qualifications remain mandatory.

We will keep you informed of all developments and would like to reassure licence holders that renewals will not be adversely affected as a result of the loss of fully funded places.

PDM Training and Consultancy Ltd is one training provider who has confirmed they still have fully funded places available... but these places are limited so call them now!

Contact:
Katie Fielding
01264 321348

Your details will be taken & their Regional Contracts Manager will contact you to arrange an induction.

www.pdmtc.co.uk ■



Introducing....

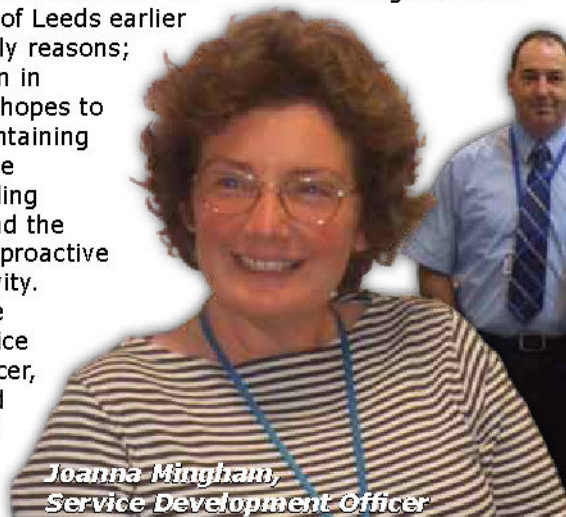
Meet the Taxi and Private Hire Licensing Section's newest members; Mark Heap and Joanna Mingham.

Mark joins us as a Principle Enforcement Officer and brings with him a wealth of experience having served as a Police Officer for the best part of 21 years;

- ➔ 14 years with West Yorkshire Police (Gipton, Killingbeck, Garforth & Millgarth) as a Constable and Acting Sergeant
- ➔ 5 years with the British Transport Police, working in Leeds as a Sergeant
- ➔ 13 months with the South Australia Police as a Senior Constable

Mark returned from Australia to the wintry climes of Leeds earlier this year, for family reasons; joining the Section in August 2009 and hopes to contribute to maintaining a first class service to both the travelling public of Leeds and the licensed trade by proactive Enforcement activity.

Joanna joins the Section as a Service Development Officer, primarily focussed on enhancing and developing the current training



*Joanna Mingham,
Service Development Officer*

packages for new applicants and existing licence holders. Joanna has plenty of experience in this area of work - she is a qualified English teacher - and prior to joining us worked as an ESOL (English Speakers of Other Languages) Co-ordinator. The role involved the writing and delivering of ESOL/ Employability courses and introducing accreditation programmes and assessment procedures.

Joanna also has experience as a family tutor, working with fathers to support children's progress through the education system, with the aim of reducing offending by building closer family links and supporting vulnerable families.

Joanna joined us in July 2009 and is looking forward to the challenges ahead.

In addition to Mark and Joanna, most of the trade already know David Cowley who has worked here for a good few years!

David was appointed to the position of Principal Enforcement Officer in August and is now working alongside Mark and our Enforcement Team.

Congratulations to David and a warm welcome to both Mark and Joanna all three are great assets to the team here at 225 York Road! ■



*Mark Heap & Dave Cowley,
Principal Enforcement Officers*

Some FAQs

Have you ever been frustrated trying to get through to us on the phone to ask a simple question? Stood in the queue only to be told you hadn't got the correct documents?

We know it is sometimes difficult to contact us as we are a very, very busy Section; here is a list of the questions we frequently get asked with answers which may remove the need for you to call us:

In General

Can we download application forms from the internet?

Not at the moment although this is something we are looking into for the future. Application forms can be obtained in person from the Licensing Office or request one by

telephone or by email and we will send them through the post. Our contact details can be found on the back page of this newsletter.

Can I report an accident or points on my licence over phone?

No, you must come into the Licensing Office within 72 hours of the incident and fill in an accident report form.

Opening hours - why are the doors often shut before 3.30pm?

The last person is served at 3.30 so we close the doors to make sure everyone who has stood in the queue is seen by a Licensing Officer.

Why can I never get through on the phone?

Unfortunately, there is only one phone line and one person to answer it. If the line is engaged

when you try to call us, it means we are busy dealing with someone else's enquiry. If it rings out the telephonist will be busy doing something away from the phone, often in relation to the previous call, so please try again later. We are urgently reviewing our current telephony system and hope to have some good news to report in the future.



Why is the website so confusing and hard to find?

Our web pages have to conform to strict guidelines set out by Leeds City Council.

Try typing www.leeds.gov.uk/taxis into your browser. This should take you to our home page and links to other sections of the webpage can be found at the bottom of that page. If you have any suggestions as to what information you would like to see on here, please email us using the address on the back page of this newsletter.

Is the Licensing Office open on a weekend?

No, the Taxi and Private Hire Licensing Section currently work to a 37hour week, Monday to Friday.

The Section is so busy but staff don't seem to be working – they are just walking around?

Licensing Officers also have administration duties to perform as a result of their counter work. We do try to schedule this into quieter times to give people in the queue a priority but this is not always possible.

Licence Renewals

Can I renew a licence over the phone and pay by phone using my debit card?

No, the licence holder must attend in person with their correct documents and fee.

Can I send someone else to renew my badge?

No, renewals must be done in person by the licence holder.

Can someone else renew my vehicle on my behalf?

Yes, providing the correct forms have been completed, signed by the vehicle owner and they have all the correct documents with them.

Can I renew my licence after its expiry date?

No, there is no such thing as a late renewal. If you haven't renewed by the last day of the month you may need to undergo the application process again.

What do I do if I haven't renewed on time?

As above, there is no such thing

as a late renewal. If you haven't renewed on time you will have to write to the Licensing Manager explaining the reason why and he will contact you to explain your options.

Can I renew my licence early?

Yes but only 1 month early e.g. if your licence expires at the end of December, the earliest day you could renew would be the 1st November.

What if don't have all of the documents required?

You won't be able to renew; the Licensing Officers will ask you to come into the office again with all the correct documentation.

What do I do if I have sent my licence to DVLA and my badge is up for renewal?

Go to a local solicitor and get a signed declaration to confirm you have no further convictions etc.

Why is the date for renewals on the renewal form random i.e. 9th or 19th when renewals are due at the end of the month?

This is because we do not want a never ending queue for renewals on the last day of the month; we try to stagger renewals to avoid this.

Why should renewal forms be stamped by the Operator when the badge states who we work for?

This is to confirm that you still work for that particular Operator. There have been many instances where drivers have switched Operators without telling us.



Can I get my Group II Medical done at any GP?

No. This is because your own doctor knows your medical history and has access to your medical records so is best placed to carry out the examination. However, if for any reason your own GP cannot undertake the medical, a letter should be provided for you to attend another GP's surgery. We will retain a copy of this for our records.

If you have any problems or

questions about your badge or vehicle renewal contact the Licensing Office as soon as possible, don't leave it until the last minute or you may have trouble renewing.

Vehicles

Can someone else bring my vehicle in for inspection?

Yes, as long as that person is a badge holder and they are insured to drive that vehicle and they bring along the relevant documentation.

Can I purchase a Hackney Carriage vehicle plate?

Leeds is currently limited to 537 Hackney Carriages, although existing Proprietors are able to transfer ownership of their plate to a new Proprietor. There is a strict procedure in place for this, please contact the Licensing Office if you require further information.

Can I take my vehicle anywhere for MOT?

Yes you can arrange for an MOT to be undertaken at any VOSA approved Testing Station.

Why does my vehicle have to be inspected by you even though it has an MOT?

Our Vehicle Examiners randomly test vehicles to ensure they are fit for use as a Private Hire vehicle; a normal MOT certificate states "a test certificate is not evidence that the vehicle is in satisfactory condition".

What do I do if I no longer want to use a vehicle for Private Hire?

Come in to the Licensing Office, we have a form that you will need to complete, and return your licence disc and stickers.

I've received a letter asking me to bring my vehicle in for inspection at short notice, can I change the date?

Yes, you can change the date but please note: your vehicle may be suspended until the inspection is carried out. You must also give us at least 24 hours notice to avoid a non attendance fee of £30.

Can my wife drive my Private Hire vehicle?

Not unless she is a Private Hire driver who is insured to drive the vehicle.

Can I bring in a fax/ photocopy of my insurance documents to get my vehicle plated/ renewed?

No, we only accept original documents.

Applications

Why do I have to wait so long to submit my application?

The Licensing Office only offer morning appointments and all slots fill up very quickly. Many applicants do not give advance notice of cancellations so we are unable to re-allocate their spaces.

Why do I need to have a non-UK certificate?

This was introduced in May 2008 as applicants have to be able to prove they have no convictions in their country of birth. Without this, the application will not proceed.

Can I have a CRB done somewhere else?

No, new applicants must undertake an enhanced disclosure at the time of application.

Can you send me CRB form - it's not in pack?

A CRB form is provided at the time of submitting your application - that is why we need your documentation i.e. proof of address, NI card, photo ID etc.

Can I change the date of my Thomas Danby test/ Local Knowledge test?

Yes but please be aware that your application is only valid for one year and any delays in taking the tests could result in your application expiring before the tests have been completed. We must have 72 hours notice to cancel or fees will be incurred

for no show or last minute cancellations.

When will my badge be ready?

As soon as all documentation in your file is complete and your CRB check is clear. You will be contacted by the Licensing Office to come and collect it as soon as it is ready. ■



By the time you read this our building works should be drawing to a close!

So, the story so far... the new extension was completed and handed over for use at the beginning of September and our Licensing Officers moved onto their new counters, the Licensing Supervisors got their new desks and the rest of us moved into temporary desks whilst the remainder of the building was remodelled. Only the Vehicle Examiners remained in their usual place of work as the Enforcement Team were moved into a portacabin!

There was further disruption to our service at the beginning of October when two all-singing,

all-dancing filing cabinets were installed. This meant we were closed for business for three days but it will make great efficiencies for all Officers when searching for and replacing files.

The last piece of work for our builders was the remodelling of the original building which should be fully operational by the beginning of December. By the time you read this article, we will have extra counters for vehicle enquiries, a waiting area for you whilst your vehicles are inspected... with a viewing area so you can keep an eye on your car and our Examiners!

We will also be installing TV

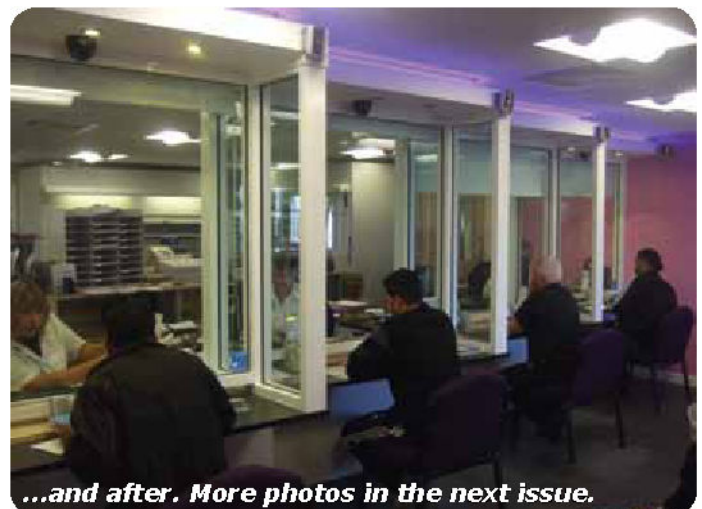
screens to keep you abreast of all the news coming out of the Section as well as showing both the local and national news. You might still have to queue but you'll have something more interesting to watch than the back of the head of the person in front of you!

So, all in all, it's been a long six months or so! In the given circumstances we aimed to ensure that we offered the best possible service, which have been both messy and disruptive for us to work in but Officers have made the best of the situation and worked very hard to keep disruption to a minimum.

Thank you all for your patience and understanding and we hope you find it a much pleasanter experience when visiting us in future. ■



The Licensing Office during construction...



...and after. More photos in the next issue.

Congratulations!

Huge congratulations to Claire Bayliss-Mills, our telephonist who got married at the end of August. Claire was delivered to the ceremony in style by one of Leeds' very own Hackney Carriages!



Claire Bayliss-Mills (now Marshall) on her way to get hitched!

Staff Awards

The Taxi and Private Hire

Licensing Section recently received, and subsequently won, the following nomination for the Transport award at the annual Legal, Licensing and Registration awards: -

"The team has worked tirelessly to improve the quality of the licensed fleet of Hackney Carriage and Private Hire vehicles. Whether it be putting proposals for changes in

Conditions to Elected Members for approval, addressing complaints by the public or devising policies on driver safety aids such as in-car safety shields, they never lose sight of how important a good licensed fleet is to the residents of, and visitors to, Leeds."

The Section will now be put forward to be considered for the overall award for Leeds City Council in the finals later this year. ■

Martyn Johnson, Licensing Manager, is presented with the award by Stuart Turnock, Chief Legal Officer ↓



The Taxi and Private Hire Licensing Team



Moves to tackle City Centre congestion

In September, the Yorkshire Evening Post published an article regarding the congestion problems in the City Centre. In response to this, Leeds City Council outlined the steps officers in Highways are hoping to take to increase rank provision in the City Centre and the ongoing enforcement measures:



Leeds City Council is introducing a number of new measures to tackle traffic congestion caused by queuing Taxis in the City Centre.

The Council is looking at creating new Taxi ranks to create more areas for Taxis to queue and Officers are working with the Police and bus company, Metro, to step up enforcement activities. Fines will be issued to drivers who stop at green lights, park on double yellow lines and block the Headrow. In the future, regular offenders may have their Taxi licences suspended.

The move follows high numbers of complaints about queuing Taxis at various sites in the City Centre causing traffic chaos by blocking buses and other drivers. The problem is particularly bad during the peak rush hour and along the Headrow and is believed to be caused by a lack of waiting areas for Taxis to pick up passengers at the station and the removal of the rank at Leeds Bradford International Airport.

Councillor Richard Brett, Leader of Leeds City Council and executive member for Taxi Licensing, said:

"This is a huge problem affecting a lot of people and cannot be allowed to continue.

We are seeking to provide additional ranks, permanent or temporary at Meadow Lane and Lower Briggate to help the situation and we hope to have these in place by the end of October.

However, while we do understand the Taxi drivers' situation and are keen for them to work with us to find a solution, they also need to know that we are stepping up enforcement activities. Traffic enforcement work is being targeted at problem areas and offenders who flout traffic regulations will be fined.

We have asked Officers to take further enforcement proposals, which could involve repeat offenders seeing their licences suspended, to the Council's Licensing and Regulatory Panel for their consideration and approval.

We will continue to work closely with Metro and West Yorkshire Police to resolve this problem."



As referred to in the press release, the Taxi and Private Hire Licensing Section has been asked by Councillor Carter (Leader of the Council) to consider any further measures that can be taken against drivers who continue to break road traffic regulations, including consideration of the suspension of their Hackney Carriage or Private Hire drivers' licences. Consultation will be undertaken with the licensed trade prior to any proposals being discussed at the Licensing and Regulatory Panel so that your views can be taken into consideration.

We will be contacting the trade with further information and details on how you can submit your views.

At the time of going to press two new ranks have been made available at Meadow Lane and Lower Briggate. ■

Third party Hate Crime reporting – more choice available for victims

Hate Crime reporting is now more accessible than ever, thanks to Stop Hate UK's new and independent reporting systems.

From November 2009, victims and witnesses will be able to report by text, web-chat, email and online at www.stophateuk.org, giving even more choice on how to report Hate Crime, and get the support they need.

Over 3,000 people have called Stop Hate UK's 24-hour Stop Hate Line since it launched in 2006. Currently 1 in 8 of the UK population can access independent Hate Crime reporting and support 24-hours a day, every day.

Stop Hate UK work closely with the Police and other agencies in areas where the helpline is commissioned, to bring reassurance to individuals and communities. Regular campaigns by Stop Hate

STOP HATE CRIME
0800 138 1625
24 HOUR HELP LINE
Text Relay 18001 0800 138 1625

UK help to raise awareness of each of the Hate Crime strands, such as a recent Disability Hate Crime campaign.

Training for adults and young people about Stop and Search, and Police Scrutiny Panels, has been

delivered by Stop Hate UK following commissioning by two Police forces this year. In 2010, we will enter our fifteenth year of providing support to individuals and communities affected by Hate Crime.

Stop Hate UK is an independent national charity that raises awareness and understanding of Hate Crime, and supports the individuals and communities it affects. Our 24-hour reporting helpline and text services enable victims and witnesses to access independent support when they need it, and remain anonymous if they wish.

Stop Hate UK
info@stophateuk.org
Head Office: 0113 293 5100
Head Office Text Relay:
18001 0113 293 5100 ■



You're not alone

Hate crime affects 3 out of 4 people with mental health problems

Don't suffer harassment or intimidation alone.

We can help.

STOP HATE CRIME
0800 138 1625
24 HOUR HELP LINE

STOP HATE UK
www.stophateuk.org
Reg Charity: 1062892

Disability Gender Identity Race Religion Sexual Orientation



Chip and Pin

Don't forget you can now use your debit card to pay your licence fees etc using our chip and pin facilities. ■

Vehicle Inspection Results

Our Vehicle Examiners are currently carrying out inspections of vehicles first registered between 01 September 2005 and 31 August 2006.

To the end of September, 325 vehicles have been requested to attend for inspection, with 297 (91.3%) of these actually attending. Please find the results,

broken down between Hackney Carriages and Private Hire vehicles, detailed below:

Hackney Carriage Vehicles							
	Vehicles Required to Attend	Passed Test	Failed Test	Vehicle Suspended	Licence Revoked	Licence Surrendered	Failed to Attend
Actual Volume	44	24	9	6	0	0	5
%		54.5%	20.5%	13.6%	0%	0%	11.4%

Attended at a later date (Vehicles that failed to attend on first request)

	Vehicles Required to Attend	Passed Test	Failed Test	Vehicle Suspended	Licence Revoked	Licence Surrendered	Failed to Attend
Actual Volume	4	2	2	0	0	0	0
%		50.0%	50.0%	0%	0%	0%	0%

Private Hire Vehicles							
	Vehicles Required to Attend	Passed Test	Failed Test	Vehicle Suspended	Licence Revoked	Licence Surrendered	Failed to Attend
Actual Volume	281	141	79	14	0	1	45
%		50.2%	28.1%	5%	0%	0.4%	16.0%

Attended at a later date (Vehicles that failed to attend on first request)

	Vehicles Required to Attend	Passed Test	Failed Test	Vehicle Suspended	Licence Revoked	Licence Surrendered	Failed to Attend
Actual Volume	18	10	5	3	0	0	0
%		55.6%	27.8%	16.7%	0%	0%	0%

A full analysis of the vehicles in this age will be published in the Winter newsletter once all inspections have been completed. ■



Taxi and Private Hire Licensing
225 York Road
Leeds
LS9 7RY

Tel: 0113 2143366

Email: taxiprivatehire.licensing@leeds.gov.uk

Section Opening Hours: Mon-Thurs – 08:00-15:30 Fri – 08:00-15:00

Staff Training: 2nd Tuesday in every month 08:00-10:00

74 respondents accessed the campaign

Step 1:1.00-1:Are you a regular user of taxis and/ or a private hire service?

This single response question was answered by 74 respondents.

Response	Number of Respondents	Percentage of Respondents
Yes	54	72.97%
No	20	27.03%

Step 1:2.00-1:Do you feel it is important that the taxi and private hire trade is operated in a professional manner?

This single response question was answered by 74 respondents.

Response	Number of Respondents	Percentage of Respondents
Yes	74	100%
No		

Step 1:3.00-1:Do you feel it is important that all standards of safety and comfort are satisfied by the taxi and private hire trade?

This single response question was answered by 73 respondents.

Response	Number of Respondents	Percentage of Respondents
Yes	71	97.26%
No	2	2.74%

Step 1:4.00-1:Do you think that taxi and private hire licence holders should undertake a qualifications, to a national standard, which will enhance their knowledge in key areas such as customer service, maintaining a professional image, dealing with special needs, such

This single response question was answered by 73 respondents.

Response	Number of Respondents	Percentage of Respondents
Strongly agree	42	57.53%
Agree	14	19.18%
No opinion	6	8.22%
Disagree	7	9.59%
Strongly disagree	4	5.48%

Step 1:5.00-1:Are you aware that it is a mandatory requirement for all licence holders to achieve both a VRQ Level 2 Certificate in Road Passenger Transport & a NVQ Level 2 in Road Passenger Vehicle Driving (Hackney Carriage and Private Hire Vehicles)?

This single response question was answered by 73 respondents.

Response	Number of Respondents	Percentage of Respondents
Yes	35	47.95%
No	38	52.05%

Step 1:6.00-1:Do you think it should be mandatory that all licence holders achieve these qualifications that are appropriate to their trade?

This single response question was answered by 72 respondents.

Response	Number of Respondents	Percentage of Respondents
Strongly agree	38	52.78%
Agree	13	18.06%
No opinion	8	11.11%
Disagree	7	9.72%
Strongly disagree	6	8.33%

Step 1:7.00-1:Government funding has recently ceased and the qualifications are no longer cost free. The cost varies from training provider to training provider but can range from Â£500 - Â£1000 for both. Do you think it is acceptable that licence holders pay to attain

This single response question was answered by 71 respondents.

Response	Number of Respondents	Percentage of Respondents
Strongly agree	15	21.13%
Agree	16	22.54%
No opinion	3	4.23%
Disagree	14	19.72%
Strongly disagree	23	32.39%

Step 1:8.00-1:Licence holders currently have until December 2011 to achieve these qualifications. How long do you think licence holders should be given to achieve these qualifications?

This single response question was answered by 71 respondents.

Response	Number of Respondents	Percentage of Respondents
12 months	30	42.25%
3 years	16	22.54%
5 years	11	15.49%
Other - please state	14	19.72%

Step 1:8.01-1:Please Specify
This open response (Free text) question was answered by 14 respondents.

Response	Number of Respondents
20 years	1
6 months	2
asap	2
Dec-11	1
dont agree there should be qualifications	1
It should be applicable to only new applicant for a licence.	1
Never	1
no time limit	1
not nessacary	1
Really depends upon their ability to learn and the spare time they have to do a course. Also if they would need additional support.	1
should not be compulsory	1
untill govt funding becomes available	1

Step 1:9.00-1:Please add any further comments you wish to be considered.

I have found that the standard of drivers has deteriorated over the years, and after talking to drivers I find that the NVQ makes them think about thier job and reassess there attitude to customers. I think that all should be made to do the course but that in the current economic climite the should be given funding as most seem to be really struggling to make a living as there are far to many private hire cars in the city.

iam a driver who didnt agree with nvqs but was told we had to do it so ive done it and had to give up plenty of working hours up to passed it . so i believe that drivers should have to do the nvqs . in any other forum of work were nvqs are everybody has to pass..them who dont should try harder and if there dont pass there cant drive until there do cause i no plenty of driver who havent made an effort as well as plenty of driver who have and there all passed

All drivers should be required to undertake training to a particular standard. It is important they are trained in all aspects of their trade.

Although I appreciate that Leeds City Council wish to have a professional fleet of Taxi and Private Hire drivers I think the gaining of the VRQ and NVQ should not be mandatory. it places a further burden on hard working drivers, who as self-employed earn nothing while putting in the time to get these qualifications, as well as any fee thet has to be paid. Equally, I wonder what qualifiacations the office staff at Taxi and Private Hire Licensing have to have to get a job there...I also believe that drivers of long standing should be awarded credits for their experience. It seems to me that there is little or no support for drivers from Leeds City Council. Drivers seem to be viewed with suspicion, and burdened with increasing regulations dreamed up in an office, by people who have no idea of the difficulties that drivers face in their day to day jobs. Police are indifferent to driver's complaints of abuse and non-payment of fares, both of which are actualy criminal offences. I would suggest a firmer attitude to the people who perpetrate these offences against drivers and more support for the drivers. An NVQ or VRQ is not going to help you when confronted by an aggressive passenger. These drivers perform an absolutely vital role, and mainly do it very well. How many complaints are received... Drivers always seem to be considered as somehow second class when it comes to getting redress for the things they have to deal with. Instead of burdening drivers with the need for getting furthe qualifications, I suggest that they start being treated with more respect by Leeds City Council and the Police, and that the highly paid bureaucrats who dream up these schemes have a week on the road and see how these qualifications work in practice. With the swingeing cuts to Local Government coming down the line, lets see how some of these people fare if they have to make a living as self employed, with no holiday pay, no pension provision and no cushy office job.

An excellent idea

Anyone in a professional post has undertaken some sort of training and development. With regards to the new single equality act it would be advisable for the taxi providers and drivers to gain this knowledge of the protected charateristics

As Leeds is becoming increasingly an important National & International city, especially with the expansion of the airport and the new Arena, it is imperative that Taxi drivers create an excellent impression with visitors, as first point of contact probably. Of course this is equally important to the daily users, the citizens of Leeds and district, and the highest updated standards should be achieved by all. Other professions have to pay for their training & qualifications, and in the current

<p>ecclimate Taxi drivers should be no exception.</p>
<p>Bad taxi drivers are as common as good drivers. It must be paramount that both Hackney and Private hire taxis have a basic understanding of English to be able to effectively communicate with customers. They must also understand they are trusted with potentially vulnerable people and must be aware of the duty of care that they are entrusted with. This would seem to be the most appropriate way of ensuring this happens !</p>
<p>hi my name is jemmy i work city center i persnally strong disagree with qualification beacause government loose his money taxi job is already really hard they no how to deal with cust..</p>
<p>I am a Private Hire driver and would go a step further. I see appaling standards of driving from other Private and Public Hire drivers every day. We all make mistakes, we all push our luck, but, some drivers are just "bad drivers", just because you managed to pass a test does not make you a "good driver". I believe the authority should consider retesting all drivers, say every five years. You test the vehicles, why not the drivers. Results should be Pass; keep on driving, Fail; license revoked until you pass a test, Intermediate; attend a one day improvement course, license revoked if you fail to attend. Paul Spenceley schhire@aol.com</p>
<p>I am not a frequent Taxi user but I observe the standard of Taxi driving whilst driving myself. Safety is obviously not very high on their list of priorities, while getting rid of the current customer as soon as possible so that they can race to the next one is. Speeding and red light offences must be the laws that they ignore the most. However, I will also say that I have observed some very good taxi drivers, assisting their passengers and also obeying traffic laws. Perhaps all taxis should be displaying a "Hows my driving" contact number in order that a three strikes and you are out system can be adopted.</p>
<p>I do feel it essential that drivers of taxis suitable for the disabled are fully trained in how they load a wheelchair into a taxi and how they secure the wheelchair. When I have accompanied a wheelchair user recent experiences have been that - chair not secured and moving about plus length and type of taxi not suitable for wheelchair user with leg extensions. This can be very embarassing for the disabled person. One taxi drive had to prop my fathers partially amputated leg up on a cushion as there was not enough room.</p>
<p>I dont agree drivers should have the need to take a qualification. There is no need.</p>
<p>I feel this is a waste of time from all perspectives as it is expansive and this expense will be passed on to the customer either directly or indirectly. In addition, taxis are expensive as they stand so why all this additional expenses. Monies could be used elsewhere. I also feel is the customers (public) that need education.</p>
<p>I never feel very safe in a taxi. The drivers always seem to go too fast and never tell you the route they intend on taking. Recently I hired a taxi from Pudsey Cars and it was obvious from the smell of cigarette smoke that the driver had been smoking in the car. I am pregnant and cannot stomach the smell of nicotene so found this very offputting.</p>
<p>I think drivers should also be check against all police databases (sex offenders, children etc.)</p>
<p>I think it would be very difficult to expect some of the taxi and private hire trade to gain qualifications to a stanard that other trades do. The reason that these individuals are in this trade in many cases is that this is probably all they can do.</p>
<p>i think it would not make any difference if a qualification is required or not,as long as communication skills are satisfactory.</p>

<p>I think personally these guys have a really hard enough time dragging the drunkards home at the end of a Saturday night, dealing with difficult and sometimes racist passengers who are really disrespectful not only to them but their privately owned vehicles. They are then forced to adhere to the added but may I add unnecessary red tape and Bureaucracy of Torre Road where the council officials often belittle the drivers especially asking them to come in to the office for petty things like making an appointment etc.. or showing to them the same official document that may have been shown before and copies taken. There appears to be too many inefficiencies in the running of the office especially since they are closed for service after 3pm. In addition to all these constraints taxi drivers are under immense driving pressures when it comes to picking and dropping fares in the town centre which has been overridden with Double yellow lines. Traffic wardens are on the prowl for any taxi driver who picks / drops off passengers in these places this is becoming a huge issue and the council needs to recognise this, Dare I mention the unprofessional conduct towards private hire drivers of some of the large private hire operators who seem to be a law unto themselves maybe they should be required to attend these courses and prove that they are adhering to these professional codes of conduct</p>
<p>I think that the Council should offer some support in attaining and monitoring the scheme for qualifications. My concern is that extra expense to the driver/taxi companies will push more to work without the necessary qualifications, insurance etc. I would like to see a clamp down on unlicensed/insured taxi drivers with larger penalties to both driver and company. Then part of this funding directed towards supporting the NVQ training scheme. Promoting safety for women and vulnerable people when choosing to use a taxi must be a priority for the Council</p>
<p>I think these questions are biased in the way they are worded, to make sure you get the answers you want!</p>
<p>I think this has major benefits and added value to customers. Should this not be across the whole country?</p>
<p>I think this is good qualification is good means more taxi drivers will act more professional and responsible.</p>
<p>It is unfair that most of the Taxi Drivers now not have access to funding. They cannot be blamed for cease of funding by government. The average cost of this course now is £800 and we need to add travel costs + no earning while attending course. Taxi drivers work long hours to earn money which is still less than what is earned by an average office worker. They have to pay a lot for insurance, vehicle maintenance, private hire vehicle & licence renewals. It is very unfair that they are now asked to pay for such courses and a deadline is set without considering other factors.</p>
<p>It is unfair that the Taxi Drivers now have to pay an average £800 - £1000 for such course. It is on top of what they already pay i.e. Heavy Vehicle insurances, Licence renewal costs, vehicle plate renewal costs etc etc. It is not their fault that funding is ceased by government. It is against equality and is unfair that some completed course on government funding and rest will have to pay.....</p>
<p>It is unfair that the Taxi Drivers now have to pay an average £800 - £1000 for such course. It is not their fault that funding is ceased by government. It is against equality and is unfair that some completed course on government funding and rest will have to pay..... For regular courses we give time and consider alternatives for all students..why not for Taxi Drivers then?</p>
<p>It shouldn't be mandatory for people who are already in this profession. Morality should not be judged by qualifications. The government is already bringing down unnecessary regulations, as it slows down the economy.</p>

its a job any body at the end of the day you are just a driver
It's important that both taxi drivers and private hire companies meet similar professional standards.
like any job the more training you can get to do your job better is fantastic and the council should see this through regardless as to who pays for it.
My husband is a private hire driver with a local firm and already has his NVQ. What we disagree with at the moment in the recession is the way some companies take Â£90/100 a week from the driver for their rent and keep setting on more drivers knowing full well that all drivers are struggling to make a living wage. From what my husband tells me since September they are all struggling to make Â£80/100 a day and are sat around half the time waiting for a job. The owners don't give a damn or do anything to get contracts but keep setting on more drivers and I feel they are taking rent money under false pretenses and not supplying work to their drivers which is their end of the bargain. I feel Leeds city Council should do something about this once and for all and stop new companies from setting up and any more drivers getting their badges when people are not using taxi's like they used to due to this recession!!!!!!!
Paper qualifications are pointless if the basic rules of the road are not followed, specifically: not parking on double yellow lines, not parking fully or partly on public footpaths especially in the busy city centre, not blocking bus bays and not cramming excessive numbers of taxis into ranks with a clearly specified maximum number. Current enforcement procedures are derisory, with taxi drivers adhering to the rules only for the few seconds an enforcement officer is in view. Tickets are rarely given and if anecdotal evidence is to be believed, those that are given are often cancelled by management to "give the offender another chance". Behaviour towards other road and street users is just as important as understanding behaviour with regard to fares.
Private Hire drivers already have to pay a lot in radio hire costs to the operators, shouldn't the operators be required to pay for the training. Could the council not provide the training at a cost price to reduce the likelihood of a shortage of qualified drivers?
recession plus addition cost of nvq, doesnt help. they should all training at taxi head quarter not at college. Least at hq, taxi body is aware what they have taught rather than in college, who dont understand the whole opertion of taxi.
Taxi and Private Hire accreditation should concentrate on safety only. To impose these qualifications is an unnecessary burden on drivers. Let people get on and earn a living without having to jump through silly hoops. This is another example of the Nanny State interfering in people's lives and liberties.
Taxi Drivers should be subjected to some kind of driving assessment and drivers working hours should be monitored.
Taxi drivers should have a general knowledge of the area that they are working in so that they know where places are and the fastest route from A-B.
taxi or private hire driver is a driver not a doctor ur vrq is dificult as a doctor digree if a driver can do this he should not b adriver ,better he may try to b digree holder.driver is driver because he dont have tha sense tha much that he could b a graduate.driver is doing driver job because he is not tha intelligent as a educated degree holder,a driver never heard any gud news last twenty yrs,no one is thinking about driver safety or his problem,every one thinking about public.if there is no driver left what would u do then,.....
Taxi/private hire drivers should complete both the national recogised qualifications within 12 months of attaining their licence. Why should the taxi industry be exempt?

Other service industries employees have to achieve nationally recognised qualifications and pay for the licences themselves e.g. the security industry to name but one. The basic driving skills of taxi/private hire drivers is appalling, how most of them pass the driving tests alone is a mystery. Pulling out of side roads without a sideways glance, stopping in the middle of the carriageway without any warning, cutting across the wrong carriageway to take a bend, driving at breakneck speeds and making you feel queasy, stopping in the middle of the carriageway to let a fellow taxi driver out of a side road to name but a few. Parking on double yellow lines while they wait and wait to pick up a fare, you only have to look at places like the University of Leeds where there are 14+ taxis parked on double yellow lines on both sides of the road at 5:00pm. Customer services are a dirty word to most taxi drivers. A number cannot communicate because they cannot speak English and the number of old dirty private hire vehicles is a worry. They should be trained to deal with the public and provide a service or taken off the road!!!

The current standard of driving observed on the road from mini-cab personnel is poor, especially at night. This qualification should bring up the standard, especially if the driver or his firm has to pay for the training. I would favour the private hire firm being responsible for the cost, if not the whole, certainly in part, with the staff paying the rest.

the driving standards of some private hire and taxi drivers is appalling, anything that can be done to improve standards is a great idea.

The NVQ would be an excellent idea if the training was policed better and drivers actually used the knowledge they had learned. Everyone passes even people that cant speak english, tutors just tell them the answer. Assistance dogs are still refused by Muslim drivers and the Job is then taken off them by the operator instead of the driver being made to do it leaving a customer with special needs waiting ages for a non muslim driver. Drivers regardless of how much training they have had still refuse to help with luggage and use their phones with customers in the car. VLE do not take complaints about these matters seriously enough. I know all this because I am a driver I have seen an assistance dog job get rejected by as many as 30 drivers. I also know people with assistance dogs that have complained to the VLE and received no satisfactory outcome.

The safety of the fare paying public must be protected by appropriate qualifications

the use of qualifications as a tool to improve the quality of taxi drivers should form part of system of regular checks and refresher courses to ensure that standards do not drop or drivers are operating without the necessary qualifications and licenses

there are few points,mostley taxi drivers are un educated from out side country they dont have full hold on english,they cant even read and write,but they have been passed nvq2 and vrq,those insitute who passed them only intersted in to achive theire fundig not intersted what taxi driver achived.so how can u get ur goal.some taxi drivers been funded but a lot not,why, rest of the taxi drivers where they should go. its realy hard to afford for them,all drivers should given equal opurtuninty,not only few,this qualification should b for new drivers not old drivers who all ready driving for long time,if council have complain against old driver then they can send them on course.these courses should b for hackney driver not private.if public dont like private un experience driver they have oppertunity to use hackney cab those charged double price against private hire.

There are some pretty dodgy taxi drivers we have used - speeding where we had to ask him to stop and got out before reaching our destination. On another occasion we ended up in a ditch and had to walk to our destination.

They have already had enough time to do the training and that was set by the licensing committee, if they haven't done it by December 2011 then it is their own fault.

They should be able to speak English to a good level, and know how to get from A to B without asking the passenger for basic directions.

This is a complete and utter waste of time and money. What next? Having to obtain a qualification to breathe?

Why a low paid, harding/long hours working taxi driver have to pay now for these courses?

Written examines do not make one capable of doing a job.

You have set a deadline over two years ago, to complete the NVQ this is more than enough time to complete it, stick to your dead lines.



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Taxi and Private Hire licensing: Consultation on the NVQ/VRQ Review [09-2010]

As one of the Training providers closely involved in the delivery of both the NVQ and VRQ programmes for Taxi and Private Hire drivers for Leeds City Council, we want to thank you for the opportunity to participate in this important consultation exercise.

You identify two primary questions in your consultation:

“to gather your thoughts and feedback on:

- 1) The mandatory requirement to achieve these qualifications
- 2) The deadline of December 2011 for all existing drivers to have achieved the mandatory qualifications and 12 months for new applicants to the trade.”

(from page 3 of the Consultative document)

You then outline five proposals for presentation to the Licensing Committee relating to both new applications for licenses and existing license-holders.

Response A.

We would strongly support **proposal 1**:-

“That new applications for licenses will continue to require the applicant to attain the qualifications within 12 months of the license being granted.”

This 12-month period would allow time for drivers to develop the skills necessary to compete a competence-based qualification such as the NVQ, which requires more than abstract knowledge, but is firmly based on and real life experience and practical ‘know-how’ of driving and meeting the requirements of real life customers (i.e. passengers) on a regular basis.

It might be possible to complete in a shorter period of time the Edexcel Level 2 BTEC award in Transporting Passengers by Taxi and Private Hire, which is the more common of the two main VRQ awards, as long as the recommended guided learning hours are met and sufficient support is given to prepare individual learners to pass the externally validated on-line tests. However, even the more theoretical BTEC award would prefer learners to have some experience of the ‘responsibility to provide a taxi or private hire service for passengers’. In practice, many drivers also find it much easier to understand and answer the questions set in the on-line tests *after* they have developed some experiential knowledge of real work in this sector.

Response B.

We readily understand that the cost of these qualifications may present difficulties to new applicants to the trade, who already face significant financial outlay in attaining a licence. We can therefore fully appreciate the reason why you should want to consider **proposal 2**:-

“That new applications for licences will require the applicant to attain the qualifications within a specified time period, for example within three years.”

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We also carefully note your explanatory comment,

"This would allow new applicants to budget for the cost of the qualifications and time to enrol with a suitable training provider."

However, the most significant problem with this proposal has already been clearly stated in your own Report to the Licensing and Regulatory Panel (September 2008), where it is stated:

"there is a need to be alert as some license holders may seek to defer for as long as possible and potentially undermine the value of the training plan."

We would agree. There is a critical need for all drivers to develop relevant skills without undue delay and it is not a good idea to make it easy for them to postpone becoming involved in the formal training process. Training and CPD (possibly even CPC within a driving-related sector) is going to be an essential on-going process for all working people for the future. Timely, well structured training plans are going to become the norm not the exception.

From our own experience as a provider, we are well aware of the potential problems in this area. Working in this sector across the country over the last four years, we have found that many drivers began by rejecting out of hand the offer of training. Some were especially critical of the idea of people from outside the industry trying to teach them how to do their job. They were also very unhappy about losing earnings, as self-employed people, because of increased 'down-time' during training and assessment.

We were able to face these objections head-on, because all our assessors have been active in the industry, have current knowledge and experience, come from a variety of backgrounds and ethnic groups and are able to speak to drivers, person-to-person, on the basis of a wealth of sector experience. We have also always been fully convinced of the critical need for drivers today to upskill themselves across a range of areas from disability awareness to safeguarding and all the other changing legal requirements relating to passenger transport, health and safety and specific driving issues. In addition, we were able to offer a flexible approach to programme delivery that allowed us to minimise down-time, while still delivering focussed quality training.

Our experience of delivering this training has also led us to discover another significant fact, that some drivers feel very lacking in self-confidence, when faced with the 'perceived threat' of having to undertake additional formal testing and assessment, which provides further reasons for them to put off becoming engaged in the learning process. This is hardly surprising in an industry, which has not had the benefit in the past, at least in some parts of the country, of a strong training and development culture. Fortunately, we can report that a large number of those very same 'reluctant learners' have ended up demanding our assessors enrol them on the NVQ programme, once they have seen that training programmes do not need to be threatening but can provide an excellent way of accrediting their work skills and helping them to 'fill in the gaps'. Many of them also came to recognise the value of taking advantage of the highly favourable funding regime, while it lasted, and were keen not to lose a subsidised opportunity for achieving this new qualification.

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Your September 2008 Report to the Licensing and Regulatory Panel asked members to consider the "role of licensed drivers in providing ... services to a diverse range of people" and the "increased levels of professional competence requisite' [*to meeting this role*]. We would argue that the driver's role today demands 'increased levels of professional competence' greater than ever before. You only have to look at the way many authorities across the country are finding it necessary to investing in disability awareness programmes to meet DDA (now 'Disability and Equality') legislation) to find ample proof of this.

Response C.

It is good to see you reiterating your **third proposal**:-

"Existing licence holders will continue to be required to attain the qualifications by December 2011."

Like everyone else, we recognise the potential negative effect of changes in funding on programme delivery, not least during a period of recession. There are at least two issues to be considered here.

The VRQ in Transporting Passengers by Taxi and Private Hire has never enjoyed funded status, which actually means that there has been no change in its funding regime (and where Providers have sometimes offered very reasonable rates for VRQ delivery, when undertaken in combination with the NVQ, this may well continue). Bearing in mind the large number of drivers who have already met the December 2011 requirement in the Leeds area, it would seem only fair to maintain this date for all existing licensed drivers at least in relation to the VRQ.

The situation as regards the NVQ in Road Passenger Vehicle Driving is different, of course. Until now, the NVQ has mainly been funded through Train to Gain. With the announced loss of Train to Gain, this funding seems likely to be withdrawn much sooner than was anticipated. However, we would argue that the NVQ should not automatically be left out of consideration solely on the grounds of a withdrawal of funding. Though the VRQ is a valuable theory test, the NVQ focuses much more closely on a driver's *practical competence*. This provides a significant additional benefit, because it tests how drivers *actually carry out* their strongly customer-centred role. To remove support from the NVQ would therefore seem to us to be a retrograde step.

Response D.

As before, we well understand your inclusion of **proposal 4**:-

"Those existing licence holders are given a revised timescale to attain the qualification which is reasonable to their learning needs and financial outlay, for example December 2013"

and we take note of your supplementary comment:

"This would allow existing licence holders to budget for the cost of the qualifications and time to enrol with a suitable training provider."

However, we would want to repeat that all the comments given under C. above apply with equal force.



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Response E.

It is probably not our place as a provider to comment at any length on your **proposal 5**:-

"That those applicants who have achieved the qualifications prior to December 2011 be given an incentive upon renewal of their licence, for example a reduction on their renewal fee"

As before, we fully recognise that:-

"this would have a significant impact on the resources within the Taxi and Private Hire Licensing Section and may be difficult to administer" and that "the financial incentive would need to be of a value to make it desirable to achieve the qualifications."

We would merely note that similar schemes operate in other areas and have been found highly successful in promoting programme uptake among self-employer drivers.

Response F.

Proposal 6 states:-

"That the Taxi and Private Hire Licensing Section explore the possibility of procuring one training provider to deliver to all new applicants and existing drivers at one set cost."

As a provider with a successful track record of delivering training in your own geographical area, we would like to highlight several critical priorities. As already stated, we believe it is essential for drivers in this industry to be offered quality training programmes which are implemented in a flexible well-structured way that meets both local conditions and the needs of the individual driver.

It is surprising to read the September 2010 data stating that **of the 60% of licence holders** enrolled on the NVQ programme, **only 43%** have achieved this qualification. Having checked our own database of Leeds learners over the period from February 2009 to the present, we find we have enrolled 266 learners, of which only 7 learners withdrew prior to completion and only 12 learners did not complete 'on time'. This means **259 learners achieved the award**, equalling in percentage terms **97.37% actual achievement rate** and **92.86% timely achievement rate**.

This much more positive achievement rate (specifically recognised in a recent Ofsted report) is fully supported by formal and informal feedback from learners themselves, who speak highly about the benefits of their training and the support they have received in their well targeted programme.

A strong feature of NVQ in general is that they provide practical qualifications for practical people. Along with other quality providers, we make full use of all relevant evidence and assessment methods in the achievement of NVQs and this may help explain our high success rates. The following provides a good example of what this means. We have found a number of drivers, who can communicate directly with their passengers with great success, are, nevertheless, sometimes much less comfortable with providing evidence in written form. These learners are often pleasantly surprised to discover our assessors are able to make effective use of a range of evidence *recorded in audio format*. This simple approach frequently makes evidence-gathering,

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possible, when it might otherwise have been quite burdensome.

This is just one of the ways assessors can effectively 'meet the needs of the individual learner'. Evidence recorded in audio format can be validity assessed and verified every bit as successfully as evidence documented using more traditional evidence-gathering methods and fully meets the requirements of quality control. But that is only part of the story. Those who have verified the completed portfolios of learners using the audio method and listened to the resulting CDs of their evidence, often refer to the way they have heard individual drivers audibly growing in confidence during the programme to the degree that they have been able to provide high quality evidence of their competence and knowledge, using this approach. You just have to listen to some driver's account of how they have successfully managed very difficult passengers to hear proof of this.

It should be noted that our use of the audio method while delivering the NVQ programme across the country, has also proved to be of benefit for learners with a wide variety of language skills, including both those with English as their primary language and those with English as their secondary means of communication.

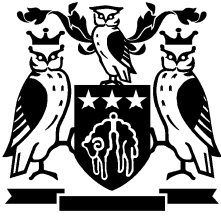
We notice the 2008 Report to the Licensing and Regulatory Panel (2.11) makes specific reference to 'concerns regarding a potential inability to learn because of language or comprehension issues'. In this context, it may be not be insignificant that of the total 266 learners identified in our Leeds data given above, only three were classed as 'white-British/Irish' (according to information provided on the LSC approved Equal Opportunities Monitoring form). This would suggest that our high achievement rate has been maintained, while delivering the NVQ programme to a diverse learner group and confirms that language issues have not proved an insurmountable barrier for the cohort of Leeds learners with whom we have had the pleasure of working so far. We therefore consider it important to re-emphasise that language issues can be taken *fully into account* in the delivery of this award, without any dilution in the quality of delivery, as long as due attention is paid to meeting learners needs.

This, of course, in no way detracts from the priority set by the former Learning and Skills Council in promoting improved communication skills in work-based training and recently confirmed by the Skills Funding Agency, which continues to require the full integration of Key/ Functional Skills in all Apprenticeship Frameworks. In line with this, some local authorities require all their drivers to demonstrate high quality communication skills to prepare them to undertake their customer-focussed role and many training providers successfully deliver dedicated additional programmes to facilitate this. Nevertheless, we feel we can safely report that the above statistics clearly indicates that issues relating to communication skills do not need to provide a major barrier to achievement for most drivers as long as they are handled effectively.

We can only add that, as a provider accredited with both EDI and Edexcel (the main awarding bodies offering the NVQ award in Road Passenger Vehicle Driving), with a solid track record of achievement in the Leeds City area and an equally strong reputation for successfully delivering the BTEC level 2 award in Transporting Passengers by Taxi and Private Hire, we are in a key position to meet all the requirements of this proposal.

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Originator: Brian Kenny

Tel: 2146244

Report of the Chief Officer (Health and Environmental Action Service)

Licensing Committee

Date: 16 November 2010

Subject: Premises Licences - Prevention of Public Nuisance

Electoral Wards Affected:

ALL

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

1. This report advises Members of a presentation by the Environmental Protection Team of the Health and Environmental Action Service focusing on issues relating to the assessment of applications when considering whether or not to make representations in respect of the prevention of public nuisance, and the evidence to be provided to committee in support of those representations.

1.0 Purpose Of This Report

- 1.1 This report is to advise members that they are to receive a presentation from the Environmental Protection (EP) Team of the Health and Environmental Action Service (HEAS), based within the Neighbourhoods and Environment Directorate

2.0 Background Information

The chair of the Licensing Committee, Councillor Armitage, requested that representatives from the EP team attend the Licensing Committee to provide information to members on how applications are assessed by the team in relation to the prevention of public nuisance and the evidence subsequently provided to the Licensing Sub-Committee.

3.0 Main Issues

- 3.1 The EP team is a responsible authority under the Licensing Act 2003 in respect of the prevention of public nuisance. It is served with copies of all applications for the grant or variation of a premises licence or club premises certificate. It is also able to instigate review proceedings
- 3.2 HEAS shares the Licensing module of the IDOX (Caps Uniform) computer system with the Entertainment Licensing section, and applications can be viewed and responses are made electronically within the 28 day period.
- 3.3 Each application is considered in relation to potential nuisance issues – mainly noise but also anti-social behaviour, lighting, odour, and litter. The application, *pro-forma*, and any supporting documents in relation to the prevention of nuisance are scrutinised taking into account the proposed activities, hours of operation and mitigating factors. The history of the premises i.e. whether there have been previous complaints is also considered. Other factors taken into account are the location of the premises in relation to noise sensitive premises and the character of the area. Liaison with the enforcement section of the development directorate also take place at this stage. A site visit will be carried out and there will often be discussions with the applicant. Officers will also draw on their experience of assessing similar applications and on the problems that can be caused by the type of application.
- 3.4 Having assessed the application there will be three possible options:
- No objection
 - Qualified objection
 - Full objection

In each case a letter is sent to the applicant setting out the response and the reasons for it.

In the case of a qualified objection there is an option for the applicant to agree to certain conditions which are listed in Part 2 of the qualified objection letter. If these conditions are agreed this will result in the objection being withdrawn. These conditions and the applicant's agreement will form part of the agenda item with which members will be familiar.

Full objections are normally made in the following circumstances:

- where there is a history of significant problems which have not been resolved
- where there is a history of poor management and lack of co-operation in resolving issues
- where a notice is in force or legal action is in progress
- where there is widespread public objection which could be supported by the EP team
- where the application is for inappropriate activities having regard to the location and structure of the premises

3.5 If the matter is to be heard by a Licensing Sub-Committee an officer will attend to speak to any qualified objection which has not been resolved, or to any full objection. Evidence will be provided as far as possible but this may not always include complaint history. There is no requirement for an interested party or responsible authority to produce a recorded history of problems at a premises to support their representations and in fact this would not be possible for new premises.

3.6 The 2003 Act and the guidance produced by the Secretary of State requires the Licensing Committee and EHS to 'make judgements about what constitutes public nuisance and what is necessary to prevent it in terms of conditions attached to specific premises licences'. Public nuisance is not narrowly defined in the guidance and may include the reduction of the living and working amenity and environment of interested parties in the vicinity of licensed premises.

3.7 The guidance states that conditions may not be necessary in certain circumstances where the provisions of the Environmental Protection Act 1990 (EPA), the Noise Act 1996 or Clean Neighbourhood and Environment Act 2005 adequately protect residents but the approach of licensing authorities should be one of prevention and when their powers are engaged licensing authorities should be aware that other legislation may not adequately cover concerns raised and additional conditions may be necessary.

3.8 The legislation mentioned above is reactive. In particular, the EPA is a reactive measure for dealing with statutory nuisance. It is necessary for a problem to occur, for a complaint to be made, the matter to be investigated, witnessed and possibly measured before formal action can be taken. There is then an appeal provision which can considerably delay the process before any notice can be enforced. If a breach of notice is eventually witnessed there can then be a further delay before the matter reaches the court and is dealt with. In many cases the legislation mentioned above will not be effective in dealing with subsequent problems.

3.9 The licensing objective is the prevention of public nuisance and it will be necessary to anticipate problems in the case of new applications or for many variation applications rather than relying on reactive legislation.

3.6 If complaints are subsequently received in respect of licensed premises they will all be investigated. There may be liaison with other enforcement agencies (Licensing enforcement, development control, police) and appropriate action may be taken under the provisions of the Licensing Act 2003 in respect of breach of licence conditions, and also under the provisions of the Environmental Protection Act 1990 if the complaint justifies the service of a noise abatement notice.

4.0 Implications For Council Policy And Governance

4.1 Licensing sub-committees have delegated authority to determine applications where relevant representations have been made. The quality of the representation made and supporting evidence is important for the sub-committee in making its determination. An increased understanding of how the EP team assess applications will aid the quality of decision making.

5.0 Legal And Resource Implications

5.1 There are no legal or resource implications to this report or the presentation

6.0 Conclusions

6.1 Members are asked to note the information presented by the EP team representatives and ask any appropriate questions.

7.0 Recommendations

7.1 That members note the content of the report and the presentation.

8.0 Background Papers

8.1 None



Originator: S Holder

Tel: 2474720

Report of the Assistant Chief Executive (Corporate Governance)

Report to the Licensing Committee

Date: 16 November 2010

Subject: LEEDS FESTIVAL 2010

GROUND OF BRAMHAM PARK BRAMHAM LEEDS LS23 6ND

Electoral Wards Affected:

Wetherby



Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

EXECUTIVE SUMMARY

This report provides a de-brief for the Members of the Licensing Committee following the Leeds Festival 2010.

1.0 PURPOSE OF REPORT

1.1 This report informs Members of the matters arising from the Leeds Festival 2010, following the multi-agency debrief meetings held on the 7 October last.

2.0 BACKGROUND INFORMATION

2.1 The Premises Licence for the Leeds Festival was considered and approved by the Members of the Licensing Committee on the 28th April 2006.

2.2 The Licence is held for Bramham Park and allows the Leeds Festival to take place every August Bank Holiday weekend.

2.3 Members resolved to grant the application as requested and accepted the applicants offer to include the following additional three conditions:

- 1) There shall be an Event Management Plan which incorporates the operating schedule submitted to the Licensing Authority at least 6 months prior to the festival each year.
- 2) The Event Management Plan and any revisions to the Event Management Plan must be approved by the Licensing Authority prior to the festival.
- 3) The Premises licence Holder shall comply with the terms and requirements of the Event Management Plan each year.

- 2.4 In addition, the Committee reserved the right to determine how the final Event Management Plan for the festival should be agreed, with the facility for the final plan to be agreed by the Committee or officers under delegated authority.
- 2.5 In 2008 the licence was varied to include the following licensable activities (B) Films, (E) Live Music, (F) Recorded Music, (H) Anything of a similar Description to that Falling within (E) or (F), (I) Provision of Facilities for Making Music, (J) Provision of facilities for Dancing, (K) Provision of facilities for Entertainment of a Similar Description to that falling within (I) or (J), within designated camp site areas until 06:00hrs.
- 2.6 Members may recall that at the Licensing Committee meeting on the 4 December 2008 (Minute 3.1) a report of the outcome of the 2008 event was given which advised Members that the main issue was the traffic Management on the Thursday prior to the start of the event. Mr. Benn the festival organiser advised Members that an alternative traffic management plan would be considered for the 2009 event.
- 2.7 In 2009 a new traffic management plan was introduced to the satisfaction of the Licensing Committee. The 2009 event passed with no traffic problems.
- 2.8 The applicant provided the draft Event Management Plan for the 2010 Festival to all responsible agencies on the 13 November 2009. The Event Management Plan detailed proposals to re position the stage due to the crowd dynamic issues between the two main arenas in 2009.
- 2.9 As in previous years a copy of the Summary of Changes from the 2009 event was circulated to Members of the Licensing Committee and Ward members in the wards surrounding the event site.
- 2.10 To ensure the widest circulation of information the organisers held meetings with the Parish/Town Councils in the areas surrounding the event site and maintained regular contact with them.
- 2.11 The first multi agency meeting with the responsible agencies was held on the 25 February 2010 and these meetings were held on a regular basis up until the event.
- 2.12 At the Licensing Committee meeting on the 20 July 2010 Members resolved:
- 1) To thank Mr. Benn for his attendance and informative presentation.
 - 2) To delegate authority to the Assistant Chief Executive (Corporate Governance) to approve the Event Management Plan and any minor amendments prior to the start of the event.

3.0 FESTIVAL LIAISON

- 3.1 Throughout the duration of the festival multi-agency meetings were co ordinated between all agencies and the licence holder or his representatives.
- 3.2 These meetings are called each day to give updates from the Festival Republic and to report any issues identified requiring attention.

4.0 MULTI AGENCY DEBRIEF

- 4.1 Multi agency debriefs were held on the 7 October 2010.
- 4.2 In general all agencies were satisfied with the running of the event.

4.3 Comments from Agencies

West Yorkshire Police:

- 1) West Yorkshire Police were very pleased with the CCTV and communication with the operating company.
- 2) West Yorkshire Police reported that crime was down overall on 2009. Details of reported crime are noted in Appendix 1. The majority of the total crime was theft from tent (143 incidents). Almost half of these occurred in Orange Camping. Brown camping which has hardly featured in previous year had 9 reported. An assault was also reported in Brown Camping and WYP recommend that additional security is in place for next year.
- 3) There were 21 Arrests, a reduction of 18 from last year. WYP believe this was due to the Leeds Festival Security taking action early and evicting people before they were offending.
- 4) WYP reported that Operation Northdale (an award winning rape prevention campaign) was a success as no cases of sexual assault were reported. This operation will be repeated next year.

West Yorkshire Fire and Rescue:

West Yorkshire Fire and Rescue thought that the event went very well and their only recommendation for future events was the provision of additional fire back packs in the arena particularly on the Sunday night and for the arena teams to be vigilant in detecting and reporting camp fires in the arena.

Environmental Protection:

- 1) A total of 24 noise complaints received from 20 complainants at 19 households, the same numbers as last year.
- 2) Complaints were received from the Thorner and Barwick in Elmet areas in the main as opposed to last year when the complaints mainly came from the Bramham area. This was due to the wind direction over the weekend.
- 3) Environmental Protection noted that the noise issues appeared to be generated from the Piccadilly Party DJ on the Thursday. To counter this issue the microphone was removed from the DJ.
- 4) Environmental Protection would like sound propagation tests for all the camp site music stages in 2011.
- 5) Post event a complaint was received from a Barwick in Elmet resident requesting assistance from the council in the reduction of noise from the site. Environmental Protection officers are in correspondence with the complainant.

Environmental Health/Health and Safety:

- 1) Generally the sanitation on site was very good but there were some issues with the pipes supplying water to the water points. It was noted that some joints were not properly secured causing leakage.

- 2) Initial water supply testing prior to the start of the event identified a high iron content, as the system was in low level use and no tanker water was being used at the time it was likely to be the supply network rather than the water at issue. This did not constitute a health hazard.
- 3) Biological water testing throughout the event did not highlight any major issues.
- 4) It is recommended that a new sampling regime be looked at for 2011 and beyond.

Building Control:

- 1) Building Control noted that the main stage position was much better than previous years and the disabled viewing platforms afforded an excellent view.
- 2) It was recommended that radio communication between the stage right and stage left disabled platforms to ease pressure as stage right was the most popular platform.
- 3) The crowd dynamic issues identified in 2009 did not occur this year but it was evident that the audience identified that the area by Foxtrot Gate gave an excellent view of the main stage and a large number stopped to view the concert causing a blockage. Festival Republic confirmed that additional security would be deployed in this area in the future to keep the audience moving.

Yorkshire Ambulance Service

- 1) Yorkshire Ambulance Service advised that the event was well managed and well resourced.
- 2) Yorkshire Ambulance Service transported 6 patients from the site.

Trading Standards:

- 1) A new initiative this year was a tout response vehicle which was staffed by Festival Republic Managers, West Yorkshire Trading Standards officers, West Yorkshire Police, Department of Works and Pensions and Leeds City Council Highways Enforcement Officers.
- 2) The remit of this initiative was to look at illegal trading of tickets and counterfeit goods on the highway.
- 3) The multi agency tout response vehicle worked very well and resulted in 7 cease trading orders and 2 arrests. No forged tickets were found.
- 4) Trading standards are to look at having an additional team working during the festival as the tout team was called into the site on a number of occasions.
- 5) Inland Detection officers attended the festival in respect of illegal tobacco sales. No major issues identified and will be unlikely to attend future events. Trading Standards did confiscate some cigarettes and issued a warning letter.

Licensing Section:

- 1) Throughout the event inspection by Licensing Officers identified some issues with security staff undertaking activities for which they were not appropriately authorized for, when reported these issues were dealt with and the staff involved were removed and re briefed on their duties.
- 2) It was noted that at peak times there was pressure around Foxtrot Gate as Festival Republic staff entering and leaving the arena conflicted with festival attendees going

into the main arena. It was suggested that an alternative route for staff may alleviate this issue.

Traffic Management De Brief:

- 1) All traffic related agencies considered the traffic management plan was a huge success.
- 2) Festival Republic and the agencies are to look at some improvements to the traffic management plan for the Wednesday as the early bird tickets now total some 20,000.

Festival Republic:

- 1) Festival Republic considered that the festival was very successful this year.
- 2) The multi agency tout response vehicle worked very well and its operation will be extended in 2011.
- 3) Particular successes of note were the traffic management, behavior on the campsites on the Sunday night, proactive evictions, sanitation, the new main stage location, and the CCTV standard.
- 4) Festival Republic thanked all agencies for the team effort throughout the build up and during the event.
- 5) A summary of the statistics presented to the multi agency de brief is attached at Appendix 2 for Members information.
- 6) It was noted that an application to increase the capacity of the event site by 20,000 to 89,999 will be submitted and subject to grant will be implemented over 4 years at 5,000 per year.

5.0 RECOMMENDATION

- 5.1 Members are requested to note this report.

Appendix 1

Time Figures			
Total Reported	238		
Breakdown of Figures			
Armed	1		
Sexual Assault	1		
Aggravated Assault	4		
Domestic Violence	2		
Stalking	11		
AGGRAVATED ASSAULT FROM MOTOR VEHICLE	1		
CHILD ABUSE/NEGLECT	6		
DOMESTIC VIOLENCE	2		
OBSCENE EXHIBITION	1		
AGGRAVATED ASSAULT FROM MOTOR VEHICLE	2		
AGGRAVATED ASSAULT NON SPECIFIC	137		
AGGRAVATED ASSAULT FROM PERSON	70		

Appendix 2

	2010	2009	Change
Arrests	9	23	Reduction of 14
Convictions			
Total Number	456	408	Increase of 48
Breakdown			
Wristband	235		
Anti Social Behaviour	173		
Handed over to the Police	24		
Drugs	4		
Unofficial Trading	12		
Health & Safety Issues	4		
Detained and allowed to return	14		
Medical			
Treated	1637	1490	Increase of 147
Admitted to Hospital	21	17	Increase of 4
Register of Refusals	Challenged 6016 Refused 1128	Challenged 4605 Refused 1127	
Transport Figures			
Shuttle Bus/Coach	25895 persons	29672 persons	
Weekend Cars	13,000		
Drop offs	6,000		
Day Cars	2,500		

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Report of the Assistant Chief Executive (Corporate and Governance)

Licensing Committee

Date: 16th November 2010

Subject: Three year review of Statement of Licensing Policy

Electoral Wards Affected:

Specific Implications For:

Ethnic minorities

Women

Disabled people

Executive Summary

Section 5 of the Licensing Act 2003 requires licensing authorities to prepare and publish a statement of licensing policy every three years. The council's first Statement of Licensing Policy was adopted by Council on 12th January 2005 and was reviewed in 2007 for adoption in Dec 2007.

The current policy is now due for review and the revised policy is due for adoption by 5th January 2011.

This report advises Licensing Committee of the current status of the review.

1.0 Purpose Of This Report

- 1.1 This report is to inform the Licensing Committee of the review and public consultation of the Licensing Act 2003 Statement of Licensing Policy 2011 to 2013. This report briefly details the changes proposed in the review. Both the draft Policy and a Final Consultation Report are available as background papers. However a briefing note detailing the changes to the policy is attached at Appendix 1.

2.0 Background Information

- 2.1 Section 5 of the Licensing Act 2003 requires licensing authorities to prepare and publish a statement of licensing policy every three years. The council's first Statement of Licensing Policy was adopted by Council on 12th January 2005 and was reviewed in 2007 for adoption in December 2007.
- 2.2 The current policy is now due for review and the revised policy is due for adoption by 5th January 2011.
- 2.3 In drafting and approving the revised policy the council will need to have regard to the guidance issued under Section 182 of the Act. In addition, before determining its policy for a three year period, a licensing authority must consult the persons and bodies set out at Section 5(3) of the Act.

3.0 Main Issues

- 3.1 Changes to policy
- 3.2 An initial review determined that the policy only required minor amendments to reflect recent changes within the Licensing Act 2003.. These amendments were made and a draft policy was distributed to the responsible authorities. No comments were received.
- 3.3 In 2007 the council made a commitment to thoroughly review the cumulative impact policies (CIPs) that affect the city centre, Headingley, Hyde Park, Chapel Allerton and Horsforth at the next review of the policy in 2010. This review was started in February 2010 and involved consultation with ward members, West Yorkshire Police and Leeds City council's City Development Department. The concerns of the residents were taken into consideration (via the relevant ward members) as well as statistics provided by West Yorkshire Police and Leeds City Council's Health and Environment Action Service.
- 3.4 The five existing CIPs were scrutinised and amendments were agreed which generally increased the areas involved and, in some cases, increased the scope to include other premises which have created an adverse impact on those areas.
- 3.5 The proposed changes are provided at appendix 1.

3.6 Approval

3.7 The approval of a statement of licensing policy is a matter for full Council. The policy must be approved and reissued no later than 5th January 2011. Now the public consultation has been completed the final draft has been taken to Executive Board on 3rd November and full Council on 17th November.

4.0 Implications For Council Policy And Governance

4.1 In drafting and approving the revised policy, the council will need to have regard to the Section 182 guidance in the same way members of the Licensing Committee need to have regard to the guidance when making individual licensing decisions.

5.0 Legal And Resource Implications

5.1 No significant resource implications identified.

5.2 The policy lays down the council's main principals for exercising its functions under the Licensing Act 2003 and can be challenged by both the trade and the public. It is necessary to ensure that the policy is legally watertight and any departures from the Section 182 guidance can be justified.

6.0 Conclusions

6.1 The three yearly review of the licensing policy is due to take place this year. The policy approval is a matter for full Council, however Officers have met with all interested Area Committees to provide an early opportunity for input.

7.0 Recommendations

7.1 That Licensing Committee note the contents of this report.

Appendix 1 Briefing Note – Changes to Statement of Licensing Policy 2011-2013

Background Papers:

- Licensing Act 2003 Statement of Licensing Policy 2011-2013
- Final Consultation Report

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Purpose

This briefing note sets out the changes to the Statement of Licensing Policy 2011-2013 following the review and public consultation.

Changes

New sections were added to reflect changes in the legislation since the last review of the policy took place in 2007.

Excessive Consumption of Alcohol/Binge Drinking

- 6.21 From April 2010 new mandatory conditions came into effect which:
- Ban irresponsible promotions;
 - Ban the dispensing of alcohol directly into the mouth; and
 - Ensure that customers have access to free tap water so that they can space out their drinks and not get too intoxicated too quickly.
- 6.22 The legislation makes it clear that an irresponsible promotion is one that is "carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carried a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance or harm to children".
- 6.23 As a consequence any on-trade premises which participates in irresponsible drinks promotions will be breaching licence conditions and will be dealt with in accordance with the council's "Leeds Responsible Authority Liaison and Joint Enforcement Protocol - Licensing Act 2003" which is available from the Leeds City Council website.
- 6.24 The council expects applicants to consider the issues relating to the irresponsible drinks promotions when completing risk assessments or operating schedules.

Community Halls

- 9.13 The Legislative Reform (Supervision of Alcohol Sales in Church and Village Halls etc) Order 2009 amends the Licensing Act 2003 to allow management committees of community premises to make an application for a premises licence or to vary an existing premises licence which includes an application to remove the requirement of a designated premises supervisor and the authorisation of the sale of alcohol by a personal licence holder.
- 9.14 The council has issued guidance to community premises on this process which can be accessed on the council's website.

Minor Variations

- 9.15 It is now possible to make small changes to premises licences or club premises certificates through the minor variation process, which is cheaper, easier and quicker than the full variation process. The test for whether a proposed variation is 'minor' is whether it could impact adversely on any of the four licensing objectives.

- 9.16 The council has issued guidance on this process which can be accessed on the council's website.
- 9.17 The DCMS has also provided guidance which can be accessed on their website at <http://www.culture.gov.uk>

Age Verification Policy

- 12.40 It is mandatory for premises who sell or supply alcohol to have an age verification policy in place. However, the council favours the Challenge 25/Check 25 type schemes and such a scheme volunteered as part of an operating schedule will be given the appropriate weight when the council determines the licence application.

Section 7 – Cumulative Impact Policies

We reviewed the introductory section which explains what a cumulative impact policy is. We wanted to provide some clarity about what cumulative impact policies are. This section also gives advice to applicants on how applying for a licence for a premises may need to be different is that premises is in a cumulative impact area.

The section now reads:

- 7.4 A cumulative impact policy creates a rebuttable presumption that applications within the cumulative impact areas for new premises licences or variations that are likely to add to the existing cumulative impact will normally be refused if relevant representations are received.
- 7.5 An applicant wishing to obtain a new or varied licence for premises falling within any of the cumulative impact areas must identify, through the risk assessment process (if used) and operating schedule, the steps that he or she intends to take so that the council and responsible authorities can be satisfied that granting a new licence will not add to the impact already being experienced.
- 7.6 To assist this process applicants are encouraged to make early contact with the responsible authorities to discuss their plans, and suggested control measures. Applicants should also have particular regard to the guidance issued under section 182 of the Act.
- 7.7 Despite the presumption against grant, responsible authorities and interested parties will still need to make a relevant representation before the council may lawfully consider giving effect to its cumulative impact policy. For example, if no representation is received, the application must be granted subject to any conditions that are consistent with the operating schedule and any mandatory conditions required by the Licensing Act 2003. Responsible authorities and interested parties can make written representation referring to information which had been before the council when it developed its statement of licensing policy.
- 7.8 The council recognises that a cumulative impact policy should not be absolute. The circumstances of each application will be considered properly and application for licences that are unlikely to add to the cumulative impact on the licensing objectives may be granted. After receiving representations in relation to a new application or for a variation of a licence, the licensing authority will consider whether it would be justified in departing from its cumulative impact policy in the light of the individual circumstances of the case. The impact can be expected to be different for premises with different styles and characteristics. If the council decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of the licensing objectives and that necessary conditions would be ineffective in preventing the problems involved.

7.9 Any relevant representation of support from partner agencies such as area committees, local ward members, responsible authorities, residents association etc, will be taken into consideration by the council when making its determination.

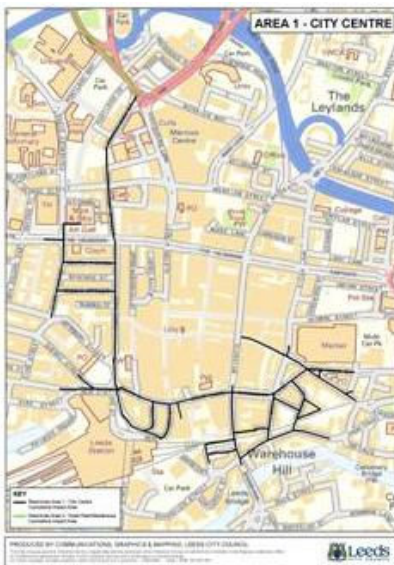
Changes to the Cumulative Impact Policies

Area 1 – City Centre

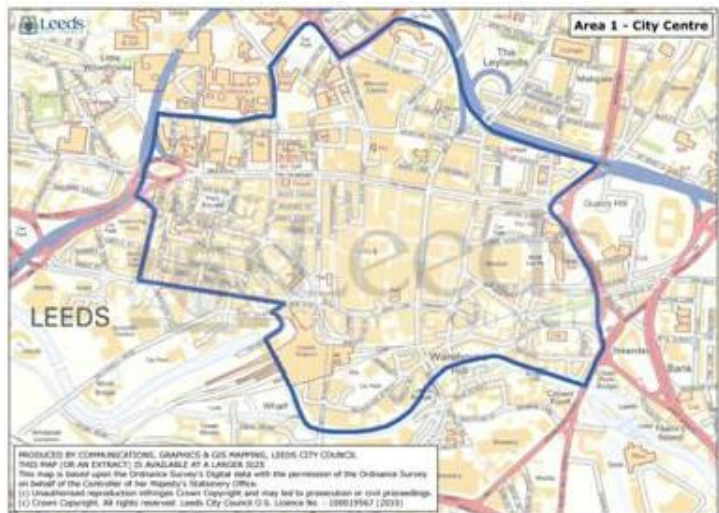
Summary of proposed changes

1. Move away from defining the area by named streets, and move towards defining the area by a boundary line.
2. Increase the scope of the policy to include all premises licensed for the sale of alcohol and remove the restriction that the CIP only applies to late night vertical drinking establishments.
3. Clarify that all applications (new and variation) are included within the scope of the CIP.

Current map



Proposed map



Current wording:

It is the council's policy on receipt of relevant representations to refuse applications in Area 1 for night clubs and for pubs and clubs which are characterised as large capacity vertical drinking premises (sometimes called high volume vertical drinking establishments) which are premises with large capacity used primarily or exclusively for the sale or consumption of alcohol, and which have little or no seating for patrons.

It is also the council's policy on receipt of relevant representations to refuse applications for new premises seeking a licence to provide hot food between 11.00 pm and 5.00 am where the food is purchased to take away from the premises as opposed to premises where the food is to be consumed on the premises and whilst patrons are seated at tables provided for that purpose.

Proposed wording

It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in Area 1 for alcohol led premises such as bars, pubs and nightclubs and for premises seeking late night refreshment such as takeaways and late opening restaurants, unless the applicant can demonstrate that their application would not impact on the cumulative effect of such licensed premises in the area.

Area 2 – Headingley/Hyde Park

Summary of proposed changes

1. Move away from defining the area by named streets, and move towards defining the area by a boundary line.
2. Increase the area to include the Hyde Park area.
3. Include variation applications within the scope of the CIP.
4. Change of name to reflect the increased area.

Existing map



Proposed map



Existing wording

It is the council's policy, on receipt of relevant representations, to refuse applications in Area 2 for premises which are predominantly 'alcohol-led'. It is also the council's policy to refuse applications to materially extend the opening hours of any licensed premise within the area.

In addition It is also the council's policy on receipt of relevant representations to refuse applications for new premises seeking a licence to provide hot food between 11.00 pm and 5.00 am where the food is purchased to take away from the premises as opposed to premises where the food is to be consumed on the premises and whilst patrons are seated at tables provided for that purpose.

Proposed wording

It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in Area 2 for alcohol led premises such as bars, pubs and nightclubs and for premises seeking late night refreshment such as takeaways and late opening restaurants, unless the applicant can demonstrate that their application would not impact on the cumulative effect of such licensed premises in the area.

Area 3 – Woodhouse

There has been no change made to Area 3, other than a reduction in length so that it fits between Area 1 and 2, and a name change to remove the reference to Hyde Park (which now forms part of Area 2).

Area 4 – Chapel Allerton

Summary of proposed changes

1. Add takeaways and variation applications within the scope of the CIP

Proposed map

The boundary of the CIP was not changed.



Current wording:

It is the council's policy, on receipt of relevant representations, to refuse applications in Area 4 for licences for new pubs, clubs, bars, café bars and restaurants.

Proposed wording

It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in Area 4 for licences for pubs, clubs, bars, café bars, restaurants and takeaways, unless the applicant can demonstrate that their application would not impact on the cumulative effect of such licensed premises in the area.

Area 5 - Horsforth

Summary of proposed changes

1. Increase geographical area to include New Road Side
2. Add takeaways and variation applications within the scope of the CIP

Current map



Proposed map



Current wording

It is the council's policy, on receipt of relevant representations, to refuse applications in Area 5 for licences for new pubs, clubs, bars, night clubs, café bars and restaurants.

Proposed wording

It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in Area 5 for licences for pubs, clubs, bars, café bars, restaurants and takeaways, unless the applicant can demonstrate that their application would not impact on the cumulative effect of such licensed premises in the area.



Originator: Sue Holden

Tel: 51863

Report of the Assistant Chief Executive (Corporate and Governance)

Licensing Committee

Date: 16th November 2010

Subject: Large Casino Update

Electoral Wards Affected:

Specific Implications For:

Ethnic minorities

Women

Disabled people

Executive Summary

The Gambling Act 2005 provided Leeds City Council with the opportunity to grant a Large Casino Premises Licence under a two stage process which will determine a licence on the greatest benefit to the City.

Officers are now starting the preliminary stages for this competition and are reporting to Licensing Committee on the next steps in the process.

1.0 Purpose Of This Report

- 1.1 This report is to inform the Licensing Committee of the progress of the Large Casino project and their delegated responsibilities during this process.

2.0 Background Information

- 2.1 The Gambling Act 2005 (the Act) changed the legislation governing the licensing of casinos significantly. Under the Act seventeen new casino licences were to be granted, each of which are to be significantly larger than existing casinos. The licences are broken down as follows: one regional casino, eight large casinos, and eight small casinos. The DCMS formed a special Casino Advisory Panel (CAP) to recommend where the new casinos should be located.
- 2.2 In April 2008 Parliament dropped the regional casino and approved the eight small and eight large casinos in line with the CAPs original recommendations. Leeds was awarded a large casino licence.

3.0 Main Issues

- 3.1 Work has begun on the formation of a policy and the application pack. As previously advised the policy will follow the Budgetary and Policy Framework rules, progressing through to full Council. The application pack, which will include the evaluation matrix, will be progressed through Licensing Committee.
- 3.2 As both the policy and the application pack will contain the same basic information, both pieces of work are being developed together. These documents provide the information required by applicants to enable them to provide a second stage application bid which will be able to be evaluated alongside the other bids received at that stage.
- 3.32 Project Board – The Development Department has formed a Project Board to approve each stage in the process and control spending in line with a budget already agreed with Executive Board.
- 3.4 Advisory Panel – The project board has determined that a level of expert advice will be required to evaluate the second stage bids, especially in regards to the financial aspect of the bids. Development have been tasked with procuring this advice in the form of a consortium of consultants who will provide input into the financial requirements of the policy and the evaluation matrix. This procurement is ongoing, with the aim to have specialist advice in place by December to progress the policy and application pack. The consultants may then form part of the Advisory Panel who will assist the Licensing Committee to evaluate the 2nd stage bids.
- 3.5 Policy and Application Pack – Entertainment Licensing has been working with the Economic Development Unit on a draft Policy. The latest draft will be refined further with the assistance of the procured expertise.
- 3.6 The final draft of the policy will be taken through the Budgetary and Policy Framework process, to be approved as the Public Consultation draft by full Council. The policy will also be taken to Scrutiny Board for their comments.
- 3.7 The current timetable allows for adoption by Council in July. As the approval phase of the policy development takes approximately 6 months, the policy will have to be ready for

consultation by the end of January. Should this not be feasible the timetable could slip two months, for adoption by council at their September meeting.

3.8 The application pack will be developed at the same time, with a four week consultation with the trade around May/June. The application pack will be presented to the Licensing Committee for their approval for consultation in April.

3.9 Public Consultation – Once the public consultation documents are ready, officers will arrange a 12 week consultation. This will be advertised in libraries, one stop shops and leisure centres by way of a poster. A webpage will be created and a web form will be available for people to make comments online.

3.10 Timescales – the current timescales being worked to are as follows:

Dec 10	Advisory Panel in place
Feb-Apr 11	Public Consultation
Aug 11	Advertise competition
Aug - Oct 11	Stage 1 process
Jan 12	Stage 2 process
May 12	Issue licence

3.11 Training – Full training for members will be given to provide Licensing Committee with background knowledge of the casino industry as well as specialist knowledge they will need to interpret the evaluation report provided by the Advisory Panel, and the Stage 2 bids received from the applicants.

4.0 Implications For Council Policy And Governance

4.1 The principles will need to be included in the Gambling Act 2005 Statement of Licensing Policy which will have to follow the normal approval process following the Budgetary and Policy Framework

5.0 Legal And Resource Implications

5.1 The contents of the application pack and the grant of the licence are Part 8 functions of the Act and are expressly a matter for the council's Licensing Committee, although the principles that the committee will use to inform its decision on greatest benefit will be contained within the council's statement of licensing policy subject to full Council approval.

6.0 Conclusions

6.1 The project is now proceeding, with the project board being formed and an Advisory Panel appointed in the near future.

7.0 Recommendations

7.1 That Licensing Committee note the contents of this report.

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Report of the Assistant Chief Executive (Corporate Governance)

Licensing Committee

Date: 16th November 2010

Subject: Sexual Entertainment Venues Update
Local Government (Miscellaneous Provisions) Act 1982

Electoral Wards Affected:

Specific Implications For:
Ethnic minorities <input type="checkbox"/>
Women <input type="checkbox"/>
Disabled people <input type="checkbox"/>

Executive Summary

The Policing and Crime Act 2009 amends the Local Government (Miscellaneous Provisions) Act 1982 s2 and Sch 3 to introduce a new classification of sex establishment, namely sexual entertainment venues. Potentially, this brings to lap dancing, pole dancing and other “relevant entertainment” within a new licensing regime.

The Licensing Committee previously resolved to recommend adoption of the new powers to Council and set up a cross party working group to develop a policy and standard conditions.

This report updates members of the Licensing Committee about the progress the working group have made in developing a policy and standard conditions.

1.0 Purpose Of This Report

- 1.1 The purpose of this report is to provide an update to members of the Licensing Committee about the progress the working group have made in developing a policy and standard conditions

2.0 Background Information

- 2.2 On 22nd Licensing and Regulatory Panel decided to recommend to Council to adopt the provisions of Sch 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009.
- 2.3 The Panel also determined to develop a policy and set of standard conditions relating to sexual establishments, in particular sexual entertainment venues, sex shops and sex cinemas.
- 2.4 The Panel formed a cross party Working Group to work with officers of Entertainment Licensing to develop the policy and conditions.

3.0 Main Issues

3.1 Work Completed

- 3.2 The Working Group has met three times to discuss the development of the policy.
- 3.3 At the first meeting it was decided that the working group needed expert advice regarding the issues surrounding sex establishments and lap dancing clubs in particular.
- 3.4 At the second meeting the working group heard from:
- Prof T Sanders, Leeds University on her research into lap dancing clubs, and her initial findings
 - Chief Insp McNeil, West Yorkshire Police, who described the types of crime and disorder associated with sex establishments
 - Mark Heap, Taxi and Private Hire Licensing, who described specific issues relating to the contract hire of vehicles relating to lap dancing clubs.
- 3.5 For the third meeting officers had prepared a first draft of a policy, reflecting the issues described to the Working Group by the three speakers at the previous meeting. The Working Group read through and discussed issues such as
- Advertising
 - Dancers Welfare Pack
 - External appearance of clubs
 - Locality
 - Limiting numbers

3.6 Future work planned

3.7 The Working Group intends to continue to develop the policy and conditions.

3.8 Interest has been expressed by the council's Domestic Violence team (whose agenda includes violence against women) to meet with the Working Group to discuss issues they experience in their work with women.

3.9 The group intends to pre-consult on the policy with the trade, with a meeting to include all existing businesses. This will provide assurance on the workability of the proposed policy.

3.10 The group intends to visit sex establishments in Leeds, to see how the premises are managed and operate and the issues that the public, entertainers and businesses may face.

3.11 Consultation Methodology

3.12 It is the Council's usual practice to develop a policy, in consultation with relevant stakeholders and to undertake a three month public consultation with members of the public, the trade and stakeholders. If there are major changes after public consultation a second public consultation will be required.

3.13 The Group intends to undertake the public consultation mid 2011, with the policy ready for adoption at the Council's September meeting.

4.0 Implications for Council Policy and Governance

4.1 This report is to advise members on the work undertaken to develop a policy, therefore any implications for Council Policy and governance will be identified and addressed during the presentation of the policy itself.

4.2 The development of a policy under the Local Government (Miscellaneous Provisions) Act 1982 is a responsibility delegated to the Licensing Committee under the Council's constitution.

4.3 After the public consultation, when the policy is ready for adoption it should be referred back to Council at the same time as the Council's resolution to adopt the provisions of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009.

5.0 Legal and Resource Implications

5.1 Legal advice will be required to advise the council on the proposed policy.

5.2 Once a policy has been developed the subsequent consultation is likely to attract a large number of responses, both from the trade, members of the public and interested action groups. This will have resource implications for Entertainment Licensing who will need to handle enquiries from the public and written responses to the consultation.

5.3 The transitional arrangements will also apply pressure on the council with a high number of representations expected for each of the applications.

6.0 Conclusions

6.1 The Government has provided local authorities with a way of controlled the number and location of lap dancing clubs in their area. It has also given the Council great latitude in deciding the policy relating to sex establishments in the Leeds area.

6.2 The Working Group formed by the Licensing Committee is currently developing a policy and standard conditions, and has sought advice from partners in relation to the contents of the policy.

7.0 Recommendations

7.1 That Members note the contents of the report.

**LICENSING COMMITTEE
SEXUAL ENTERTAINMENT VENUES WORKING GROUP**

15TH OCTOBER 2010

PRESENT Councillor Armitage

IN ATTENDANCE

S Holden – Principal Project Officer
P Carville – Principal Licensing Officer, Entertainment Licensing
R Des Forges - Solicitor
S Kennedy – Principal Liaison & Enforcement Officer, Entertainment Licensing
N Raper – Section Head, Entertainment Licensing
H Gray - Clerk

APOLOGIES Councillors Grayshon and Wilson

13 WELCOMES AND INTRODUCTIONS

Councillor Armitage welcomed all present and noted absences and receipt of apologies.

14 MINUTES

AGREED – The minutes of the previous WG meeting on 3rd September 2010 were agreed as a correct record

15 TIMETABLE/PROJECT PLAN

Noted the previously agreed timetable

Overall:

- To undertake discussions with the experts at an early stage – completed
- To commit to undertaking a site visit
- To request officers secure a copy of the Dispatches DVD
- To draft a policy prior to going out to public consultation - ongoing

Short Term

- To request a map showing the location of existing LD Clubs currently licensed under the LA 2003 in Leeds – completed
- To place emphasis on regulation of LD Clubs in the first instance - completed

Long Term:

- Public consultation period January to March 2011

Noted the following amendments to the timetable

- Public consultation now proposed for March to May 2011
- Adoption by full Council proposed for July 2011
- Sub Committee hearings likely to commence January 2012

Agreed the following additions to the timetable

- To agree to meet with the trade to discuss the draft policy prior to the public consultation.
- Briefings/seminars be arranged with accompanying note for all Members of Council on the Policy prior to the public consultation period

- Officers to engage with Area Committees during the public consultation period

The WG discussed whether it was necessary to report to Scrutiny during the process of drafting the Policy and considered:

- All 99 Members would be consulted throughout the consultation process, via direct contact, group briefings, the LCC website and Area Committees
- This would provide them ample opportunity to respond and/or raise issues
- Engagement with the trade at an early stage would afford the trade an early opportunity to comment and discuss initial proposals
- These measures would provide a robust framework for the Policy should any party choose to scrutinise it at a later date.

The WG considered that, subject to legal advice, it was not necessary to engage Scrutiny in the process

16 POLICY DEVELOPMENT - LICENSING OF SEX ESTABLISHMENTS – STATEMENT OF LICENSING POLICY

The Principal Project Officer tabled a draft copy of the Statement of Licensing Policy in respect of the Licensing of Sex Establishments for discussion.

The Policy contained 9 Sections, based on the approach to previous Policy Statements drawn up for the LA2003 and GA2005. It was accepted that the various Sections would be refined in due course.

The WG discussed in detail:

Section 7 – General Principles

- Whether each application would be determined on its own merit or whether the City would set a limit for the number of lap dancing clubs in the City. The WG considered the merits and challenges associated with each of the options
- The WG noted that paragraph 7:14 of proposed the Policy included reference to “discretionary grounds” for the refusal of an application and requested the following issues be included:
 - Culturally sensitive areas,
 - Proximity to premises regarded as sensitive – such as schools, churches

AGREED –

(a) The WG agreed that each application should be considered on its own merit, having regard to the completed Policy

(b) The WG agreed that para 7:14 should be amended to include reference to culturally sensitive areas and proximity to sensitive premises as detailed above

The WG then considered the proposed conditions to be attached to the Licences:

Appendix 1 – Pool of Conditions

Proposed Standard Conditions for Sexual Entertainment Venues

6	To amend to read “All rules (customer conduct, <i>code of conduct for entertainers</i> , dispersal policies etc) to be prominently displayed on the premises”
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15	Needs to be clearer for enforcement purposes regarding the style of payment. Will patrons continue to be allowed to place money on the person of the entertainer?
16	The 1m distance rule is a safety measure. The practicalities of this will be discussed with the trade
17	Noted the conditions would allow performers to remove ALL clothes
20	To amend to read " <i>The taking of photographs (and visual film footage) is not permitted on the premises (during operating hours)</i> "
	External appearance
21	Poster display prohibiting U18's. Each club would be required to display the same wording in a uniform style Appropriate measurements/colours to be discussed
22	External signage/display to be strictly controlled. Appropriate measurements/colours of signage to be discussed. Request an image of the premises in the streetscene with the proposed external display superimposed. Consider appropriate "brand name" for the clubs – all will be required to display this to give an indication of the entertainment within but to differentiate from other clubs. The phrase " <i>gentlemen's club</i> " was discussed.
23	Advertisement – discussed the need for policy guidance on this issue particularly Commented that a uniform approach to advertisement/window display was in danger of sanitising the appearance of the clubs. Advertisement could be displayed within the lobby area. LCC will condition submission of an internal layout plan and any changes to the layout will require permission from the authority (refer to Condition 28) The Guidance to make reference to "advertising material" which was intended to encompass leaflets, flyers and stickers
	Management of the premises
32	Guidance required on the implications of a "body corporate" or an "incorporated body" as the premises operator
35&36	To amend to refer to condition 21 (not 17) To amend 36 to reflect the wording of the LA 2003 "people under the age of 25 will be required to show <i>acceptable forms of ID</i> "
	Safety & Security
39	To amend to reflect the wording of the standard CCTV conditions used under LA 2003.
41	To note the proposed abolition of the SIA. Replacement arrangements would need to be reflected. To amend to "Suitable numbers of SIA registered doorstaff ... <i>will be on duty</i> on the premises..."
	Dancers Welfare
42 - 45	Noted these were included in response to the previous SEV WG discussions.
	Vessels, stalls and vehicles
46	Requires clarity to ensure the use of stretch limousines is included

47	Relates to the car/vehicle livery. This condition would control the manner in which vehicles advertised the venue
48	Commented that this condition would control the manner in which customers were picked up and transported to the venue, if LCC Taxi & Private Hire Licensing could not Noted the public consultation period would conclude in May 2011 which should provide LCC T&PHL time to consider appropriate controls
	Noted that the vehicles could be the operators own private vehicle – and therefore not necessarily covered by the conditions on the licence re: advertisement or rules about passengers. Considered seeking information from Westminster Council on how these issues dealt with there

Proposed Standard Conditions for Sex Shops

	External Appearance
	This section to be renamed “ <i>Standard Conditions/Advertising</i> ”
	The term “advertising” to encompass advertising on the radio as well as newspapers and billboards
	To include an additional condition preventing the use of camcorders on the premises

Proposed Standard Conditions for Sex Cinemas – Noted

Appendix 2 – the Application Forms & Notices

AGREED – To note the draft application forms and notices

17 FUTURE MEETING DATES

AGREED

Friday 26th November 2010 at 10.00 am in the Civic Hall, Leeds

Thursday 13th January 2010 at 2.00 pm in the Civic Hall, Leeds

LICENSING COMMITTEE WORK PROGRAMME - LAST UPDATED 27 Oct 2010 (hg)

ITEM	DESCRIPTION	NOTES	TYPE OF ITEM
Items Currently Unscheduled			
Youth Service	Review of work being done on under age consumption of alcohol	Requested by LC at meeting 04/10	B
WYTSS	Test purchasing and other measures tackling under age sales		B
Nighttime economy strategy	Briefing by revised strategy	Clare McCall	B
TPHL policies	To agree a schedule for policies to be refreshed and approved		DP
Driver licences – nationality and immigration status checks	To consider amending the existing driver application process to include checks on applicants right to work in the UK		DP
Constitution for trade forums	To approve new constitution	Des Broster	DP
Regular Renewal of CRBs for Licence Holders	Review, timetable to be agreed having regard to necessary public consultation	Martyn Johnson	

ITEM	DESCRIPTION	Officer	TYPE OF ITEM
Meeting date: 20 July 2010 HELD			
LA2003 Policy consultation/ Leeds Festival EMP/Bargain Booze Appeal/WYP presentation			
Meeting date: 17 August 2010 CANCELLED			
Meeting date: 14 Sept 2010 HELD			
SEV WG update/Leeds Pubwatch briefing			
Meeting date: 19 October 2010 CANCELLED			

LICENSING COMMITTEE WORK PROGRAMME - LAST UPDATED 27 Oct 2010 (hg)

ITEM	DESCRIPTION	Officer	TYPE OF ITEM
Meeting date: 16 November 2010			
Leeds Festival	Debrief meeting report	Steve Holder	PM/B
EH Noise Service	Update on approach to licensing applications and noise from Licensed premises	Brian Kenny/Richard Bilsborough	B
SEVs	Update pre public consultation	Sue Holden	DP
Large Casino	Update and possible discussion on application pack	Sue Holden	B
NVQ/VRQs for drivers	Update and review report	Kate Coldwell	DP
LA 2003 Policy	Statement of Licensing Policy 2011-2013	Sue Holden	
Meeting date: 21 December 2010			
DPPO Burmantofts	To consider making a DPPO to cover areas of Burmantofts	Bev Yearwood	DP
Health Matters?	Briefing re impact of LA 2003 on health matters	John England	B
Meeting date: 18 Jan 2011			
Casino	Update – possible start of stage 1	Sue Holden	B
Cumulative Impact Policies	Members' Briefing on revised CIP areas		B

LICENSING COMMITTEE WORK PROGRAMME - LAST UPDATED 27 Oct 2010 (hg)

ITEM	DESCRIPTION	Officer	TYPE OF ITEM
Meeting date: 15 Feb 2011			
SEVs	Report back on public consultation and possible approval of policy	Sue Holden	B/DP
Meeting date: 15 Mar 2011			
Casino	Update on applications/arrange sub committee	Sue Holden	B
Meeting date: 12 April 2011			
Meeting date: 17 May 2011			
Casino	Update on stage 1 appeals/stage 2 process	Sue Holden	B
SEVs	Report on transitional applications	Sue Holden	B

Key:

RP – Review of existing policy

DP – Development of new policy

PM – Performance management

B – Briefings

SC – Statutory consultation

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