

Licensing Committee

Tuesday, 10th September, 2013

PRESENT: Councillor R Charlwood in the Chair

Councillors K Bruce, N Buckley, R Downes,
J Dunn, B Gettings, T Hanley, M Harland,
G Hussain, G Hyde, A Khan, P Latty,
B Selby, C Townsley and G Wilkinson

42 Declaration of Disclosable Pecuniary Interests

There were no declarations of interest

43 Minutes of the Previous Meeting

RESOLVED – That the minutes of the previous meeting held 13th August 2013 be agreed as a correct record

44 Matters Arising

Minute 39 Leeds Festival – In response to comments regarding the Leeds Festival 2013, it was noted that an interim report including the outcome of discussions between ward members and the Festival organisers would be presented to the next Committee meeting. A full De-Briefing report was anticipated for the November Committee with the attendance of Mr Benn, the Festival Organiser.

45 Information Report - Taxi and Private Hire Licensing Process for Equality Monitoring

The Head of Licensing and Registration presented a report providing information on how the Taxi and Private Hire Licensing Section (TPHL) proposed to capture equality monitoring information in order to better understand the profile of service users.

The Section Head, TPHL, provided detail on the development of the proposal, including reference to the Council's existing equality monitoring guidance and the proposed set-up and future operation of the data collection scheme. Members noted that the information would be provided on an entirely voluntary basis by service users in line with current equality legislation.

Included within the report at Appendix 1 were the standard categories for equality monitoring for Members reference. Appendix 2 contained a proposed Equality Monitoring Form for implementation by TPHL subject to Members consideration

The Committee broadly welcomed the proposal, developed in response to comments received previously from Members which had been identified equality monitoring as a priority. The following related issues were discussed:

- The comment that response rates to monitoring questionnaires were generally poor. Members requested information on the response rates to similar monitoring conducted by other LCC departments

- Measures to promote engagement with the trade
- The use of the data as a reference tool when included within statistical reports on delegated decisions undertaken by TPHL
- The contents of the proposed questionnaire, having regard to the need to collect only that data necessary to inform the Committee of the profile of the service users. The Committee agreed that the questionnaire should clearly state the intended use of the data
- The likely implementation date (November 2013); the length of time of the data collection process and the need to have an interim review of the response take-up to inform discussions on whether to continue the process or introduce further measures to promote the data collection
- The resources required to support the data collection; including the secondment of a skilled officer from the Entertainment Licensing Section (ELS) to establish the necessary separate and secure database to hold the data; and the possible impact this would have on service delivery within ELS.

Members discussed in detail the likely costs of the data collection process and sought a detailed breakdown of the associated budget. Some Members expressed concern over the use of the budget for equality monitoring and felt that enforcement was an equally important priority.

Arising from that discussion, the Committee requested a formal report be presented to a future meeting setting out the budgets for both ELS and TPHL in order to inform Members of the running costs of the two licensing regimes and support their decision making in respect of future initiatives.

Members noted the recommendations to support the commencement of equality monitoring data collection and associated set-up requirements however, having discussed the matter at length, the Committee felt that additional information in respect of the costs of the project was necessary prior to a decision being made. The Committee therefore

RESOLVED –

- a) To defer determination of the matter and request that the Head of Licensing and Registration present a further report to the next Committee detailing the resources required to support the equality monitoring project
- b) That the Head of Licensing and Registration be requested to provide information on the response rates to other monitoring conducted throughout the Council to Members directly
- c) That the Head of Licensing and Registration be requested to present a budget report for both the Entertainment Licensing Section and the Taxi & Private Hire Section to the October 2013 Committee meeting

46 Scrap Metal Dealers Act 2013

The Head of Licensing and Registration presented a report advising the Committee of the provisions of the Scrap Metal Dealers Act 2013 and the new licensing regime to be implemented by 1st December 2013.

The report detailed the background to the Act and set out the main issues for consideration as being the licensing regime to be implemented and the fee

structure. Members were advised that subject to receipt of Government guidance and /or amendment to the Act, this function would remain within the Executive functions however could be reclassified as a Council function (and therefore within the remit of the Licensing Committee) in the future.

The Committee discussed matters related to the implementation costs of the new licensing regime, the fee structure and requirements for applicants and operators. Members requested detailed information on how the proposed fee structure had been developed and it was agreed that this would be provided directly to Members

RESOLVED –

- a) That the contents of the report be noted
- b) That the Head of Licensing and Registration be requested to provide details setting out the calculation of the proposed fee structure directly to Members of the Committee

47 Specialist Sub Committee - Sexual Entertainment Venue Renewals

The Head of Licensing and Registration submitted a report seeking approval for the establishment of a specialist Licensing Sub Committee to determine applications for the renewal of sex establishment licences, specifically for sexual entertainment venues, and seeking consideration of the membership of such a sub committee

Members noted that the revised Statement of Licensing Policy in respect of Sex Establishments came into effect on 1st September 2013, with the expectation that applications for the annual renewal of the existing seven licences would be received during September and considered by the proposed sub committee during November 2013. However, one further application had been received for a new licence and was due to be considered before the end of September 2013.

The Committee considered that, in the circumstances, it would be beneficial if some of the Members of the Working Group previously established to review the relevant Statement of Licensing Policy were included within the membership of the specialist sub committee.

RESOLVED –

- a) That approval be given to the establishment of a specialist sub committee to deal with any application for s establishment licences for sex entertainment venues
- b) To note the membership of that sub committee as: Councillors Bruce, Downes, G Hussain, Khan and Townsley
- c) To note that a sub committee including Councillors Bruce, Khan and Townsley will consider the first application due to be presented to a hearing on 16 September 2013

48 Work Programme 2013/14

RESOLVED – That, subject to the inclusion of any additional matters identified at this meeting, the contents of the Licensing Work Programme be noted

49 Date and Time of Next Meeting

RESOLVED – To note the date and time of the next Licensing Committee meeting as Tuesday 15 October 2013 at 10:00 am