

Licensing Committee

Tuesday, 15th October, 2013

PRESENT: Councillor R Charlwood in the Chair

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

- 50 Exempt Information - Possible Exclusion of the Press and Public**
No items containing exempt information were included within the agenda papers; however the Committee noted that some of the discussions arising from the proposed presentation by West Yorkshire Police may contain information which would not ordinarily be available within the public domain, in terms of ongoing or planned operations. Members therefore agreed that, should any members of the public attend the meeting, those discussions would be held in private and at that point, the Committee would resolve to exclude the public. (minute 56 refers)
- 51 Late Items**
One formal late item of business was admitted to the agenda with the agreement of the chair and members of the Committee. "Equality Monitoring" had been omitted in error from the agenda, but had been circulated to all relevant parties prior to the meeting (minute 60 refers)
- 52 Declaration of Disclosable Pecuniary Interests**
There were no declarations of interest
- 53 Apologies for Absence**
Apologies were received from Councillors Buckley, Gettings and Khan. Additionally, Councillors Hyde and Selby had indicated they would be late as they were attending another meeting.
- 54 Minutes**
RESOLVED – That the minutes of the previous meeting held 16th September 2013 be agreed as a correct record
- 55 Matters Arising**
Minute 46 - Scrap Metal Dealers Act – The Committee discussed recent press coverage regarding the consultation undertaken and implementation of the new legislation. Members were keen to ensure that information on the necessary application process was widely available and it was agreed that officers would discuss measures to raise general awareness of the Act with LCC press office.
- 56 Policing and Night Time Economy Presentation - West Yorkshire Police**

The Committee received a presentation from officers of West Yorkshire Police (WYP) on issues relating to policing and the night time economy in Leeds pertinent to the work of the Licensing Committee and its' Sub Committees.

Sgt R Fullilove, Sgt D Shaw of the WYP Leeds District Licensing Team attended the meeting along with Chief Inspector S Palmer, the City Centre Commander. It was noted that no members of the public were present.

(Councillors Hyde and Selby joined the meeting at this point)

Sgt Fullilove provided the Committee with an update on the results of the Matrix system, used by WYP to monitor the performance of city centre licensed premises. Members received a copy of the top ten premises recorded on the Matrix system March to August 2013 within their agenda. Areas of concern were highlighted, along with actions taken to improve the performance of the premises. The current issues affecting the night time economy were detailed as being the quality of spirits sold; phone thefts; and the lack of CCTV coverage in certain areas of the City.

Sgt Shaw and Chief Inspector Palmer drew Members attention to the Tequila UK promotion night entitled "Fresher's Violation", held at Mezz Bar which had recently drawn local media coverage. The Committee received details of the promotion night, the concerns of WYP and the local reaction to the promotion. Members discussed issues related to the event in detail with WYP.

RESOLVED

- a) That the WYP representatives be thanked for their attendance and presentation
- b) That the contents of the presentation be noted
- c) That WYP be requested to keep the Committee appraised of the outcome of any future action regarding Tequila UK in Leeds

57 Shisha Smoking and Smoke Free Legislation

The Director of Environment and Neighbourhoods submitted a report providing the Committee with background information on smoke free legislation, the enforcement approach taken by the Council, particular issues with shisha bars and shisha smoking, and the on-going work to develop education and enforcement in these matters.

Ms R McCormack and Mr J Tootle of the LCC Health and Safety Team attended the meeting and reported that, in general, compliance with smoke free legislation was good however there was a common misconception that shisha smoking was exempt from the smoke free legislation, and there had been an increase in the number of shisha bars in the Leeds Area with a current count of more than 20.

The Committee heard of the options available to tackle the issue and noted that work was ongoing with other authorities and partners to establish best practice and alternative methods of enforcement. It was reported that the Council had undertaken 2 successful prosecutions against shisha bar owners

in May 2013. Officers provided examples of the tobacco products and a shisha pipe for Members reference.

(Councillor Downes left the meeting at this point)

Members' commented on the need to disseminate information on the harm to health caused by shisha smoking and the current discussions being held within other local authorities on whether the provision of shisha and the act of smoking shisha should be licensable activities. The Committee was keen to be involved in that wider debate and requested that approaches be made to the Local Government Authority and other local authorities leading the debate
RESOLVED –

- a) That the contents of the report and the comments made by Members be noted
- b) That officers be requested to present a report in six months time on
 - i. the progress made with regard to control and enforcement measures undertaken to tackle shisha smoking and
 - ii. information to generate discussion on how the Licensing Committee can continue to support the work of the Health and Safety Team in this regard

58 The Leeds Festival - De-Brief (Interim Report)

The Head of Licensing and Registration presented a report providing the Committee with an interim de-brief on the Leeds Festival 2013. Members noted that a full report would be presented to the November meeting, attended by the promoter.

(Councillor Hussain withdrew from the meeting for a short while at this point)

RESOLVED – That the contents of the interim report; and the intention to bring a full debrief report to the Licensing Committee in November 2013, be noted

59 Wi - Fi in Taxis

The Head of Licensing and Registration presented a report highlighting the latest innovation of Wi-Fi in taxis and outlining a proposal received from a marketing company seeking to offer free Wi-Fi to passengers in licensed Hackney Carriages which already carry approved corporate livery. A copy of the proposal was contained in Appendix 1 of the report

The report clarified that the proposed policy did not seek to approve the supplier identified in the report as supplier for sole provision of the Wi-Fi service in vehicles; but would allow any supplier to approach Hackney Carriage proprietors with their proposals. The existing Corporate Livery policy (included as Appendix 2) provided the necessary controls and framework that all suppliers and proprietors were required to meet. The provision of a free Wi-Fi facility was felt to be a natural extension to that policy and Members were advised that it was necessary to consider the proposal as an amendment to the existing policy

Members welcomed the proposal and also considered whether it could be introduced throughout the wider licensed fleet. The Committee agreed that a review of take-up of Wi-Fi in eligible vehicles be undertaken with a further report back in six months setting out the results along with information exploring the possibility of introducing Wi-Fi for the rest of the licensed fleet

RESOLVED

- a) That the information contained in the report be noted
- b) That approval in principle be given for an amendment to be made to the existing corporate livery policy to facilitate the provision of Wi-Fi and
- c) That officers be directed to prepare a report for consideration under the Executive arrangements to approve the amendment
- d) That officers be requested to present an update report in six months' time containing information on the take up of the Wi-Fi in eligible vehicles and considering the introduction of Wi-Fi throughout the rest of the licensed fleet

60 Late Item - Information Report - Taxi and Private Hire Licensing Process for Equality Monitoring

Further to minute 45 of the meeting held 10th September 2013, the Head of Licensing and Registration submitted a further report on proposals for the Taxi and Private Hire Licensing Section (TPHL) to implement equality monitoring in response to Members request for further details.

The report contained information quantifying the resources required to support the proposed equality monitoring process as presented previously to Members, and concluded that there were no significant resource issues. An amended version of the proposed Equality Monitoring Form which was specific to taxi and private hire licence holders and responded to Members comments made at the September meeting was included within the report.

The Section Head, TPHL, presented the report and responded to Members queries setting out the main issues, including the administration process and associated cost of capturing the monitoring information. Members were advised that the data would need to be constantly refreshed to ensure that it corresponded to the current licensing date.

Information regarding response rates to equality monitoring undertaken by other Council Department's was noted. Members commented that the value of the data should be viewed cautiously if response rates were poor, furthermore the process of data collection should be reviewed if the returns were low. It was noted that any data collected would be referred to in the next bi-annual "decision making" report.

RESOLVED –

- a) That the contents of the report and Members observations be noted
- b) That, having considered the contents of the report and the benefits of equality monitoring, the Committee support the proposals and officers be directed to commence data collection to capture equality monitoring information in order to better understand the profile of service users
- c) To note that a further report will be provided after 3 months giving details of the response rates so far

61 Budget and Fees for Entertainment Licensing and Taxi and Private Hire Licensing

Further to minute 45 of the meeting held 10th September 2013 when Members requested further information on the budgets for both licensing sections, the Head of Licensing and Registration submitted a report providing an overview of the current budget for both the Taxi and Private Hire Licensing Section (TPHL) and the Entertainment Licensing Section (ELS) covering expenditure and income from fees.

Members had requested information on the running costs of the two licensing regimes in order to support their decision making in respect of future initiatives. The report included an overview of the budget for 2013/14 and details of the current fees set in each section, including those set by statute and the discretionary fees. A copy of the budget for 2013/14 for each section was included at Appendix 1.

Members discussed the contents of the budgets in detail and in respect of TPHL, requested further information on the staffing levels and vehicles/resources available. It was noted that the recruitment process for enforcement officers was almost complete, after which the proposed working arrangements would be implemented, subject to trade union consultation. Members commented on the trade's perception of the service provided by TPHL particularly in relation to enforcement matters

(Councillors Bruce and Dunn left the meeting at this point)

In response to comments, officers offered to make arrangements for Committee Members to attend training sessions for the new enforcement officers and join officers on night time enforcement activities.

RESOLVED –

- a) That the contents of the report be noted
- b) That officers be requested to provide the Committee with information setting out detail of staffing arrangements and resources available, particularly in relation to the TPHL Enforcement Team
- c) That arrangements be made for Members of the Committee to attend training sessions for the new TPHL enforcement officers and join officers on night time enforcement activities

62 Work Programme

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

63 Date and time of Next Meeting

RESOLVED – To note the date and time of the next meeting as 12th November 2013 at 10:00 am