



LICENSING COMMITTEE

MEETING TO BE HELD IN CIVIC HALL, LEEDS ON
TUESDAY, 11TH FEBRUARY, 2014 AT 10.00 AM

MEMBERSHIP

Councillors

K Bruce - Rothwell;
N Buckley - Alwoodley;
R Charlwood (Chair) - Moortown;
R Downes - Otley and Yeadon;
J Dunn - Ardsley and Robin Hood;
B Gettings - Morley North;
T Hanley - Bramley and Stanningley;
M Harland - Kippax and Methley;
G Hussain - Roundhay;
G Hyde - Killingbeck and Seacroft;
A Khan - Burmantofts and Richmond Hill;
P Latty - Guiseley and Rawdon;
B Selby - Killingbeck and Seacroft;
C Townsley - Horsforth;
G Wilkinson - Wetherby;

Agenda compiled by:
Tel No:
Governance Services
Civic Hall
LEEDS LS1 1UR

John Grieve
224 3836

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 15.2 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	
2			<p>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>DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS</p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13 -16 of the Members' Code of Conduct.</p>	
5			<p>APOLOGIES FOR ABSENCE</p>	
6			<p>MINUTES OF THE PREVIOUS MEETING</p> <p>To approve the minutes of the last meeting held on 14th January 2014.</p> <p>(Copy attached)</p>	1 - 6
7			<p>POLICING AND THE NIGHT TIME ECONOMY</p> <p>To receive a Presentation from Chief Inspector Stephen Palmer, Sergeant Rob Fullilove and Sergeant David Shaw, West Yorkshire Police on the issues of "Policing and the Night time Economy"</p>	
8	Otley and Yeadon		<p>CUMULATIVE IMPACT POLICY FOR OTLEY</p> <p>To consider a report by the Area Committee (West North West) requesting that Licensing Committee consider if a cumulative impact policy would be appropriate for Otley, in view of the increase in applications and the concern that the current status quo could be affected by just one successful application to vary a licence.</p> <p>(Report attached)</p>	7 - 14

Item No	Ward/Equal Opportunities	Item Not Open		Page No
9			<p>INFORMATION REPORT - TAXI AND PRIVATE HIRE LICENSING EQUALITY MONITORING</p> <p>To consider a report by the Head of Licensing and Registration which provides an update on the equality monitoring process implemented at Taxi and Private Hire Licensing.</p> <p>(Report attached)</p>	15 - 22
10			<p>LICENSING WORK PROGRAMME 2014</p> <p>To note the contents of the Licensing Work Programme for 2014</p> <p>(Report attached)</p>	23 - 26
11			<p>DATE AND TIME OF NEXT MEETING</p> <p>To note that the next meeting will take place on Tuesday 11th March 2014 at 10.00am in the Civic Hall, Leeds.</p>	

Agenda Item 6

Licensing Committee

Tuesday, 14th January, 2014

PRESENT: Councillor R Charlwood in the Chair

Councillors K Bruce, J Dunn, M Harland,
G Hussain, G Hyde, A Khan, P Latty,
B Selby, C Townsley and G Wilkinson

87 Appeals Against Refusal of Inspection of Documents

There were no appeals against the refusal of inspection of document

88 Exempt Information - Possible Exclusion of the Press and Public

There were no items identified where the press or public would be required to be excluded from the meeting due to the nature of business to be considered.

89 Late Items

No formal late items of business were added to the agenda. Members were however in receipt of supplementary information in respect of Agenda Item No. 9 "Entertainment Licensing Section – Update Report July to December 2013" The report had been amended to include the most up to date information available. (Minute No. 95 refers)

90 Declaration of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interest.

91 Apologies for Absence

Apologies for absence were received from Councillors: N Buckley, R Downes, B Gettings and T Hanley

92 Minutes

The minutes of the previous meeting held on 17th December 2013 were submitted for comment / approval.

Referring to Minute No. 82 "Introduction of three yearly Disclosures and Barring Service checks on Hackney Carriage Drivers, Private Hire Drivers, Hackney Carriage Proprietors and Private Hire Operators" Councillor Hussain suggested that Resolutions (ii) & (iii) appeared to be contradictory.

It was suggested that the resolutions be amended as follows:

Draft minutes to be approved at the meeting
to be held on Tuesday, 11th February, 2014

- (ii) To approve the introduction of three yearly disclosures on all existing licence holders noting that minor administrative changes may be made, as the policy develops
- (iii) To approve that a DBS check is a pre-requisite to the grant of a Hackney Carriage, Private Hire Driver, Hackney Carriage Proprietor and Private Hire Operator licence

RESOLVED – That with the inclusion of the suggested amendments the minutes be approved as a true and correct record

93 Delegated Decisions taken by Taxi and Private Hire Licensing: 1st July to 30th November 2013

The Head of Licensing and Registration submitted a report which provided details of delegated decisions taken by Taxi and Private Hire Licensing which covered the period 1st July to 30th November 2013.

Des Broster, Section Head, Taxi and Private Hire Licensing, presented the report and responded to Members questions and queries.

Detailed discussion ensued on the contents of the report which included:

- The number of delegated decisions taken
- Identifying the reasons for refusal and revocation of a licence
- Categories for the suspension of a licence
- Number of complaints received
- Number of Appeals received and outcomes

In the discussion that ensued, Members raised a number of issues which had implications for earlier decisions made by this Committee in respect of Taxi and Private Hire Licensing Policy.

The Head of Licensing and Registration offered to recirculate the report and associated minutes from the Licensing Committee held in March 2012 when Taxi and Private Hire Licensing Policy was last considered with a view to reviewing existing policy.

The Head of Licensing and Registration suggested that any proposals for review could be added to the Taxi and Private Hire Working Group's agenda for further discussion and the formulation of recommendations which would be brought back to full Licensing Committee in due course.

Commenting on the categories for suspension of a licence, the Chair requested if the category "Inappropriate behaviour" could be expanded to identify types of behaviour.

Officers confirmed that future reports would include types of behaviour within the inappropriate behaviour category

RESOLVED –

- (i) That the contents of the report be noted
- (ii) That the report and associated minutes from the Licensing Committee held in March 2012 dealing with Taxi and Private Hire Licensing Policy be recirculated to all Members of the Licensing Committee with a view to reviewing existing policy.
- (iii) That any proposals for review be added to the Taxi and Private Hire Working Group's agenda for further discussion and the formulation of recommendations which would be brought back to full Licensing Committee in due course

94 Convictions Criteria - Hackney Carriage (HCD) and Private Hire Drivers (PHD), Private Hire Operators (PHO) and Hackney Carriage Proprietors (HCP)

The Head of Licensing and Registration submitted a report which set out proposals to amend the policy in respect of motoring convictions categories for Hackney Carriage Drivers and Operators and also Private Hire Drivers and Operators, in particular the proposal for a requirement to undertake appropriate life skills driver development.

Appended to the report were copies of the following documents for information/comment:

- Current convictions criteria tables(Appendix 1 refers)
- Re-categorised table of sexual offences (Appendix 2 refers)
- Re-categorised table of violence offences (Appendix 3 refers)
- Re-categorised table of dishonesty offences (Appendix 4 refers)
- Re-categorised table of drug offences (Appendix 5 refers)
- Categorised table of race related offences (Appendix 6 refers)
- Current Policy guidelines on motoring convictions and disqualification (Appendix 7 refers)
- Newspaper extracts to illustrate the issues at National level (Appendix 8 refers)
- Driver convictions and penalty point accumulation with existing licensed drivers (Appendix 9 refers)

Des Broster, Section Head, Taxi and Private Hire Licensing, presented the report and responded to Members questions and queries.

Detailed discussion ensued on the contents of the report which included:

- The principals of the existing policy
- An explanation of the totting up process
- Issues around exceptional hardship

RESOLVED – That the report be released for public and trade consultation for a period of three months

95 Entertainment Licensing Section - Update Report July - December 2013

The Head of Licensing and Registration submitted a report, which set out details of issues relevant to the Entertainment Licensing Section during the period 1st July to 31st December 2013. The report provided an overview of the applications received including: reviews and appeals, liaison and enforcement initiatives and actions, policy development and a summary of National statistics collated by the Home Office.

Nicola Raper, Section Head, Entertainment Licensing, presented the report and responded to Members questions and queries.

Detailed discussion ensued on the contents of the report which included:

- Licensing Act 2003
- Applications received in respect of Cumulative Impact Areas
- Temporary Event Notices
- Licensing Act: Reviews and Appeals
- Licensing Act: Policy development and projects
- Gambling Act 2005
- Recent applications for Sex Establishment Licenses
- Scrap Metal
- Enforcement
- National Statistics

In providing an update on the recently considered applications for Sex Establishment Licenses, Mary O'Shea, Section Head, Legal Services reported that of the six applications requesting renewal of a Sex Establishment License, three applications had been granted, the remaining three being refused. Of those refused, two had chosen to seek judicial Review. Officers anticipated that the applications would go before the High Court in early March 2014.

RESOLVED – That the contents of the report be noted

96 Late Night Levy

The Head of Licensing and Registration submitted a report, which provided the views of the Executive Board and Scrutiny Board (Resources and Council Services) on the possible introduction of a late night levy.

Susan Holden, Principal Project Officer, Entertainment Licensing, presented the report and responded to Members questions and queries.

Detailed discussion ensued on the contents of the report which included:

- The investigation undertaking by Scrutiny Board (Resources and Council Services) and its subsequent recommendation to the Executive Board
- The decision taken by the Executive Board to not support the introduction of a Late Night Levy
- The view of Members that any proposed levy should only apply to premises within the City Centre and not the outer areas.
- The development of voluntary initiatives

Providing clarification on Members view that the levy should only apply to premises within the City Centre, Susan Holden, referring to section 2.2 of the submitted report said that the levy would apply to any premises licence or club premises certificate in the whole of the Leeds district which authorised the sale or supply of alcohol during the late night.

Commenting on the development of a City Centre BID and also voluntary initiatives, Officers reported that an update of such BIDs/ initiatives could be provided by Officers from City Centre Management.

RESOLVED –

- (i) To note and support the decision of the Executive Board, informed by the Scrutiny Board (Resources and Council Services) not to progress with the late night levy at this time
- (ii) That the decision taking by the Licensing Committee on 23rd July 2013 to consult upon the late night levy be now not progressed
- (iii) To note that should a City Centre business improvement district not be progressed or if existing voluntary initiatives were not further developed and enhanced, Members may re-consider the issue of a Late Night Levy at a later date.
- (iv) That City Centre Management be requested to provide an update report on the development of a City Centre BID and voluntary initiatives to this Committee in six months' time

97 Licensing Work Programme 2014

Members considered the contents of the Licensing Work Programme for 2014.

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

98 Date and Time of Next Meeting

RESOLVED – To note that the next meeting will take place on Tuesday, 11th February 2014 at 10.00am in the Civic Hall, Leeds.

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Report of the Area Committee (West North West)

Report to **Licensing Committee**

Date: **11th February 2014**

Subject: **Cumulative Impact Policy for Otley**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): All	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Summary of main issues

1. Otley has a busy and vibrant nightlife, with the largest number of licensed premises outside of the city centre. It is also has a low incidence of crime compared to other areas of the city.

2. However in the last year the Area Committee have noted an increase in licence applications, including one to increase the hours for the sale of alcohol to a time for much later than is the norm for Otley.

Recommendations

3. Members of Licensing Committee are recommended to:
 - a) consider if a cumulative impact policy is appropriate for Otley town centre and if so,
 - b) to request that officers undertake further work in researching the evidence and designing a cumulative impact policy that is effective in achieving the aims of the Area Committee
 before bringing the matter back before Licensing Committee to approve a public consultation.

1 Purpose of this report

- 1.1 This report from the Area Committee (West North West) requests that Licensing Committee consider if a cumulative impact policy would be appropriate for Otley, in view of the increase in applications and the concern that the current status quo could be affected by just one successful application to vary a licence.

2 Background information

- 2.1 Otley is a market town with a resident population of around 14,000. It lies north west of Leeds. The town centre has a mix of residential accommodation and commercial premises.
- 2.2 Otley once vied with a handful of towns for the distinction of having the most pubs per head of population in England. This was mentioned in a BBC Radio 4 More or Less programme broadcast in April 2008. The story also featured on the BBC website.
- 2.3 There are 17 pubs in the town although the Spite (properly known as the Roebuck), the Chevin and the Royalty are on the outskirts, with the Spite located in North Yorkshire. The Black Horse Hotel situated in the town centre is historically the largest pub and hotel. The Black Bull in the Market Place, was allegedly drunk dry by Cromwell's troops on the night before the battle of Marston Moor during the English Civil War and has a 15th-century well in the beer garden. The Junction Inn has won numerous awards including a CAMRA award for best pub. There is a working men's club located on Weston Lane north west of the town centre.

3.0 Main issues

- 3.1 Potentially there are 42 premises (appendix 1) in the centre of Otley that could be affected by a cumulative impact policy:
- 6 Registered clubs
 - 6 Off licences (including the two supermarkets)
 - 30 On licensed premises
- 3.2 The latest alcohol is sold in Otley, for consumption on the premises, is 2:30am (Rose and Crown, 20 Bondgate). The majority of premises cease selling alcohol at midnight, especially in the very centre of the town (10 premises).
- 3.3 In 2013 the licensing authority received an application to vary the licence for the Red Lion. The variation sought was to extend the hours that alcohol was sold to 4am. This raised concerns amongst the residents of Otley who were concerned that this could lead to an increase in opening hours and a rise in crime and antisocial behaviour.

- 3.4 West Yorkshire Police's view is that, although predominantly a residential market town, which can properly accommodate licensed premises with appropriate licensed hours, the residential makeup of the town is such that any late night opening could cause a disproportionate effect on crime and disorder, and lead to public nuisance.
- 3.5 In addition West Yorkshire Police has provided some statistical data that shows a correlation between reported incidences in the outer lying residential areas and the closing time of premises in the town centre. There is concern that if premises stay open longer, then this 'nuisance crime' will be pushed later into the night.
- 3.6 The Area Committee has discussed a number of solutions to this potential threat including an Early Morning Restriction Order and local licensing guidance.
- 3.7 The Area Committee recognises that the amended policy (Licensing Act 2003 Statement of Licensing Policy 2014-2018) introduces the concept of usual opening hours and is satisfied that the licensing sub-committee that is hearing any application for alcohol in Otley will take the usual opening hours for Otley into consideration.
- 3.8 However this does not remove the concern that a premises could be successful in obtaining longer times and a consequence result in further applications to extend licensing hours which will be difficult to refuse.
- 3.9 A cumulative impact policy would ensure that every application, where relevant representations are received would be determined by the licensing sub-committee. In addition a cumulative impact policy makes the statement that the council has decided that, for reasons related to the licensing objectives, that when it receives relevant representations, there is a rebuttable presumption that applications or variation applications which seek to extend the sale or supply of alcohol are refused or subject to certain limitations.
- 3.10 The benefit of introducing a cumulative impact policy over an EMRO is that it would not affect the business of the current premises, as it would only affect new or variation applications.
- 3.11 Further work will be needed to ensure that the cumulative impact is designed in such a way to be of benefit to the town, including the types of activity and premises that should be included. It is also important that the CIP is robust and not open to legal challenge.

4.0 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 Within the council the matter of a CIP for Otley has been considered by the Otley and Yeadon ward members, as well as the Community Safety Sub Group of 17th September 2013 and the Area Committee at the meeting on 4th November 2013.

- 4.1.2 The introduction of a CIP would necessitate an amendment of the Statement of Licensing Policy. This would require a public consultation but this could be proportionate to the change, and therefore take place in the Otley area.
- 4.1.3 As the imposition of a CIP requires a change to the Statement of Licensing Policy, the revised policy would be recommended to Council by Licensing Committee, and therefore further opportunity for discussion before the decision to implement is reached.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 There are no implications for equality in the imposition of a cumulative impact policy, however the consultation will be so designed as to take into consideration religious and cultural events.

4.3 Council Policies and City Priorities

- 4.3.1 The licensing regime, in general, contributes to our best council objectives of:
- Building a child friendly city – improving outcomes for children and families
 - Promoting sustainable and inclusive economic growth – improving the economic wellbeing of local people and businesses
 - Ensuring high quality public services – improving quality, efficiency and involving people in shaping their city

4.4 Resources and Value for Money

- 4.4.1 The consultation and implementation of the CIP has a cost implication. However the increase in enforcement activity that would be required should operators apply for later licences would far exceed the cost of implementing a CIP.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 A cumulative impact policy is a concept described in the Guidance issued under S182 of the Licensing Act 2003, produced by the Home Office. Although a CIP states that the council will refuse licence applications, it can only do so if it is appropriate for the promotion of the licensing objectives. Therefore a CIP is backed by statistical evidence provided by the Police and the council which shows a direct link between a cumulative impact of licensed premises and the licensing objectives. This, in itself, ensures the CIP is robust to legal challenge.

4.6 Risk Management

- 4.6.1 A CIP must be backed by evidence which shows the necessity for such a policy. In addition existing businesses will be consulted during the public consultation and will be able to make their views known on the proposal. However at this time, as this work is yet to be completed, there is a low level of risk to the council.

5 Conclusions

- 5.1 Otley has a vibrant and busy night time economy that, at the moment has a low level of crime associated with the late night premises. Recent applications have brought into focus the fragility of this situation and the Area Committee is seeking a way of ensuring that Otley remains a safe and peaceful place to enjoy the night time economy.

6 Recommendations

- 6.1 Members of Licensing Committee are recommended to:
- a) consider if a cumulative impact policy is appropriate for Otley town centre and if so,
 - b) to request that officers undertake further work in researching the evidence and designing a cumulative impact policy that is effective in achieving the aims of the Area Committee
- before bringing the matter back before Licensing Committee to approve a public consultation.

Background documents¹

None

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

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Premises Potentially Affected by an Otley Cumulative Impact Policy

Licence	Premises	Address	Postcode	Alcohol Hours (Longest)		Opening Hours (Longest)	
				Start	Finish	Start	Finish
Club premises							
CPREM/00197/V02	Otley Rugby Union Football Club Ltd	Cross Green Otley Leeds LS21 1HE	LS21 1HE	11:00	00:00	No restriction	
CPREM/00254/V01	Otley Cricket Club	Cross Green Otley Leeds LS21 1HE	LS21 3AL	11:00	00:00	11:00	00:30
CPREM/00263	Otley Conservative Club	15 Boroughgate Otley Leeds LS21 3AL	LS21 3AL	11:00	23:00	No restriction	
CPREM/00136/V01	Falcon Sports & Social Club	Beech Hill Westgate Otley Leeds LS21 3AT	LS21 3AT	11:00	01:00	11:00	01:00
CPREM/00066/V02	Clitherow Social Club	Clitherow House Manor Square Otley Leeds LS21 3AY	LS21 3AY	11:00	23:00	11:00	23:00
CPREM/00050	Grove Hill Club	Ilkley Road Otley Leeds LS21 3JN	LS21 3JN	11:00	23:00	11:00	23:00
Off licences							
PREM/01739	Cucina Pizza	96 Boroughgate Otley Leeds LS21 1AE	LS21 1AE	08:00	23:00	08:00	23:00
PREM/02735/005	Asda Supermarket	Cross Green Otley LS21 1HE	LS21 1HE	08:30	20:00	08:30	20:00
PREM/02666/002	Sainsbury's	11 Bondgate Otley LS21 3AB	LS21 3AB	07:00	22:00	00:00	23:59
PREM/02091	Chez Vin Ltd	24 Newmarket Otley Leeds LS21 3AE	LS21 3AE	09:00	21:30	09:00	21:30
PREM/00848	Tranmere Flowers	19 Boroughgate Otley Leeds LS21 3AG	LS21 3AG	08:00	23:00	08:00	23:00
PREM/01388/002	Rhythm & Booze	39 Kirkgate Otley Leeds LS21 3HN	LS21 3HN	08:00	23:00	08:00	23:00
On licensed premises							
PREM/02795/V01	Old Cock	11 - 13 Crossgate Otley LS21 1AA	LS21 1AA	11:00	23:00	11:00	23:30
PREM/00619	Rose And Crown	20 Bondgate Otley Leeds LS21 1AD	LS21 1AD	11:00	02:30	11:00	03:00
PREM/01128/V01	Junction Inn	44 Bondgate Otley Leeds LS21 1AD	LS21 1AD	11:00	01:00	11:00	01:30
PREM/01456/003	Otley Balti House	42/44 Bondgate Otley LS21 1AD	LS21 1AD	11:00	00:00	No restriction	
PREM/01580	Korks Wine Bar & Brasserie	40 Bondgate Otley Leeds LS21 1AD	LS21 1AD	08:00	02:00	08:00	02:30
PREM/00706	White Swan	Boroughgate Otley Leeds LS21 1AE	LS21 1AE	09:00	01:00	09:00	01:30
PREM/00531/004	Otley Courthouse	Courthouse Street Otley Leeds LS21 1BG	LS21 1BG	10:00	00:00	10:00	00:30
PREM/00673/V01	Cove Fish & Chip Restaurant Ltd	17 Bridge Street Otley Leeds LS21 1BQ	LS21 1BQ	11:30	21:00	11:30	21:30
PREM/00975/003	Horse & Farrier	Bridge Street Otley Leeds LS21 1BQ	LS21 1BQ	07:00	02:00	07:00	02:30
PREM/01728/003	Suburban Style Bar	19 Bridge Street Otley Leeds LS21 1BQ	LS21 1BQ	11:00	00:30	11:00	23:20
PREM/02085	Jewel Of India	1A Bridge Street Otley Leeds LS21 1BQ	LS21 1BQ	17:30	00:30	07:00	01:00
PREM/01164/V01	Manor House	Walkergate Otley LS21 1HB	LS21 1HB	10:00	01:00	10:00	01:30
PREM/00811	Tealbeck House	Tealbeck Approach Otley LS21 1RJ	LS21 1RJ	11:00	23:00	00:00	23:59
PREM/02337/V04	Bowling Green	18 Bondgate Otley Leeds LS21 3AB	LS21 3AB	09:00	01:00	23:00	01:00
PREM/03182/001	Northbar	8 - 10 Bondgate Otley LS21 3AB	LS21 3AB	11:00	00:00	07:00	01:30
PREM/00349/V01	Otley Tavern	New Market Otley Leeds LS21 3AE	LS21 3AE	11:00	00:00	11:00	00:30
PREM/01406	Red Pepper Indian Restaurant	27 New Market Otley Leeds LS21 3AE	LS21 3AE	11:00	00:00	11:00	00:30

Licence	Premises	Address	Postcode	Alcohol Hours (Longest)		Opening Hours (Longest)	
				Start	Finish	Start	Finish
PREM/01535	Dales Cafe	23 Market Street Otley Leeds LS21 3AF	LS21 3AF	10:00	00:00	10:00	00:30
PREM/02397	Rocca	Unit 9 Orchard Gate Otley Leeds LS21 3AF	LS21 3AF	17:00	00:00	17:00	00:00
PREM/00161	Bay Horse Hotel	20 Market Place Otley Leeds LS21 3AQ	LS21 3AQ	09:00	01:00	09:00	01:30
PREM/00562	Black Bull	Market Place Otley Leeds LS21 3AQ	LS21 3AQ	09:00	00:00	09:00	00:30
PREM/01117	Leeds House Cafe	Market Place Otley Leeds LS21 3AQ	LS21 3AQ	10:00	00:00	09:30	00:30
PREM/00258/003	Cross Pipes	36 Westgate Otley Leeds LS21 3AS	LS21 3AS	11:00	00:00	11:00	00:30
PREM/00577/004	Waitrose	60 Westgate Otley Leeds LS21 3AS	LS21 3AS	08:00	23:00	07:00	23:00
PREM/01522/005	Black Horse Hotel	Westgate Otley Leeds LS21 3AS	LS21 3AS	11:00	01:00	11:00	01:30
PREM/00571/003	Mimmo's	Westgate Arcade 11 Westgate Otley Leeds LS21 3AT	LS21 3AT	12:00	00:30	12:00	01:00
PREM/00420/V02	Fleece	Westgate Otley Leeds LS21 3DT	LS21 3DT	10:00	01:00	10:00	01:30
PREM/00205/V01	Whittakers Arms	49 Kirkgate Otley Leeds LS21 3HN	LS21 3HN	09:00	01:00	09:00	01:30
PREM/01891/007	Red Lion	Kirkgate Otley Leeds LS21 3HN	LS21 3HN	11:00	02:00	11:00	02:30
PREM/02512	Buon Apps	Bank House Wharfebank Ilkley Road Otley LS21 3JP	LS21 3JP	10:00	00:30	10:00	01:00

Premises in Otley but outside the potential area

Licence	Premises	Address
CPREM/00118	Otley Social Working Mens Club	Hollin Gate Otley Leeds LS21 2DP
CPREM/00001	Otley Golf Club	West Busk Lane Otley Leeds LS21 3NG
PREM/00752	Cottage General Stores	21 - 23 Newall Carr Road Otley Leeds LS21 2AU
PREM/00895	Wrenbeck News	1 - 3 Wrenbeck Drive Otley LS21 2BP
PREM/01500	Weston Lane News And Off Licence	1 Moss's Parade 12 Weston Lane Otley Leeds LS21 2DD
PREM/00148	Parade Off Licence	3 The Parade Otley Leeds LS21 2DQ
PREM/01913	Westbourne Convenience Store	176 Bradford Road Otley Leeds LS21 3LE
PREM/00655	Yew Tree	Newall Carr Road Otley Leeds LS21 2AU
PREM/03229/001	The Cheerful Chilli Restaurant	East Chevin Road Otley LS21 3DD
PREM/01508	Wharfedale Masonic Hall Co Ltd	Westbourne House Westbourne Close Otley Leeds LS21 3LG
PREM/02394	Westbourne Hotel	Bradford Road Otley Leeds LS21 3LS
PREM/01667/002	Chevin Country Park Hotel	York Gate Otley Leeds LS21 3NU



Report author: Kate Coldwell

Tel: 3781563

Report of **Head of Licensing and Registration**

Report to **Licensing Committee**

Date: **11 February 2014**

Subject: **Information Report – Taxi and Private Hire Licensing Equality Monitoring**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Summary of main issues

- 1 This report contains information on the implementation of the equality monitoring process at the Taxi and Private Hire Licensing Section.

Recommendations

- 2 That Members note the information contained within this report.

1 Purpose of this report

- 1.1 At their meeting in October 2013, Members requested a further update report regarding the equality monitoring process implemented at the Taxi and Private Hire Licensing Section.

2 Background information

- 2.1 The report presented to Members in October 2013 gave information as to how the Taxi and Private Hire Licensing Section intended to capture equality monitoring information by enclosing an Equality Monitoring form with all licence renewal reminder letters.

- 2.2 Renewal reminder letters are generated within the licensing system and the reporting database had to be written and built into the system prior to the equality monitoring form being issued to the existing trade and new applicants.
- 2.3 Licence renewal reminders are posted in advance of a licence expiring;
- October renewal reminders were posted on 19 September 2013
 - November renewal reminders were posted on 18 October 2013
 - December renewal reminders were posted on 18 November 2013
 - January renewal reminders were posted on 10 December 2013
- 2.4 The Section experienced technical issues with the reporting database which meant we were unable to identify forms returned by the existing licensed trade as opposed to those returned by new applicants to the trade.
- 2.5 One of the main issues around gathering and using this information was anonymity and this has proved to be more technically difficult than originally anticipated.
- 2.6 The Equality Monitoring form was not included with the renewal reminders until February 2014 as this was the first practical opportunity to align equality monitoring to enforcement activity with any data returned.
- 2.7 The practicalities of introducing equality monitoring into a business as usual process has resulted in their being minimal information to report in the three months since the last report was presented to Licensing Committee.

3 Main issues

- 3.1 As outlined in the previous report, this is the first time the Taxi and Private Hire Licensing Section has proactively encouraged the collection of this data.
- 3.2 The Taxi and Private Hire Licensing Section issued 514 renewal reminder letters on 10 January for those driver licences due to expire in February. At the time of writing this report 170 renewal applications had been submitted.¹
- 3.3 The Section has also made 55 new applicant appointments for February², although this figure will marginally increase over the remainder of the month.
- 3.4 To date, 82 Equality Monitoring forms have been returned. Please see Appendix 1 for a breakdown of the results.
- 3.5 The Section will continue to encourage licence holders to complete the monitoring information if they have not already done. This is being done via the information screens in Reception, via email (where we hold an email address) and in the spring newsletter.

¹ 29th January 2014

² 29th January 2014

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 The information contained in this report has not been the subject of consultation with the trade as it is an information report.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 This is an information report relating to the Taxi and Private Hire Licensing process for equality monitoring. We are using the council approach and guidance to equality monitoring and data protection requirements. As such, an equality screening/ impact assessment is not required.

4.2.2 Information collected will be used to profile the licensed trade, identify trends and take appropriate positive action. It is anticipated that this will support the service to meet the general public sector duty within the Equality Act 2010.

4.3 Council policies and City Priorities

4.3.1 The Taxi & Private Hire Licensing policies contribute to the following aims:

Best Council Plan 2013 -17

Towards being an Enterprising Council

Our Ambition and Approach

Our Ambition is for Leeds to be the best city and Leeds City Council to be the best council in the UK – fair, open and welcoming with an economy that is both prosperous and sustainable so all our communities are successful.

Our Approach is to adopt a new leadership style of civic enterprise, where the council becomes more enterprising, business and partners become more civic, and citizens become more actively engaged in the work of the city.

Our Best Council Outcomes

Make it easier for people to do business with us

Our Best Council Objectives

Promoting sustainable and inclusive economic growth – Improving the economic wellbeing of local people and businesses. With a focus on:

- Helping people into jobs,
- Boosting the local economy
- Generating income for the council

Ensuring high quality public services – improving quality, efficiency and involving people in shaping their city. With a focus on;

- Getting services right first time
- Improving customer satisfaction

4.3.2 The Taxi & Private Hire Licensing policies contribute to priorities:

- Reduce crime levels and their impact across Leeds
- Effectively tackle and reduce anti-social behaviour in communities

4.3.3 Safeguarding children and vulnerable adults:

Leeds City Council has both a moral and legal obligation to ensure the duty of care for both children and vulnerable adults across all of its services. This cannot be achieved by any single service or agency. Safeguarding is ultimately the responsibility of all of us and depends on the everyday vigilance of staff who play a part in the lives of children or vulnerable adults.

4.4 Resources and value for money

4.4.1 There are no additional financial costs other than that previously reported.

4.5 Legal Implications, Access to Information and Call In

4.5.1 All equality monitoring information is classed as personal data under the Data Protection Act 1998. The law states that we must keep the information accurate and up to date, must only keep it for as long as it is needed for a specific purpose and we must keep it secure.

4.6 Risk Management

4.6.1 The completion of equality monitoring forms is entirely voluntary and some service users may have concerns about how the information will be used but it is treated in the strictest confidence and in accordance with the Data Protection Act 1998.

5 Conclusions

5.1 The equality monitoring process is now being carried out in accordance with the Council's standard categories and equality monitoring guidelines.

6 Recommendations

6.1 That Members note the information contained within this report.

7 Background documents

Equality Monitoring Guidance
Licensing Committee Report 15 October 2013

Appendix 1 – Equality Statistics

Response Rates

Number of renewals sent out since January 2014:	514
Number of renewals returned since January 2014:	170
Number of equality monitoring forms returned since January 2014:	82
Overall response rate:	48 %

General

Number of current licensees:	5871
Number of current licensees that have provided ethnic origin:	78 (1.33%)
Breakdown of ethnic origin:	
Asian or Asian British - Afghan	3 3.85% of total answered
Asian or Asian British - Bangladeshi	2 2.56% of total answered
Asian or Asian British - Indian	1 1.28% of total answered
Asian or Asian British - Kashmiri	14 17.95% of total answered
Asian or Asian British - Pakistani	40 51.28% of total answered
Black or Black British - African	2 2.56% of total answered
White - British	3 3.85% of total answered
White - English	13 16.67% of total answered
Number of current licensees that have provided religion:	69 (1.18%)
Breakdown of religion:	
Muslim	49 71.01% of total answered
Christian	8 11.59% of total answered
Sikh	1 1.45% of total answered
No religion	2 2.90% of total answered
No belief	2 2.90% of total answered
Number of current licensees that have provided gender:	76 (1.29%)
Breakdown of Gender:	
Male	76 100.00% of total answered
Female	0 0.00% of total answered
Number of current licensees that have provided date of birth (D.O.B.):	52 (0.89%)
Breakdown of age range:	
18-24	1 1.92% of total answered
25-34	9 17.31% of total answered
35-44	23 44.23% of total answered
45-54	10 19.23% of total answered
55-64	6 11.54% of total answered
65+	2 3.85% of total answered

Roadside Inspections

All Roadside inspections

Number of roadside inspections:	580
Number of roadside inspections involving individuals about who we know ethnic origin:	8 (1.38%)
Breakdown of ethnic origin:	
Asian or Asian British - Kashmiri	2 25.00% of total answered
Asian or Asian British - Pakistani	3 37.50% of total answered
Black or Black British - African	2 25.00% of total answered
White - English	1 12.50% of total answered
Number of roadside inspections involving individuals about who we know their religion:	7 (1.21%)
Breakdown of religion:	
Muslim	4 57.14% of total answered
Christian	3 42.86% of total answered
Breakdown of Gender:	
Male	8 100.00% of total answered
Female	0 0.00% of total answered
Number of roadside inspections involving individuals about who we know their D.O.B.:	4 (0.69%)
Breakdown of age range:	
18-24	0 0.00% of total answered
25-34	1 25.00% of total answered
35-44	2 50.00% of total answered
45-54	0 0.00% of total answered
55-64	1 25.00% of total answered
65+	0 0.00% of total answered

Passes Following a Road Side Inspection

Number of vehicles found to be satisfactory:	410
Number of passes involving individuals about who we know ethnic origin:	7 (1.71%)
Breakdown of ethnic origin:	
Asian or Asian British - Kashmiri	2 28.57% of total answered
Asian or Asian British - Pakistani	2 28.57% of total answered
Black or Black British - African	2 28.57% of total answered
White - English	1 14.29% of total answered
Number of passes involving individuals about who we know their religion:	6 (1.46%)
Breakdown of religion:	
Muslim	3 50.00% of total answered
Christian	3 50.00% of total answered
Number of passes involving individuals about who we know their gender:	6 (1.46%)
Breakdown of Gender:	
Male	6 100.00% of total answered
Female	0 0.00% of total answered
Number of passes involving individuals about who we know their D.O.B.:	3 (0.73%)
Breakdown of age range:	
18-24	0 0.00% of total answered
25-34	1 33.33% of total answered
35-44	1 33.33% of total answered
45-54	0 0.00% of total answered
55-64	1 33.33% of total answered
65+	0 0.00% of total answered

Passes but advice given Following a Road Side Inspection

Number of vehicles found to be satisfactory but with advice given:	85
Number of passes with advice involving individuals about who we know ethnic origin:	0 (0.00%)
Number passes with advice involving individuals about who we know their gender:	8 (1.38%)

Number of passes with advice involving individuals about who we know their religion: 0 (0.00%)
 Number of passes with advice involving individuals about who we know their gender: 1 (1.18%)

Breakdown of Gender:

Male 1 100.00% of total answered
 Female 0 0.00% of total answered

Number of passes with advice involving individuals about who we know their D.O.B.: 0 (0.00%)

Required rectifications identified following a Road Side Inspection

Number of vehicles found to require rectifications: 13
 Number of vehicles that require rectifications involving individuals about who we know ethnic origin: 0 (0.00%)

Number of vehicles that require rectifications involving individuals about who we know their religion: 0 (0.00%)

Number of vehicles that require rectifications involving individuals about who we know their gender: ()

Breakdown of Gender:

Male of total answered
 Female of total answered

Number of vehicles that require rectifications involving individuals about who we know their D.O.B.: (Response rate)

Breakdown of age range:

18-24 of total answered
 25-34 of total answered
 35-44 of total answered
 45-54 of total answered
 55-64 of total answered
 65+ of total answered

Suspension notices served following a road side inspection

Number of vehicles served suspension notices: 72
 Number of vehicles suspended involving individuals about who we know ethnic origin: 1 (1.39%)

Breakdown of ethnic origin:

Asian or Asian British - Pakistani 1 100.00% of total answered

Number of vehicles suspended involving individuals about who we know their religion: 1 (1.39%)

Breakdown of religion:

Muslim 1 100.00% of total answered

Number of vehicles suspended involving individuals about who we know their gender: 1 (1.39%)

Breakdown of Gender:

Male 1 100.00% of total answered
 Female 0 0.00% of total answered

Number of vehicles suspended involving individuals about who we know their D.O.B.: 1 (1.39%)

Breakdown of age range:

18-24 0 0.00% of total answered
 25-34 0 0.00% of total answered
 35-44 1 100.00% of total answered
 45-54 0 0.00% of total answered
 55-64 0 0.00% of total answered
 65+ 0 0.00% of total answered

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LICENSING COMMITTEE WORK PROGRAMME 2013/14- LAST UPDATED 21/1/14 (JG)

ITEM	DESCRIPTION	NOTES	TYPE OF ITEM
Items Currently Unscheduled			
PH Vehicle Licence Conditions	To receive a report considering a review of the Vehicle Licence conditions/ age criteria) Following the Member HC Working Group	D Broster	RP
Immediate Suspensions Policy (TPHL)	To receive a further report considering a review of the Immediate Suspensions Policy in respect of plying for hire – following consideration by the HC/PH Member Working Group	D Broster	RP
Transfer of HC Driver Licences	To consider a review of the Policy in respect of the Transfer of a Hackney Carriage Proprietors Licence on the Death of a Proprietor, following consideration by the HC/PH Working Group	D Broster	RP
Working Group Report Back – Immediate Suspension for Plying for Hire	Following referral to the Member HC & PH Working Group to receive a report back	D Broster	RP
Strong Alcohol Schemes	Following referral to all Area Committees: To receive a report providing proposals for the operation of a scheme in Leeds	S Holden	DP
HC Proprietor Licence Transfer Conditions	Following referral to the Member HC & PH Working Group to receive a report back on the transfer of a Hackney Carriage Proprietors Licence on the death of the Proprietor	D Broster	RP

ITEM	DESCRIPTION	Officer	TYPE OF ITEM
Meeting date: TUESDAY 4 JUNE 2013. HELD. Annual Governance arrangements, Annual Report			
Meeting date: 25 JUNE 2013. HELD. SEV policy, Law Commission interim statement, Executive PH policies			
Meeting date: 23 JULY 2013. HELD. Enforcement Activity Update, Trike PH applications, ELS Activity Update, Site Allocation Plan, Late Night Levy			
Meeting date: 13 AUGUST 2013. HELD. TPHL Decision Making Process, Leeds Festival			
Meeting date: 10 SEPTEMBER 2013. HELD. Scrap Metal Dealers Act, TPHL Monitoring Proposals (deferred), SEV update			
Meeting date: 15 OCTOBER 2013. HELD. WYP presentation, TPHL Monitoring proposals, Wi-Fi in Taxis, Shisha Smoking, Budget update, Leeds Festival interim report			
Meeting date: 12 NOVEMBER 2013. HELD Immediate Suspensions Policy, Sex Shop licence fee review, Petition from Alpha Welfare, Leeds Festival full de-brief			

LICENSING COMMITTEE WORK PROGRAMME 2013/14- LAST UPDATED 21/1/14 (JG)

ITEM	DESCRIPTION	Officer	TYPE OF ITEM
Meeting date: 17 DECEMBER 2013 HELD Disclosure and Barring Service, PH Operator Conditions (TPHL), Licensing Act 2003 Statement of Licensing Policy 2014-18, Strong Alcohol Schemes			
Meeting date: 14 JANUARY 2014 –HELD TPHL – update on the Decision Making process suspensions/revocations, TPH Convictions Criteria (TPHL), ELS – update on ELS activity (including the ELS Enforcement team, Late Night Levy			
Meeting date: 11 FEBRUARY 2014			
TPHL Equality Monitoring	To receive an update on the data collection levels achieved so far (since Oct 13) in respect of HC and PH applicants and licence holders,	D Broster	PM
WYP Presentation	Policing and the Night time Economy		B
Meeting date: 11 MARCH 2014			
Sex Establishment Fees	To consider the Annual review of Sex Establishment fees	N Raper	PM
Meeting date: 8 APRIL 2014			
Shisha Smoking issues - update	To receive an update report from LCC Health and Safety Team on shisha smoking in Leeds and the Service's remit on enforcing smoking regulations	R McCormack	B
Wi-Fi in licensed vehicles	To provide an update on the take-up of Wi-Fi within Hackney Carriage Vehicles following amendments to the existing conditions to facilitate its use (Oct 13) and providing information exploring the expansion of the initiative throughout the rest of the licensed vehicle fleet	D Broster	RP
Leeds Festival 2014	To provide an update on the arrangements for the Leeds Festival 2014	N Raper	B
Meeting date: 13 MAY 2014			

Key:
 RP – Review of existing policy DP – Development of new policy PM – Performance management B – Briefings SC – Statutory consultation

LICENSING COMMITTEE WORK PROGRAMME 2013/14- LAST UPDATED 21/1/14 (JG

Meeting date: JUNE 2014		
Meeting date: 13 JULY 2014		
BIDS UPDATE (Late Night Levy)	To receive a report back on the of Voluntary Initiatives and or the BID	S Holden/ M Farrington
Meeting date: AUGUST 2014		
TPHL Equality Monitoring	To receive an update on the data collection levels achieved so far (January to June 2014) in respect of HC and PH applicants and licence holders,	D Broster
Meeting date: SEPTEMBER 2014		

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