



LICENSING COMMITTEE

MEETING TO BE HELD IN CIVIC HALL, LEEDS ON
TUESDAY, 11TH MARCH, 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:
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A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p>ELECTION OF CHAIR</p> <p>In the absence of Councillor Charlwood to appoint an Acting Chair</p>	
2			<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>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
3			<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>	
4			<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>	
5			<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>	
6			<p>APOLOGIES FOR ABSENCE</p>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
7			<p>MINUTES</p> <p>To approve the minutes of the last meeting held on 11th February 2014</p> <p>(Copy attached)</p>	1 - 4
8			<p>COMMUNICATION AND CONSULTATION WITH THE TAXI AND PRIVATE HIRE TRADE</p> <p>To consider a report of the Chief Officer Elections Licensing and Registration which provides background information and sets out the conclusions of the Licensing Working Group on the issue of communication and consultation with the Taxi and Private Hire trade.</p> <p>(Report attached)</p>	5 - 14
9			<p>3 YEAR DRIVER LICENCES TO PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS AND THIRD PARTY RENEWALS FOR PRIVATE HIRE DRIVER AND HACKNEY CARRIAGE DRIVER PERSONAL LICENCES.</p> <p>To consider a report by the Head of Licensing and Registration which seeks Members views on the principle of a 3 Year Driver Licences to Private Hire and Hackney Carriage Drivers and also Third Party Renewals for Private Hire Driver and Hackney Carriage Driver Personal Licences.</p> <p>(Report attached)</p>	15 - 30
10			<p>ARRANGEMENTS FOR LICENSING COMMITTEE WORKING GROUP TO REVIEW PLYING FOR HIRE POLICY, VEHICLE AGE POLICY AND TPH LICENSING DECISION MAKING FRAMEWORK</p> <p>To consider a report by the Head of Licensing and Registration which seeks the establishment of a new Working Group to review the Plying for Hire policy, Vehicle Age policy and the TPH Licensing Decision Making Framework.</p> <p>(Report attached)</p>	31 - 36

Item No	Ward/Equal Opportunities	Item Not Open		Page No
11			<p>LICENSING WORK PROGRAMME 2014</p> <p>To note the contents of the Licensing Work Programme for 2014</p> <p>(Report attached)</p>	37 - 40
12			<p>DATE AND TIME OF NEXT MEETING</p> <p>To note that the next meeting will take place on Tuesday 8th April 2014 at 10.00am in the Civic Hall, Leeds</p>	

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Licensing Committee

Tuesday, 11th February, 2014

PRESENT: Councillor R Charwood in the Chair

Councillors K Bruce, N Buckley, R Downes,
J Dunn, M Harland, G Hussain, G Hyde,
A Khan, B Selby and G Wilkinson

99 Appeals Against Refusal of Inspection of Documents

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

100 Exempt Information - Possible Exclusion of the Press and Public

RESOLVED – That, in accordance with Regulation 4 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting during Consideration of the following parts of the agenda designated as exempt 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 public were present there would be disclosure to them of exempt information so designated as follows:-

A presentation by West Yorkshire Police entitled “Policing and the Night Time Economy” referred to at Minute No.105 was designated as exempt in accordance with paragraph 10.4(3) of Schedule 12A (3) of the Local Government Act 1972 on the grounds that it contains information relating to crime and disorder which may result in future Legal Proceedings. It was therefore considered that it is not in the public interest to release this information at this time, as this would compromise the Council’s position.

101 Late Items

No formal late items of business were added to the agenda. Members were however in receipt of a newspaper article (The Times, dated Saturday 19th October 2013), circulated for information only.

The article in question related to the launch of “Yorkshire Trike Tours” the trike having received a novelty vehicle license from Leeds City Council in 2013.

In offering comment the Chair said this was a good news storey and thanked Officers for drawing it to the Committee’s attention

RESOLVED – That the contents of the article be noted

102 Declaration of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

103 Apologies for Absence

Apologies for absence were received from Councillors: B Gettings, T Hanley, P Latty and C Townsley

104 Minutes of the Previous Meeting

RESOLVED – That the minutes of the previous meeting held on 14th January 2014 were accepted as a true and correct record

105 Policing and the Night Time Economy

Members received a Presentation from Sergeant Rob Fullilove and Sergeant David Shaw, West Yorkshire Police, who spoke about Policing and the night time economy.

A summary of the issues/ incidents involving licensed premises in City & South Leeds, North East Leeds and North West Leeds was presented.

(Due to the confidential nature of the information being presented, this part of the meeting was held in closed session)

The Chair thanked Sergeant's Fullilove and Shaw for their attendance and presentation commenting that the session had been informative and interesting.

Members were made aware that it was Sergeant Fullilove's last attendance before retiring in a few days' time.

Members joined the Chair in wishing Sergeant Fullilove all the very best in his retirement and good luck in his for future endeavours

RESOLVED –

- (i) That the contents of the presentation noted
- (ii) That discussions take place with Leeds watch with a view to providing further CCTV coverage within the city centre

106 Cumulative Impact Policy for Otley

Members considered a report by the Area Committee (West North West) requesting the Committee's views as to whether 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.

Zahid Butt, Area Community Safety Co-Ordinator, Environment & Neighbourhoods, presented the report and responded to Members questions and queries.

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

- Otley had a vibrant nightlife with the largest number of licensed premises outside the city centre
- Had low incidents of crime and disorder compared to other areas of the city
- There was a noticed increase in licence applications
- Applications to increase the hours for the sale of alcohol to a time much later than was normal for the area

In offering comment Councillor Dunn said he was supportive of a CIP for Otley, suggesting that it was difficult to deal with objections when there was no policy in place.

Councillor Downes said there was a large number of drinking establishments in Otley and late night drinking did cause problems for some residents. There appeared to be a “general creep” to increase the hours for the sale of alcohol. It was his opinion that the residents did not want Otley to be seen as a late night destination.

Councillor Hyde suggested it would be useful to obtain data to support a cumulative impact policy, what was the view of the Police?

Councillor Selby said that strong evidence was required to address any legal challenges

Susan Holden, Principal Project Officer, Entertainment Licensing said that having a policy in place did make a statement about an area and often led to a reduction in unsuitable applications.

RESOLVED –

- (i) To accept that a cumulative impact policy may be appropriate for Otley Town centre
- (ii) That Officers undertake further work in researching the evidence and designing a cumulative impact policy that was effective in achieving the aims of the local area
- (iii) That a further report be prepared and brought back to this Committee seeking approval to release for public consultation

107 Information Report - Taxi and Private Hire Licensing Equality Monitoring

The Head of Licensing and Registration submitted a report which provided an update on the equality monitoring process implemented at Taxi and Private Hire Licensing.

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 on-going work around revocation and refusal data
- The technical difficulties around gathering and using the information when it was provided anonymously

Referring to the gathered equality information, Councillor Selby asked if it would be possible to carry out an analysis using the post code data.

In responding Mr Broster said such an analysis was possible but it should be the subject of a separate report and not be included as part of the equality monitoring data.

Councillor Dunn asked if Taxi and Private Hire Operators played any part in assisting with the completion and return of the forms.

Mr Broster said it was unlikely, the onus was on the driver to complete the equality monitoring form.

Councillor Khan referring to employment issues around night time enforcement activity and a possible rota, asked if any progress had been made.

In responding Mr Broster said that a meeting with the Trade Unions would be taking place shortly.

Councillor Selby asked if future reports could contain visual graphics, pie charts for example.

Officers gave an undertaking to investigate the possibility of using visual graphics in future reports.

RESOLVED – That the contents of the report be noted
108 Licensing Work Programme 2014

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

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

109 Date and Time of Next Meeting

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

Report of Chief Officer Elections Licensing and Registration

Report to Licensing Committee

Date: 11th March 2014

Subject: Communication and Consultation with the Taxi and Private Hire Trade

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 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. In May 2013 Licensing Committee set up a Member Working Group to discuss a range of issues including communications and consultations with the Taxi and Private Hire trade. The Group met on six occasions including meetings with representatives from the Hackney Carriage and Private Hire trades.
2. Good relationships with all parts of the trade are essential if Licensing Committee is to fulfil its responsibilities for the safety, comfort and quality of service for the travelling public. Previous requests from the trade for representatives to sit on the Committee have been refused because the legislation relating to Licensing Committees does not allow it.
3. The report sets out some of the current arrangements for communicating and consulting with the trades and concludes that these are comprehensive and we should encourage all licence holders to use those channels. There were suggestions that relationships have been improving and we want to continue to develop them.
4. The use of Working Groups to review and develop policies with the involvement of trades representatives has been successful and should be used in future. Officers should continue to be proactive in listening to trade views and including comments in reports to Committee.

Recommendations

5. Licensing Committee are asked to note and endorse the Working Group conclusions relating to communication and consultation with the Taxi and Private Hire trades

1 Purpose of this report

- 1.1 This report follows discussions at a Member Working Group set up in May 2013 set up to consider a range of issues including communication and consultation with the Taxi and Private Hire trade.
- 1.2 The report sets out the current arrangements, provides information on the discussions which took place and sets out the conclusions of the Working Group for the full Licensing Committee's consideration.

2 Background information

- 2.1 A Member Working Group was set up in May 2013 to look at the issue of length of issue of Taxi and Private Hire licenses. At the first meeting of the group in June 2013 it was agreed that the group should also look at the 'fit and proper person test' for the transfer of Hackney Carriage Proprietors applicable on the death of the Proprietor, the question of whether to permit third part renewals of licences and mechanisms for communicating and consulting with the Taxi and Private Hire Trade.
- 2.2 The Working Group met on six occasions including some very useful meetings with representatives of the Hackney Carriage, Private Hire trades, and other elected Members outside Licensing Committee. This report briefly summarises issues relating to communicating and consulting with the trade. Reports elsewhere on this agenda outline the conclusions of the Working Group in relation to the other matters.
- 2.3 The issue of consulting and communicating with the trades has been raised and discussed on a number of occasions. There have been requests from the trade to play a more active part in Licensing Committee and Members have been keen to ensure that it listens to issues and concerns expressed by the various different elements of the trades.
- 2.4 It is recognised that the Licensing Committee's prime responsibility is for the safety, comfort and quality of service for the travelling public and this can, on occasions, lead to different views from representatives of the trade. However, it is clear that good working relationships between the Licensing Committee, Officers and the trades is essential to the provision of a high quality service to the travelling public.

3 Current Arrangements

- 3.1 In terms of trade representative participation on Licensing Committee this matter has been given careful consideration previously. The City Solicitor has concluded that it is not possible to have co-opted Members on Licensing Committee or any Licensing Sub-Committee. The legislation makes it clear that the Licensing Committee must consist of between 5 and 15 Members of the Authority.
- 3.2 This does not prevent Licensing Committee from listening to the views of others in determining the matters before it. The Chair has discretion on who should be allowed to speak and present to the Committee. The practical difficulty is that the

Taxi and Private Hire trade is made up of many different groups, companies and individuals who all have different and sometimes competing interests. It is difficult at a time limited Committee meeting to hear the views of all. The Committee meetings are public meetings and can be attended by anyone interested in listening to the discussion and deliberations prior to decision making.

- 3.3 The Council does have a Hackney carriage Trade Forum set up specifically to provide a forum for joint consultation and discussion on matters of mutual concern. The arrangements were comprehensively reviewed in July 2011 with the introduction of a formal constitution, clear criteria for membership and administrative arrangements. It meets regularly to an agreed schedule with a minimum of four meeting per annum.
- 3.4 There is a Private Hire Operators Forum which also meets regularly with an open invitation to all licensed Private Hire Operators.
- 3.5 Licensing Committee has been progressing a review of all its Taxi and Private Hire related policies and is doing so has been mindful of the need to consult all relevant stakeholders on all aspects of the review. A clear programme for consultation which includes:
- An initial request for views on how current policy is operating
 - Results of consultation reported to Licensing Committee summarising the view expressed with initial recommendations for change. All submissions are made available to Committee in an appendix to the report or as background papers.
 - Licensing Committee considers all views and recommendations and decides which changes it wants further consultation on
 - Proposed changes are put out for consultation
 - Results of consultation reported to Licensing Committee summarising the views expressed with final recommendations for change. All submissions are presented to Committee in an appendix to the report.
 - Licensing Committee considers all views and recommendations and approves the new policy
- 3.6 All consultation exercises are carried out using Talking Point (the Council's online consultation mechanism), putting information on the Council's Internet site and Insite (the Council's internal intranet). A letter goes to all known trade representatives seeking views and a notice is published in the local press. Where timing allows an article will appear in the Taxi and Private Hire Newsletter.
- 3.7 The Taxi and Private Hire Newsletter is published four times a year and sent out to all Taxi and Private Hire licence holders. It contains articles and information relevant to the trade including contacts for queries and how to raise issues of concern. This is an excellent vehicle for communicating information to all parts of the trade.

3.8 Officers do respond on a regular basis to issues raised by licence holders through letter, email, telephone and face to face. Drivers are encouraged to contact the Taxi and Private Hire Section if they have any problems or issues of concern.

4 Working Group Views

4.1 The Working Group accepted the City Solicitor advice that it was not possible to accommodate the request for trade representatives to be part of the Licensing Committee.

4.2 The Working Group meetings held with representatives of the trades were very helpful in determining how best to develop the policy issues under discussion and it was agreed that such meeting should be used and encouraged in future.

4.3 The current communication and consultation arrangements are comprehensive and work reasonably well. All representatives should be encouraged to use the various facilities available to them to express their view and concerns. It is particularly helpful to receive written submissions to any of the formal consultation exercises.

4.4 Best use should be made of the Hackney Carriage and the Private Hire Operator Forums through careful agenda planning to ensure all relevant issues are covered. Also minutes of the meeting should be circulated to Members of the Licensing Committee for their information.

4.5 Where there are major change proposals and where the trade are able to nominate a representative to speak on their behalf the Chair's discretion should be used to allow that person to address the Committee.

5 Corporate Considerations

5.1 Consultation and Engagement

5.1.1 The subject of this report is about consultation and engagement. The current consultation arrangements referred to in the report have been used to seek and discuss views before coming to the conclusions in section 4.

5.2 Equality and Diversity / Cohesion and Integration

5.2.1 An Equality Screening Assessment has been completed and is available as a background document.

5.3 Council policies and City Priorities

5.3.1 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

5.3.2 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

5.3.3 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.

5.4 Resources and value for money

5.4.1 There are no resource implications.

5.5 Legal Implications, Access to Information and Call In

5.5.1 The legal issue relating to the Membership of Licensing Committee has been considered by the City Solicitor previously. The recommendations in the report would not be subject to call-in.

5.6 Risk Management

5.6.1 There are no major risks associated with this report.

6 Conclusions

- 6.1 The Working Group has reviewed the arrangements for communicating and consulting with the Taxi and Private Hire trades. Licensing Committee is responsible for the safety, comfort and quality of service for the travelling public and to do this it is essential that there are good working relationships between the Committee, Officers and the different parts of the Taxi and Private Hire trades.
- 6.2 Previous requests from the trade for representatives to sit on the committee have been considered but refused on the grounds that the legislation relating to Licensing Committee means it is not possible to have co-opted Members.
- 6.3 Good comprehensive arrangements are in place currently and discussions with representatives suggested that there has been a steady improvement in relationships between the Council and the trades. It is important to continue to develop and improve the relationships.
- 6.4 The Working Group concluded that we should encourage trade representatives and licence holders to use the various formal consultation mechanisms. The use of Working Groups to review and develop policies with the involvement of trade representatives has been successful and should be used in future. Officers should continue to be proactive in listening to trade views and including comments in reports to the Committee.

7 Recommendations

7.1 Licensing Committee are asked to note and endorse the Working Group conclusions relating to communication and consultation with the Taxi and Private Hire trades

8 Background documents¹

8.1 Equality Impact Screening assessment 18th February 2014

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.

Equality, Diversity, Cohesion and Integration Screening



As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, cohesion and integration.

A **screening** process can help judge relevance and provides a record of both the **process** and **decision**. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions.

Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality, diversity, cohesion and integration.
- whether or not equality, diversity, cohesion and integration is being/has already been considered, and
- whether or not it is necessary to carry out an impact assessment.

Directorate: Citizens and Communities	Service area: Taxi and Private Hire
Lead person: John Kearsley	Contact number: 2474121

1. Title: Communication and Consultation with the Taxi and Private Hire Trade

Is this a:

Strategy / Policy

Service / Function

Other

If other, please specify: Reprting the results of Member Working Group

2. Please provide a brief description of what you are screening

Member Working Group met to consider a number of issues. This report relates to one element which was to review the arrangements for communicating and consulting with the various parts of the trades

3. Relevance to equality, diversity, cohesion and integration

All the council's strategies/policies, services/functions affect service users, employees or the wider community – city wide or more local. These will also have a greater/lesser relevance to equality, diversity, cohesion and integration.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, carers, disability, gender reassignment, race, religion or belief, sex, sexual orientation and any other relevant characteristics (for example socio-economic status, social class, income, unemployment, residential location or family background and education or skills levels).

Questions	Yes	No
Is there an existing or likely differential impact for the different equality characteristics?	x	
Have there been or likely to be any public concerns about the policy or proposal?		x
Could the proposal affect how our services, commissioning or procurement activities are organised, provided, located and by whom?		x
Could the proposal affect our workforce or employment practices?		x
Does the proposal involve or will it have an impact on <ul style="list-style-type: none">• Eliminating unlawful discrimination, victimisation and harassment• Advancing equality of opportunity• Fostering good relations		x

If you have answered **no** to the questions above please complete **sections 6 and 7**

If you have answered **yes** to any of the above and;

- Believe you have already considered the impact on equality, diversity, cohesion and integration within your proposal please go to **section 4**.
- Are not already considering the impact on equality, diversity, cohesion and integration within your proposal please go to **section 5**.

4. Considering the impact on equality, diversity, cohesion and integration

If you can demonstrate you have considered how your proposals impact on equality, diversity, cohesion and integration you have carried out an impact assessment.

Please provide specific details for all three areas below (use the prompts for guidance).

- **How have you considered equality, diversity, cohesion and integration?** (think about the scope of the proposal, who is likely to be affected, equality related information, gaps in information and plans to address, consultation and engagement activities (taken place or planned) with those likely to be affected)

The report considers issues of communication and consultation with the whole of the Taxi and Private Hire trades.

- **Key findings** (think about any potential positive and negative impact on different equality characteristics, potential to promote strong and positive relationships between groups, potential to bring groups/communities into increased contact with each other, perception that the proposal could benefit one group at the expense of another)

There is a large number of BME licence holders involved in both the Hackney Carriage and Private Hire trades and has been for some time. It is important that we engage with all parts of the trade.

- **Actions** (think about how you will promote positive impact and remove/ reduce negative impact)

Arrangements exist to support individuals who don't have English as a first language. Also due to the large numbers involved most groups have access to trade representatives through their proprietors, operators, trade unions and community representatives.

5. If you are not already considering the impact on equality, diversity, cohesion and integration you will need to carry out an impact assessment.

Date to scope and plan your impact assessment:	
--	--

Date to complete your impact assessment	
---	--

Lead person for your impact assessment (Include name and job title)	
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6. Governance, ownership and approval

Please state here who has approved the actions and outcomes of the screening

Name	Job title	Date
John Kearsley	Chief Officer, Elections Licensing and Registration	18.2.14

7. Publishing

This screening document will act as evidence that due regard to equality and diversity has been given. If you are not carrying out an independent impact assessment the screening document will need to be published.

If this screening relates to a **Key Delegated Decision, Executive Board, full Council** or a **Significant Operational Decision** a copy should be emailed to Corporate Governance and will be published along with the relevant report.

A copy of **all other** screening's should be sent to equalityteam@leeds.gov.uk. For record keeping purposes it will be kept on file (but not published).

Date screening completed	
---------------------------------	--

If relates to a Key Decision - date sent to Corporate Governance	
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Any other decision – date sent to Equality Team (equalityteam@leeds.gov.uk)	
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Report of Head of Licensing & Registration

Report to Licensing Committee

Date: 11 March 2014

Subject: 1) 3 year driver licences to Private Hire and Hackney Carriage drivers.

2) Third party renewals for Private Hire Driver and Hackney Carriage Driver personal licences.

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 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. A report was presented to Licensing Committee on 13 May 2013, which set out options for making available '3 year licences' to drivers. Members debated the issues and resolved to form a Working Group to more closely examine all of the options and consult further with the trade.
2. The Working Group met on 6 separate occasions with representatives of the Private Hire and Hackney Carriage trade and Private Hire Operators, taking account of the advantages, concerns and potential risks to public safety. An open invitation was also extended to all Elected Members of the Council.
3. Since the original report was presented to Licensing Committee there has been improvements to the I.T. system within the Disclosure and Barring Service (DBS) which could allow annual on-line DBS checks to be undertaken on licensed drivers. In effect, this removes a concern whereby Hackney Carriage drivers do not have to report convictions as a condition upon their licence under existing legislation.

4. A policy has been developed within the body of the report for full Licensing Committee to consider and which seeks to satisfy the concerns that had been carried forward into the Working Group in respect of public safety with such a three licence year grant.

Recommendations

5. That Members consider the principle of '3 year licences' and the proposed policy recommended by the Working Group and make any appropriate comments before considering release of the proposals for further consultation of 1 month.
6. That Members note and approve the recommendation of the Working Group in respect of third party driver renewals that it is a key public safety measure that all personal licence renewals are undertaken in person and not by a third party.

1 Purpose of this report

- 1.1 To inform Members of all of the legislative, administrative and financial issues around granting a '3 year licence' to PHD and HCD's and the recommendation of the Working Group formed to more closely examine the opportunities and risks.

2 Background information

- 2.1 PHD and HCD licences can be granted on an annual basis or to a maximum of three years. The Taxi & Private Hire Licensing Section has only recently acquired a licensing system capable of granting three year licences and representations have been made by some members of the trade to introduce such a policy.
- 2.2 A report was submitted to the Licensing Committee on 13 May 2013 setting out the options for change and identifying areas of concern, accompanied by detailed profiling information on the trade.
- 2.3 That profile information is reproduced in this report for full Committee to consider because it formed an important part of the Working Group considerations and their recommendations. **Appendix 1.**
- 2.4 An important advancement has taken place within the DBS since the first report submitted to Licensing Committee in that drivers can elect to undertake annual on-line DBS checks which enables a Council to receive on-line alerts if a driver's conviction status changes or other important information is recorded against him, that might affect public safety considerations.
- 2.5 Working Group members were also asked to consider the issues around the current necessity for drivers to make personal renewal applications and whether or not it could be undertaken by a third party.

3 Main issues

3.1 Public safety considerations

- 3.2 The 'fit and proper' person determination prior to granting a PHD or HCD licence on the first occasion lies largely outside of this policy consideration. It does however come into consideration, in part, when developing a '3 year licence' policy.
- 3.3 Officers have been very clear throughout the process how important it is to maintain regular and detailed checks on drivers to maximise public safety. It is that statutory function which comes ahead of trade preference.
- 3.4 3 year licences in particular

- 3.5 The comments in the preceding paragraphs are as relevant, it not more so, to 'third party renewals' as they are to the consideration of '3 year licences'.
- 3.6 Members will recall the previous legal advice given at Committee on behalf of the City Solicitor when the following points were highlighted:-
- At the point of renewal the Council still has a statutory responsibility to apply the 'fit and proper' test to the applicant.
 - With a third party renewal, the applicant cannot be interviewed and facts established.
 - The potential for fraud is increased.
 - The applicant could be in custody.
 - The licence could be held and used by an unlicensed person.
 - Once issued establishing the facts at a later date are easily clouded and accountability difficult to establish.
- 3.7 Members heard of the current procedure in place to accommodate drivers who were making planned visits out of the country at the time of renewal and those who had to leave in emergency situations. It was considered that the approach taken by licensing staff was appropriate, properly exercised and met the needs of the trade and the Council and that view is reflected in recommendation 6.2.
- 3.8 The tables at **Appendix 1** appeared in the original report, and it is these trade profiles that formed one of the most important parts of the Working Group considerations in reaching its recommendations. It was felt essential that there was a definable period of excellent driver behaviour before considering the grant of a 3 year licence.
- 3.9 Working Group members, having been informed of the DBS changes, felt that a balance could be drawn between improved administration process offering service improvements to the trade and a thorough monitoring process which did not compromise public safety. Those Members wished to highlight in this report that public safety should not be compromised at any stage of such a process but on the basis of the proposed policy it would be appropriate to:-
- a) Recommend to the full Licensing Committee the grant of 3 year licences in principle.
 - b) In recommending the underlying policy the Working Group considered it essential to maintain public safety and there needed to be in place strong guidance to ensure that the policy is applied to the more professional drivers.

3.10 The essence of the policy

3.11 'Five years continuous good service with Leeds City Council.'

This means service as either a PHD or HCD, or a combination of both, but only with this Authority, in order to demonstrate a maintained standard of public safety, professional service and compliance with all of the legislation, Byelaws, Council conditions and administrative processes.

3.12 'Good service' – proposals

'Good Service' can cover the whole range of expectations of a licensed driver but particularly cases where it would be considered more appropriate to ensure regular face to face accountability with licensing Officers:-

- Where the driver has previously failed to report a matter which is a condition on their licence or required by a relevant Act of Parliament.
- Where a driver is found to be or has been in possession of more than one DVLA licence in contravention of DVLA controls.
- Where there is conflict with any of the Council's policies relating to convictions, training requirements or driver remedial training policy.
- Where a licence is revoked for any reason, or suspended as part of a Court finding or Council sanction (or where a period of suspension was imposed instead of revocation).
- Where at the point of renewal the PHD/HCD licence is suspended either as part of an investigation or prosecution by this or any other Authority.
- Although it is not a condition upon a HCD to report matters in the same way as a PHD, the public safety test should still apply and where there has been a non- disclosure of such an incident by a HCD the same principles should be met at all times as a consideration in granting a 3 year licence to a HCD.
- Where there has been a distinct neglect or failure to appropriately follow the administrative process in licensing functions. On this point Members are reminded of the fast-track renewal process the Section has in place for those drivers who pre-plan their absence with the Section or who have evidenced supported reasons for a short break in the

continuity of their licence and how Officers recognise the continuity and value of some accreditations and documents.

Although the list of examples above cannot be exhaustive they would constitute a break in 'good service' at any time during the lifetime of a licence. If the 'good service' principle is broken the licence holder would revert to the starting point of the qualifying period again.

3.13 The process steps

- Prior to the grant of a 3 year licence, a full enhanced DBS disclosure must take place with this Authority and the applicant must also demonstrate that they have 'signed up' to the DBS on-line facility. This must be renewed each year and a failure to demonstrate this had been done would normally result in the suspension of that licence until a further full DBS disclosure had been submitted to the Council and the applicant can demonstrate they have again signed up to the on-line facility.

(For the renewal of a 3 year licence it is thought at this time that the on-line facility may be continuous and not require a full paper disclosure but this has to be verified).

- Similarly, a requirement to complete an annual DVLA mandate to monitor eligibility to hold a PHD or HCD licence and ensure compliance with the Council's policy in respect of motoring convictions or remedial training.

3.14 Revocation or suspension of licence – how it effects continuous 'good service'

- Sometimes licences are suspended as a precautionary public safety measure following an allegation. Where there was to be no further action by the Council following the investigation this would not normally be considered as break in the continuity of the licence unless the licence holder had 'absented himself' in a way which realistically prevented the Council taking any sustainable action against him.
- Members are reminded that Officers exercise far more discretion in making exemptions to policies than they do in adhering to the letter of them and appropriate discretion would be applied to this policy. As a note of caution through, administering in excess of 20,000 licensing transactions per year does not leave capacity for constantly having to chase drivers to keep in line with the policy.
- Where a licence has been revoked or suspended as a sanction, this would be a break in 'good service'.

3.15 Financial implications

- Currently a DBS disclosure costs £60 but Members will recall that is due to rise to offset the increase in establishment to deal with 3 yearly DBS checks on all drivers. There are financial gains for drivers having once entered the scheme and maintaining the annual on-line check.
- To encourage take up Members proposed that an incentive could be that at the point of application the full current one year fee is paid in full and prior to the commencement of the second year of the licence the remaining two years fee is paid in full.

Members are advised that Internal Audit will need to be assured that the audit and accounting processes will need to ensure that no risk is posed to the Council. This point can be further reported on following wider consultation.

- Road Traffic convictions are a significant public safety consideration and in the absence of opportunity to check DVLA licences annually the driver must sign up to an annual DVLA mandate at a cost of £7.50 which is inclusive of a set fee charged by DVLA and an average cost using their premium line telephone number.
- The impact upon the Licensing Office is dealt with further at 4.4 and the cost benefits to the trade which could possibly lead to reduced licence fees can only be measured over time and it is intended they will be reviewed in 2 – 3 years time as part of a full review of all fees.

3.16 Lead in time for commencement

There are a number of factors which will determine this, for example:-

- Further consultation and subsequent report back to Licensing Committee.
- Developing the I.T. program to sustain the policy.

It is not envisaged there would be significant obstacles to progressing this sooner rather than later.

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 The Working Group has met on the following occasions for the purpose indicated:-

25/6/13 Initial planning meeting.

31/7/13	Meeting with Hackney Carriage trade.
15/10/13	Meeting with Elected Members.
15/11/13	Meeting with Private Hire trade.
12/2/14	Working Group considerations of the consultation, legal advice and Officer comment.
17/2/14	Formulation of final considerations.

Following consideration of this report a further short period of consultation should be undertaken and it is recommended that this be set at 1 month.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 An Equality Screening Assessment has been completed and is available as a background document. There are no contra indicators to this being acceptable practice.

4.3 Council policies and City Priorities

- 4.3.2 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 At this time it is not possible to make a reasoned estimate of cost savings or additional expenditure associated to carrying out this policy. It is not however considered to pose any great risk but will of course be subject to continuous evaluation.

4.5 Legal Implications, Access to Information and Call In

4.5.1 As a new policy there does need to be a further period of consultation prior to the Licensing Committee making any recommendation for the adoption of the policy under the Executive decision making functions.

4.5.2 Members are reminded that their prime statutory responsibility is public safety and they should be satisfied that the policy proposals satisfactorily offer a high but proportionate level of monitoring.

4.5.3 It would be noted that there is reference to DfT best practice guidance in the background documents at 7 in this report and in essence this informs Members that it can be regarded as good practice to issue 3 year licences but the guidance is not prescriptive in terms of putting service delivery issues before public safety.

4.6 Risk Management

4.6.1 It is essential that the two key elements of risk to the Council – financial management and public safety responsibilities are

adequately taken account of in the information enabling Members to reach a considered view.

- 4.6.2 Public safety should not be seen as the general public alone. Members must be mindful of the Council's transport contract scheme for Social Services and Education involving vulnerable children and adults where there must be strong adherence to this policy and a clear understanding that there is no 'trade-off' between public safety and trade convenience.
- 4.6.3 As this is a policy the appeal process is by way of Judicial Review against the policy. Members may feel that whilst there will be variations in policies throughout the country, the profile of the licensed trade in Leeds and the issues in the night time economy enable the policy proposals and their background to be regarded as proportionate to maintaining public safety and a safe and professional service.

5 Conclusions

- 5.1 Officers feel that the proposals set out in this report are manageable, financially viable and administratively sustainable providing participating drivers undertake their responsibilities conscientiously.

6 Recommendations

- 6.1 That Members consider the principle of '3 year licences' and the proposed policy recommended by the Working Group and make any appropriate comments before considering release of the proposals for further consultation of 1 month.
- 6.2 That Members note and approve the recommendation of the Working Group in respect of third party driver renewals that it is a key public safety measure that all personal licence renewals are undertaken in person and not by a third party.

7 Background documents¹

DfT Best Practice guidance

Equality Screening Assessment

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.

LEEDS LICENSED DRIVERS - BREAKDOWN BY RESIDENCE

District	Hackney Carriage	Private Hire
Incorrect post codes	85	593
Allerdale District (B)		1
Barnet London Boro		1
Birmingham District (B)		2
Blackburn with Darwen (B)		1
Bradford District (B)	164	1280
Brent London Boro		1
Calderdale District (B)	1	46
Cambridge District (B)		1
City of Derby (B)	1	2
City of Leicester (B)		1
City of Peterborough (B)		1
City of Stoke-on-Trent (B)		1
Craven District		1
Doncaster District (B)		6
Dudley District (B)		1
East Riding of Yorkshire		2
East Staffordshire District (B)		1
Greenwich London Boro		1
Harrogate District (B)	1	5
Kirklees District (B)	56	461
Leeds District (B)	714	2595
Manchester District (B)		3
Merton London Boro	1	
Middlesbrough (B)	1	2
North Lincolnshire (B)	2	1
Pendle District (B)		4
Rochdale District (B)		1
Rossendale District (B)		2
Rotherham District (B)	1	2
Selby District	2	7
Sheffield District (B)		9
Slough (B)		1
Stafford District (B)		1
Wakefield District (B)	8	36
York (B)	1	1
Total West Yorkshire (excluding Leeds)	230	1783

SUSPENSIONS IN 2012

PROFILE BY LENGTH OF SERVICE

Private Hire Driver Suspensions	
No of years in force	No of licences
0 - 1	8
1 - 2	3
2 - 3	8
3 - 4	7
4 - 5	7
5 - 6	5
6 - 7	6
7 - 8	5
8 - 9	4
9 - 10	1
10 - 11	2
11 - 12	0
12 - 13	0
13 - 14	3
14 - 15	4
15 - 16	3
16 - 17	3
17 - 18	1
18 - 19	0
19 - 20	1
20 - 21	1
21 - 22	0
22 - 23	1
23 - 24	0
24 - 25	0
25 - 26	0
26 - 27	1
27 - 28	2

Hackney Carriage Suspensions	
No of years in force	No of licences
0 - 1	0
1 - 2	0
2 - 3	0
3 - 4	0
4 - 5	0
5 - 6	1
6 - 7	0
7 - 8	0
8 - 9	2
9 - 10	0
10 - 11	0
11 - 12	2
12 - 13	1
13 - 14	0
14 - 15	1
15 - 16	0
16 - 17	3
17 - 18	0
18 - 19	0
19 - 20	1
20 - 21	0
21 - 22	0
22 - 23	0
23 - 24	1
24 - 25	0
25 - 26	0
26 - 27	0
27 - 28	0

PROSECUTIONS IN 2012

PROFILE BY LENGTH OF SERVICE

Private Hire and Hackney Carriage Prosecutions	
No of years in force	No of licences
0 - 1	0
1 -2	0
2 -3	0
3 - 4	0
4 - 5	2
5 - 6	3
6 - 7	5
7 - 8	1
8 - 9	0
9 - 10	0
10 - 11	0
11 - 12	0
12 - 13	0
13 - 14	1
14 - 15	0
15 - 16	1
16 - 17	1
17 - 18	0
18 - 19	0
19 - 20	0
20 - 21	0
21 - 22	0
22 - 23	0
23 - 24	0
24 - 25	0
25 - 26	0
26 - 27	0
27 - 28	0

Appendix 1

Number of Private Hire Driver Licences revoked by year and the number of years they were in force

Number of years in force	Licence revocation year						Total number of licences revoked
	2008	2009	2010	2011	2012	2013	
0 - 1	3	2	1	1			7
1 - 2	4	7	7	1	4		23
2 - 3	7	7	7	3	1		25
3 - 4	2	5	5	3	2		17
4 - 5	2	7	9	4	4		26
5 - 6	4	4	7	2	3	1	20
6 - 7		3	1	5	3		12
7 - 8	2	2	2	2	4		12
8 - 9	2		1	1	2	2	6
9 - 10	3	2		1	1	2	7
10 - 11	4	2		2			8
11 - 12		2	4		1		7
12 - 13		2					2
13 - 14	1	1		3	1		6
14 - 15		1	2	1	1		5
15 - 16	1			1	1		3
16 - 17		1		1	1		3
17 - 18				2		1	2
23 - 24		1					1
24 - 25			1				1
25 - 26					1		1
26 - 27	1						1

Number of Hackney Carriage Licences revoked by year and the number of years they were in force

Number of years licensed	Licence revocation year						Total number of licences revoked
	2007	2008	2009	2010	2011	2012	
1	1				1		2
2		2					2
3	1			1			2
4			1				1
5			3	1			4
6		1		1			2
8			1	1			2
9		1	1				2
10			1		1	1	3
12						1	1
13			1				1
14	1						1
18				1			1
20	1						1
22					1		1
25				1			1
28				1			1

Appendix 1

Length of time current Private Hire Drivers licences have been in force	
Number of years in force	Number of Licences
0 - 1	24
1 - 2	214
2 - 3	271
3 - 4	223
4 - 5	423
5 - 6	476
6 - 7	479
7 - 8	473
8 - 9	403
9 - 10	310
10 - 11	207
11 - 12	143
12 - 13	152
13 - 14	110
14 - 15	188
15 - 16	165
16 - 17	162
17 - 18	122
18 - 19	88
19 - 20	59
20 - 21	32
21 - 22	46
22 - 23	45
23 - 24	39
24 - 25	35
25 - 26	35
26 - 27	37
27 - 28	10
28 - 29	11
29 - 30	6
30 - 31	1
31 - 32	5
32 - 33	4
33 - 34	3
34 - 35	7

Length of time current Hackney Carriage Drivers licences have been in force	
Number of years in force	Number of Licences
0 - 1	2
1 - 2	21
2 - 3	38
3 - 4	42
4 - 5	31
5 - 6	26
6 - 7	56
7 - 8	52
8 - 9	44
9 - 10	62
10 - 11	113
11 - 12	61
12 - 13	50
13 - 14	51
14 - 15	55
15 - 16	39
16 - 17	26
17 - 18	38
18 - 19	40
19 - 20	18
20 - 21	6
21 - 22	10
22 - 23	11
23 - 24	15
24 - 25	13
25 - 26	17
26 - 27	10
27 - 28	8
28 - 29	11
29 - 30	20
30 - 31	6
31 - 32	5
32 - 33	4
33 - 34	7
34 - 35	1
35 - 36	5
36 - 37	1
37 - 38	4
38 - 39	1
43 - 44	2
48 - 49	1

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Report of Head of Licensing and Registration

Report to Licensing Committee

Date: 11 March 2014

Subject: Arrangements for Licensing Committee Working Group to review the Vehicle Age Policy, Immediate Suspension for Plying for Hire and TPH Licensing Decision Making Framework

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 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. Licensing Committee have decided to refer a number of taxi and private hire policy issues to a new Working Group to review and make recommendations back to the full committee. These issues include: -
 - Vehicle Age Policy
 - Immediate Suspensions for Plying for Hire
 - Taxi and Private Hire (TPH) Licensing Decision Making Framework
2. The report sets out the background to the requests for these three issues and asks the committee to nominate which members will form the new Working Group so that a timetable and meeting schedule can be agreed.

Recommendations

3. Licensing Committee are asked to confirm the issues the new Working Group will consider, which Members will sit on it, and agree a timetable and schedule of meetings for the group

1 Purpose of this report

- 1.1 This report sets out the background to the decision to refer the Vehicle Age policy, Immediate Suspension for Plying for Hire and TPH Licensing Decision Making Framework to a new Working Group for review.

2 Background information

2.1 Vehicle Age Policy

- 2.1.1 In October 2013 a petition was received organised by the Alpha Hire and Hackney Welfare Society by the Licensing Committee asking, amongst other issues, for a review of the Vehicle Age Policy. The petition was considered by Licensing Committee at its meeting on 12 November 2013.

- 2.1.2 Licensing Committee last considered the Vehicle Age policy in January 2013 as part of a review of all taxi and private hire policies and at the time decided to retain the current age criteria at 7 years. The committee also requested that a further period of vehicle profiling be carried out so that a review of the entire vehicle fleet could be used to inform a review of the vehicle age criteria in 2016.

- 2.1.3 Following consideration of the petition the Committee resolved to request that an update on the progress on the vehicle profiling exercise be provided to a new Member Working Group to consider whether that review could be undertaken sooner than 2016. Minute 71(a) refers: -

71(a) That in respect of the vehicle age criteria, to request that information be provided to the Hackney Carriage Private Hire Working Group on the outcome of the fleet profile review undertaken so far.

2.2 Immediate Suspension for Plying for Hire

- 2.2.1 At that same meeting on 12 November 2013, the committee also considered the introduction of the Immediate Suspension policy. The discussion of that policy also included a discussion of the requirements for immediate suspension for cases involving plying for hire. The committee resolved that this element of the policy should be reviewed by a new Member Working Group. Minute 70(d) refers:-

70(d) That the element of the draft Policy in respect of immediate suspension for plying for hire be removed from the draft Policy and be referred to the Licensing Committee Hackney Carriage and Private Hire Working Group for further consideration. A report back from the WG will be presented in due course to the Committee.

2.3 TPH Licensing Decision Making Framework

- 2.3.1 At the Licensing Committee meeting on 14 January 2014, the committee considered a report on delegated decisions taken by taxi and private hire licensing. As a result of that discussion, the committee asked for a copy of a previous report when the committee last reviewed the decision making framework in March 2012 be re-circulated. That report was circulated to all Members of the

committee for their information as requested. The committee resolved to refer the current TPH Licensing Decision Making Framework to a new Working Group to consider whether any changes were required to the existing policy. Minute 93(iii) from that meeting refers: -

93(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.

- 2.4 It was decided that an earlier working group should complete its workⁱ before a new Working Group could be established to review the issues outlined in this report. The first Working Group has now finished its work and reported its recommendations back to committee, so a second working group can now be established to review these three new issues.
- 2.5 The first working group has also completed an initial review of the three new issues and has recommended that the reviews of the Vehicle Age policy and Immediate Suspension for Plying for Hire should proceed, but has also recommended in light of the comprehensive review of the TPH Licensing Decision Making Framework that was undertaken in March 2012, that does not need to be reviewed at this time.
- 2.6 The Licensing Committee will need to agree which Members sit on the new working group, which issues the group should review (taking account of the recommendations from the first working group at 2.5), what the time table for the review will be, and schedule in an appropriate number of meetings.

3 Corporate Considerations

3.1 Consultation and Engagement

- 3.1.2 Views from the trade and other stakeholders can be considered by the working group as part of their wider consultation arrangements before they form their recommendations back to Licensing Committee.

3.2 Equality and Diversity / Cohesion and Integration

- 3.2.1 Equality Screening Assessments will be completed on any new policy proposals.

3.3 Council policies and City Priorities

- 5.3.1 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

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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

3.3.2 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

3.3.3 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.

3.4 Resources and value for money

3.4.1 There are no resource implications.

3.5 Legal Implications, Access to Information and Call In

3.5.1 Legal Services will be asked to attend meetings of the working group to provide advice to Members as necessary. The recommendations in this report would not be subject to call-in.

3.6 Risk Management

3.6.1 There are no major risks associated with this report.

4 Conclusions

4.1 The Licensing Committee has requested a new working group be established to review these three issues.

5 Recommendations

5.2 Licensing Committee are asked to confirm the issues the new Working Group will consider, which Members will sit on it, and agree a timetable and schedule of meetings for the group.

6 Background documents¹

6.1 None

ⁱ The earlier Working Group was formed to review whether to introduce three year licences; whether to allow third party renewals; the fit and proper person test for hackney carriage proprietors; and improving consultation with the trade. The Working Group's recommendations were reported back to Licensing Committee at its meeting on 11 March 2014.

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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LICENSING COMMITTEE WORK PROGRAMME 2013/14- LAST UPDATED 26/2/14 (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 26/2/14 (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			
Communication and Consultation with the Taxi and Private Hire Trade		D Broster	
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	S Holder	B
Sex Establishment Licences - Fee Review	To seek Members approval for the review of the licence fees charged under the Local Government (Miscellaneous Provisions) Act for the licensing of sex establishments.	N Raper	PM

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ITEM	DESCRIPTION	Officer	TYPE OF ITEM
Meeting date: 13 MAY 2014			

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

Meeting date: JUNE 2014			

Meeting date: 15 JULY 2014			
Leeds Festival 2014	To provide an update on the arrangements for the Leeds Festival 2014	S Holder	
BID UPDATE (Late Night Economy)	To receive a report back on the of Voluntary Initiatives and or the BID	S Holden/ M Farrington	

Meeting date: AUGUST 2014			
Entertainment Licensing Section Activity update	To receive an update on activities of the Entertainment Licensing Section for the period January to June 2014	N Raper	
TPHL Section Activity Update	To receive a 6 monthly update on the activities of the TPHL Section	D Broster	
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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