



LICENSING COMMITTEE

MEETING TO BE HELD IN CIVIC HALL, LEEDS ON
TUESDAY, 5TH DECEMBER, 2017 AT 10.00 AM

MEMBERSHIP

Councillors

N Buckley	Alwoodley;
R Downes	Otley and Yeadon;
J Dunn	Ardsley and Robin Hood;
B Flynn	Adel and Wharfedale;
B Gettings	Morley North;
M Harland	Kippax and Methley;
G Hyde	Killingbeck and Seacroft;
A Khan	Burmantofts and Richmond Hill;
B Selby (Chair)	Killingbeck and Seacroft;
C Townsley	Horsforth;
G Wilkinson	Wetherby;
A Garthwaite	Headingley;
K Groves	Middleton Park;
S McKenna	Garforth and Swillington;
J Pryor	Headingley;

Agenda compiled by:
John Grieve
Tel No: (0113) 37 88662
Governance Services
Civic Hall
LEEDS LS1 1UR

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> <p>To receive apologies for absence (If any)</p>	
6			<p>MINUTES OF THE PREVIOUS MEETING</p> <p>To approve the minutes of the previous meeting held on 4th October 2018.</p> <p>(Copy attached)</p>	1 - 4
7			<p>MATTER ARISING FROM THE MINUTES</p> <p>To consider any matters arising from the minutes.</p>	
8			<p>TIMETABLE FOR PROCURING DRIVER TRAINING</p> <p>To consider a report by the Head of Elections, Licensing and Registration which informs Members that a procurement exercise has commenced and provides details of the timetable for the dynamic purchasing provision of Taxi and Private Hire Driver Training for an initial 4 years.</p> <p>(Report attached)</p>	5 - 12

Item No	Ward/Equal Opportunities	Item Not Open		Page No
9			<p>REVIEW OF POLICIES AND CONDITIONS - PROPOSALS FOR WORKING GROUPS</p> <p>To consider a report by the Head of Elections, Licensing and Registration which suggests how Working Groups could be established, with a view to tackling in turn the reviews of the various taxi and private hire policies and conditions.</p> <p>(Report attached)</p>	13 - 18
10			<p>LICENSING COMMITTEE WORK PROGRAMME</p> <p>To note the contents of the Licensing Committee Work Programme for 2017/18.</p> <p>(Copy attached)</p>	19 - 20
11			<p>DATE AND TIME OF NEXT MEETING</p> <p>To note that the next meeting will take place on Tuesday 9th January 2018 at 10.00am in the Civic Hall, Leeds.</p>	
12	City and Hunslet	10.4(3)	<p>LARGE CASINO – VARIATION TO SCHEDULE 9 AGREEMENT</p> <p>To consider a report by the Head of Elections, Licensing and Registration which seeks approval of a variation of contract for the Schedule 9 Agreement between the Council and Global Gaming Ventures (Leeds) Ltd.</p> <p>(Report attached)</p>	21 - 26
13	Harewood; Wetherby	10.4(3, 7)	<p>LEEDS FESTIVAL 2017 - MEMBERS DE-BRIEF</p> <p>To consider a report by the Head of Elections, Licensing and Registration which provides a de-brief following the Leeds Festival 2017.</p> <p>(Report attached)</p>	27 - 82

Item No	Ward/Equal Opportunities	Item Not Open		Page No
			<p>Third Party Recording</p> <p>Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.</p> <p>Use of Recordings by Third Parties– code of practice</p> <p>a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.</p> <p>b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.</p>	

This page is intentionally left blank

Licensing Committee

Wednesday, 4th October, 2017

PRESENT: Councillor B Selby in the Chair

Councillors N Buckley, R Downes, J Dunn,
B Flynn, M Harland, G Hyde, A Khan,
C Townsley, G Wilkinson, A Garthwaite
and J Pryor

51 Exempt Information - Possible Exclusion of the Press and Public

There were no items identified where it was considered necessary to exclude the press or public from the meeting due to the nature of the business to be considered.

52 Late Items

There were no late items

53 Declaration of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests made at the meeting.

54 Apologies for Absence

Apologies for absence were received from Councillor K Groves.

55 Minutes of the Previous Meeting

RESOLVED – That the minutes of the previous meeting held on 5th September 2017, were accepted as a true and correct record subject to the following:

- Minute 46 – Taxi and Private Hire Enforcement Update

To include the following – That concern was expressed regarding the number of Uber vehicles using the short stay car park outside the rail station and concerns regarding safeguarding as drivers licensed from other areas were not subject to the same rigorous standards as required in Leeds. The Executive Officer confirmed that the rear of the rail station was being given a higher priority in daytime and night-time enforcement activity.

56 Matters Arising from the Minutes

Further concerns were expressed regarding private hire vehicles parking and waiting to the rear of the St John's Centre. Members were reminded of the impending city centre evening visit where such spots could be visited.

57 Taxi and Private Hire - Schedule for Consultation and Review of Policies and Conditions

The report of the Head of Licensing and Registration provided a schedule for the review and consultation of Taxi and Private Hire Licensing Policies and conditions. It brought attention to the likely areas where the Council's current policies and conditions may need to be updated.

It also advised the Committee of the likely policies and conditions where the closer working with West Yorkshire and York authorities may require consultation on 'harmonised' policies or conditions.

A timetable for the review of the Taxi and Private Hire Licensing policies and conditions was appended to the report.

Andrew White, Taxi & Private Hire Licensing presented the report.

Issues highlighted from the report included the following:

- Other factors that may affect existing policies including the Clean Air Zone and work with neighbouring authorities.
- The policies and conditions covered a range of issues including vehicles, drivers and safety.
- The need for the policies to reflect changes in technology, particularly relating to vehicle manufacture and the increase in electric/hybrid vehicles.
- It was suggested that the consultation on the various policies and conditions be grouped together where possible to avoid repeated consultations with stakeholders.
- Members' attention was brought to Section 3.3 of the report which outlined some suggested areas for consultation in relation to the policies and conditions. The Committee was asked to discuss these suggestions and any other areas that could inform the consultation.

In response to Members comments and questions, the following was discussed:

- Enforcement powers with relation to out of district vehicles – there was ongoing work with surrounding authorities to provide consistency with enforcement across West Yorkshire and York and it would be useful to develop a county wide policy. There were no powers to revoke licenses that had been issued by other authorities but prosecutions could and had been taken where necessary.
- Guide (visually impaired) and assistance (deaf) dogs – drivers were obliged to take these where requested, but not dogs which were not guide or assistance. There had been complaints where guide and assistance dogs had been refused. There was only one driver licensed in Leeds who had a certified medical reason not to transport dogs.
- Introduction of air quality control and what incentives could be given to the trade to invest in hybrid/electric vehicles. It was reported that by 2020 there would, due to the Clean Air zone, be implications on licensing of certain vehicles. There had been discussions with the Clean Air Project Team and vehicle charging points would be installed across the city. It was not yet known whether any would be ring fenced for the use of the hackney carriage/private hire trade. There had been a successful application to the Department of Transport for those who change diesel vehicles for hybrid to

get the following three years of their vehicle licence paid. The policy would need to reflect any timescales involved and there would need to be information on where support was available for changing to hybrid vehicles.

- Consultation would involve all relevant stakeholders including trade representatives and the Licensing Committee. Most recent consultation had involved the use of online questionnaires and surveys. Adults and Children's Safeguarding Boards would be consulted where applicable.
- It was suggested that the Licensing Committee establish a working group to consider the review of the policies and conditions.
- Use of CCTV in vehicles – there was due to be a meeting with Rotherham MBC to see the system used there. Specifications of CCTV systems needed to be defined and there would be a procurement exercise to identify approved suppliers. There was some funding available from Safer Leeds for CCTV in vehicles. Further issues included who would have to have CCTV installed; whether it would be all vehicles upon renewal of licenses or just new vehicles and whether systems would be transferable to new vehicles. Potential for funding through West Yorkshire Police or the Police and Crime Commissioner was also discussed.
- Review for Wheelchair Accessible Vehicles.
- Age extensions for vehicles – the need to provide clear guidance particularly on timescales to apply for this.
- Driver training and knowledge of the city and surrounding areas. Driver training included some knowledge testing of navigation and areas of the city centre. Examples of training materials used could be made available.
- The universities and students would be involved in consultations.
- The use of driver hailing apps and consultation to be involved with regards to what requirements would be needed.

RESOLVED –

- (1) That the report and discussion be noted.
- (2) That a working group be established for the review of Taxi and Private Hire Licensing Policies and conditions.
- (3) That the Clean Air Zone be added to the Licensing Committee Forward Plan for further consideration of issues relating to the Taxi and Private Hire Licensing Policies and Conditions.

58 Licensing Committee Work Programme

It was agreed to bring the Cumulative Impact Policy forward to the November meeting and include the Clean Air Zone for December.

RESOLVED – To approve the contents of the Licensing Committee Work Programme for 2017/18

59 Date and Time of Next Meeting

RESOLVED – To note that the next meeting will take place on Tuesday 7th November 2017 at 10.00am in the Civic Hall, Leeds.

This page is intentionally left blank

Report of: Executive Officer, Taxi & Private Hire Licensing

Report to: Licensing Committee

Date: 5 December 2017

Subject: Timetable for procuring Driver Training

Are specific electoral Wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, name(s) of Ward(s):		
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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		

Summary of main issues

The Head of Elections, Licensing & Registration has approved a request to commence a procurement exercise for a dynamic purchasing provision of Taxi and Private Hire Driver Training for up to an initial 4 years.

The council currently requires all new taxi and private hire drivers to undertake training before being awarded a licence. Driver training is currently split between two council-provided services and several contracted suppliers.

The council is expecting the number of applicants to remain stable and possibly increase from 800-900 each year. Under the ring-fenced regulations for taxi and private hire licensing, the applicants pay for their training, with annual spend estimated to continue or rise above around £120-150k per annum.

There has been a review and consultation on driver training provision during 2017, with recommendations that the council consider procuring driver training from more than one organisation to increase training capacity and speed up the length of time between commencing training and award of a licence. A dynamic purchasing arrangement is recommended to contract a number of suppliers who can each provide all modules of the driver related training and assessment centre. This aims to improve our training capacity and maintaining quality and standards, while ensuring compliance with procurement rules.

The council is in the early stages of a multi-authority project, involving the five West Yorkshire authorities and City of York. The project aims to align more closely ('harmonise') the elements

of taxi and private hire licensing and enforcement across the sub-region to improve passenger safety. It is possible that the project will approve a common training standard across all six authorities, with an option for a transferable driver qualification, although the other authorities may choose to continue to provide training inhouse. This development may act to discourage the practice of some drivers choosing to train in districts with lower entry requirements or faster training, and working in neighbouring districts.

Recommendations

Licensing Committee is recommended to note the approval of a procurement exercise and timetable for a dynamic purchasing provision of Taxi and Private Hire Driver Training for up to an initial 4 years.

1.0 Purpose of this report

- 1.1 The purpose of this report is to inform members that procurement has commenced and inform them of the timetable for the dynamic purchasing provision of Taxi and Private Hire Driver Training for an initial 4 years.

2.0 Background information

- 2.1 All new drivers are required to attend or pass six training modules before being awarded a licence. The information in **Appendix A** shows a list of driver training, the current providers, and the cost to the driver. It should be noted that while Leeds City Council requires significant training at initial application stage, we do not require existing drivers to attend refresher training, unlike some other authorities.
- 2.2 Response to consultation earlier in 2017 reveals that some people feel the council could do more to increase the number of training days each month and speed up the time between applying to training to being awarded a licence. The consultation also revealed support for offering drivers the opportunity to work towards a transferable driving qualification, such as City & Guilds, RQF (Regulated Qualification Framework), or Vocationally Related Qualification (VRQ), which can often be completed within a period of 6 to 10 days. The qualification would also need to be accompanied by modules on English and numeracy, local driver knowledge, and safeguarding.
- 2.3 Evidence from neighbouring authorities has also suggested that some applicants have applied to training and be licensed in other authorities, and then work in Leeds, citing the shorter training time in those authorities. The harmonisation work with the neighbouring authorities aims to improve consistency where it drives up safety and reduces risk.
- 2.4 Nationally, there has been a growth in applicants for some authorities whose requirements are perceived to be lower than other authorities, leading to an increase in cross border working, where drivers are trained and licensed in one area with lower requirements, but work predominantly or entirely in another district, with higher requirements.

3.0 Main issues

- 3.1 The main issues relate to the procurement method, and risks of failing to procure successfully.
- 3.2 It is extremely important that the procurement method extends training capacity, while also maintaining quality and standards. Following advice from the council's procurement team, the route of dynamic purchasing is believed to offer the best balance of improving capacity, by allowing new entrants meeting the requirement to provide training at any point over the four years of the contract.
- 3.3 Alongside the procurement, it is also essential that the council ensures that the current training provision is maintained up to the start of the new provision, to ensure that standards are met, and there is not significant delay in training. If the dynamic purchasing route were followed, there would be a procurement and implementation project of several months, as set out in **Appendix B**.

4.0 Corporate Considerations

- 4.0.1 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

- 4.0.2 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

- Safeguarding children and vulnerable adults:

4.0.3 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.

4.1 Equality and Diversity / Cohesion and Integration

4.1.1 An equality, diversity and cohesion screening exercise will be undertaken. It is not considered that the content of this report or the recommendations made will have any impact on any specific group or individuals.

4.2 Council policies and City Priorities

4.2.1 The services provided under this report will contribute to the council's business plan through spending money wisely.

4.3 Resources and value for money

4.3.1 The contract is to be tendered to ensure best value is achieved for the authority and a dynamic purchasing framework set up for the provision of Taxi and Private Hire Driver Training for up to an initial 4 years.

4.3.2 The impact of outsourcing and consolidating the training will be the loss of a significant amount of income to Taxi and Private Hire Licensing, as the driver applicants will pay the new training providers directly. The change in training provision will be accompanied by a review of service development roles, with an aim to include a stronger contract management function instead of direct training provision.

4.4 Legal Implications, Access to Information and Call In

4.4.1 A procedure will be set up for the control of documents and information relating to training.

4.5 Risk Management

4.5.1 The main risks to the authority are three fold:

- the risk of loss of training provision in the implementation of the new procurement – the council ends the contracts with existing providers before the new provision is ready;
- failure to have sufficient new training available within the early implementation of the contract; and
- loss of a training provider and failure to replace the provision during the period of the contract.

4.5.2 These risks will be addressed through the management of the implementation of the procurement and the management of the existing contracts.

5.0 Conclusions

5.1 The report provides Chair of Licensing Committee and Committee members with information on the procurement process.

6.0 Recommendations

6.1 Licensing Committee is recommended to note the approval of a procurement exercise and timetable for a dynamic purchasing provision of Taxi and Private Hire Driver Training for up to an initial 4 years.

Appendix A List of Driver Training Courses

Course title	Provider	Cost
Customer Care	Provided by LCC Fleet Services	£55 (to LCC)
Driving Standards Assessment	Provided by a choice of 3 local providers: Diamond Advanced Motorists AA DriveTech IAM RoadSmart	£78 £86.40
Hackney Carriage (Taxi) Knowledge	Provided by LCC Taxi & Private Hire Licensing	£50 (to LCC)
Literacy & Numeracy	Provided by LearnDirect	£25
Private Hire Driver Seminar: <ul style="list-style-type: none"> • Basic legislation • Leeds knowledge and Leeds city centre knowledge • Private Hire conditions • Using a reference tool (AZ) 	Provided by LCC Taxi & Private Hire Licensing	£90 (to LCC)
Safeguarding	Provided by Carolyn Eyre, Safeguarding Consultant	£10

Appendix B Possible Timetable

FRAMEWORK FOR TAXI AND PRIVATE HIRE DRIVER TRAINING

OJEU Open Procedure

Activity	Timescales
Seek Approval to Procure from Chief Officer	20.11.17
Procurement planning documentation	By 30.11.2017
First draft of Tender documents Parts 1 and 2 and appendices 1(a) and 1(b). Draft PQQ.	By 13.12.2017
Share draft documents with other LAs	13.12.2017 to 3.1.2018
Revise and refine tender documents following consultation	10.01.2019
Draft contract terms and conditions (Part 3)	W/c 13.01.2018
Share T & Cs and consult with other LAs	30.01.2018
Finalise tender docs and establish evaluation criteria/methodology & seek approval from CO/Director	22.02.2018
Publish tender documents on Yortender	w/c 1.03.2018
Tender period	8.03.2018 to 7.04.2018
Deadline for receipt of tenders	7.04.2018
Tenders downloaded and verified and passed on for evaluation	8.04.2018
Evaluation of tenderers' Quality Criteria/method statements	W/c 12.04.2018
Price evaluation	
Interviews and presentations	W/c 5.05.2018
Finalise tender evaluation and identify preferred bidder	By 6.05.2018

Activity	Timescales
Vetting of preferred bidders' PQQs	30.05.2018
Prepare award report	W/c 2.06.2018
Draft Agreement and check all paperwork	2.06.2018 to 27.06.2018
Send Alcatel letter to successful bidder and notify unsuccessful ones	W/c 30.06.2018
Alcatel period	1.06.2018 to 10.06.2018
Get approval to award contract (DDN) and publish decision and complete Award memo	By 11.06.2018
Confirm award and publish OJEU Award Notice	W/c 16.06.2018
Lessons learnt	30.06.2018
Draft Contract Management Plan	
New service commences	1.07.2018

Report author: Andrew White
Tel: 0113 3781562

Report of: Executive Officer, Taxi & Private Hire Licensing

Report to: Licensing Committee

Date: 5 December 2017

Subject: Review of Policies and Conditions – proposals for working groups

Are specific electoral Wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, name(s) of Ward(s):		
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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		

Summary of main issues

The Licensing Committee approved in October 2017 the review of the council’s various policies and conditions for taxi and private hire licensing. Members of the committee expressed an interest in getting clarity on their input, and that of other stakeholders, to the overall review process.

This briefing report suggest how the working groups could be established, with a view to tackling in turn the reviews of the various taxi and private hire policies and conditions.

Recommendations

Licensing Committee is recommended to note the establishment of working groups for the review of the council’s taxi and private hire policies.

1.0 Purpose of this report

1.1 This briefing report suggest how the working groups could be established, with a view to tackling in turn the reviews of the various taxi and private hire policies and conditions.

2.0 Background information

- 2.1 The October 2017 meeting of Licensing Committee heard that Leeds City Council has responsibility for licensing Hackney Carriage vehicles, drivers and proprietors, Private Hire and Executive vehicles, drivers, and operators within the city.
- 2.2 The council has adopted the provisions of the Local Government (Miscellaneous Provisions) Act 1976, which governs the licensing of Private Hire Vehicles, Private Hire Operators and drivers. The adoption of this act also encompasses the adoption of the Town Police Clauses Act 1847, which governs the licensing of Hackney Carriages.
- 2.3 The council's policies and conditions are set and reviewed by the council's Licensing Committee. The council's policies and conditions apply to all drivers, vehicles and operators who hold the relevant licenses issued by the council. The council's Taxi & Private Hire Licensing team are responsible for making decisions relating to the application of the policies and conditions, under the council's scheme of sub-delegation.
- 2.4 Licensing Committee supported the plan to review and consult on each of the specific policies and conditions after either three or five years, to make sure they remain up to date and effective, and to ensure that the associated application forms and guidance are as clear and supportive as possible. **Appendix 1** at the end of this report summarises the 43 policies and conditions due for review and consultation, and groups them by possible working group theme: driver, operator, vehicle or safety.

3.0 Main issues

- 3.1 The main issues relate to the working group approach, or terms of reference, input from key stakeholders, and timetable for review.
- 3.2 It will be important for us to ensure that the working group approach draws on input from a range of stakeholders, many of whom will have competing perspectives and interests. It will also be important for the working group to ensure that while it provokes discussion and a range of opinions, the end result is a set of clear recommendations which can be implemented, and can be enforced, in the interests of public safety. A list of possible stakeholders is included in **Appendix B**.
- 3.3 It will also be important for us to remain aware of the emerging trend towards developing national minimum standards and best practice, to keep up to date with the developments in technology and cross-border working, and to comply with the requirements of the Deregulation Act 2015. Further, the work being undertaken by the West Yorkshire & York group of authorities is likely to specify minimum standards for those conditions and policies relating most directly to public safety. This is most likely where it is considered there is a benefit in all authorities writing and rewriting conditions and policies which use the same language to support more effective cross-border intelligence, enforcement and legal action.
- 3.4 The proposals for the working groups are as follows:
 - Working group A – drivers: initial meeting Jan, review meeting Feb, final meeting March 2018;

- Working group B – operators: initial meeting April, review meeting June, final meeting July 2018;
- Working group C – vehicles: initial meeting Sept, review meeting Oct, final meeting Nov 2018; and
- Working group D – safety: initial meeting Dec 2018, review meeting Jan 2019, final meeting Feb 2019.

4.0 Corporate Considerations

4.0.1 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

4.0.2 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
- Safeguarding children and vulnerable adults

4.0.3 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.

4.1 Equality and Diversity / Cohesion and Integration

- 4.1.1 An equality, diversity and cohesion screening exercise will be undertaken of any policy implications. It is not considered that the content of this report or the recommendations made will have any impact on any specific group or individuals. This report and requests for input will be shared with the Equality Hub at its January 2018 forum.

4.2 Council policies and City Priorities

- 4.2.1 The services provided under this report will contribute to the council's business plan through spending money wisely.

4.3 Resources and value for money

- 4.3.1 The working groups will be managed and supported through existing resources. It is expected that input from other authorities or national agencies can be gathered by desk top analysis or written contributions, without the need to visit different cities in person.

4.4 Legal Implications, Access to Information and Call In

- 4.4.1 A procedure will be set up for the control of documents and information relating to training.

4.5 Risk Management

- 4.5.1 There are no risk management implications arising from this schedule of proposed review of policies and conditions, and it is not subject to call in or publication. The review of the policies and conditions may well raise issues perceived as relating to risk, such as where the council may harmonise its conditions in line with neighbouring authorities to enable more effective enforcement of cross border vehicles.

5.0 Conclusions

- 5.1 The report provides Chair of Licensing Committee and Committee members with information on the setting up of working groups for the review of the council's policies and conditions.

6.0 Recommendations

- 6.1 Licensing Committee is recommended to approve the setting up of working groups to review the council's taxi and private hire driver policies and conditions.

Appendix 1 Working Groups for review of TPHL policies and conditions

Working Group A: Driver Conditions

Existing conditions:
Group II Medical
Stretched Limousine Private Hire Driver
Medical Exemptions
Executive Private Hire Driver
Driving Standards Agency (DSA) Test
English Comprehension
Local Knowledge Test
Customer Care Training
Private Hire Driver
Plying for Hire
Novelty (Trike) Private Hire Driver
Three Year Driver Licences

Working Group B: Operator Conditions

Existing conditions:
Stretched Limousine Private Hire Operator
Executive Private Hire Operator
Novelty (Trike) Private Hire
Private Hire Operator
Private Hire Vehicle Proprietors inc. rental companies
Hackney Carriage Proprietor Suitability

Working Group C: Vehicle Conditions

Existing conditions:
Stretched Limousine Private Hire Vehicle
Hackney Carriage Vehicle inc. Wheelchair Accessible Vehicles, Vehicle Age Criteria & Livery, Signs and Markings
Private Hire Vehicle inc. Wheelchair Accessible Vehicles, Vehicle Age Criteria & Livery, Signs and Markings
Executive Private Hire Vehicle
Novelty (Trike) Private Hire Vehicle
Vehicle Age Criteria – 5/6/7 seat HC WAVs

Working Group D: Safety and other Conditions

Existing conditions:
DBS Checks (annual checks/ online update service)
Convictions Criteria
Immediate Suspensions
Publishing Driver Convictions

Access Committee

Core Cities Licensing Authorities

Equality Hubs

Hackney Carriage Associations/Unions, Operators, Proprietors and Drivers

Institute of Licensing

LCC Highways

LCC Licensing Committee Working Group members

LCC Passenger Transport

LCC Legal Services and expert legal advice

LCC Taxi and Private Hire Licensing staff

National Association of Licensing & Enforcement Officers

Private Hire Operators, Drivers and Associations/Unions

Universities

West Yorkshire Police

West Yorkshire & City of York Licensing Authorities

LICENSING COMMITTEE WORK PROGRAMME 2017/18 - LAST UPDATED 24/11/17 (JG)

ITEM	DESCRIPTION	Officer	TYPE OF ITEM
Meeting date: 9th January 2018			
Update/ monitoring report on the Victoria Gate Casino	To receive a report by the Head of Elections, Licensing and Registration which provides an update / monitoring report on the Victoria Gate Casino	N Raper	B
LCC's response to the Triennial Review of stakes and prizes under the Gambling Act	To receive a report by the Head of Elections, Licensing and Registration which provides the City Council's response to the triennial review of stakes and prizes under the Gambling Act	S Holden	SC
Review of the City Centre Cumulative Impact Policy Areas	To receive a report by the Head of Elections, Licensing and Registration which sets out details of the annual review of the City Centre Cumulative Impact Assessment areas (CIP).	S Holden	B
Clean Air Zone - Update	To receive an update by the Director of Environments and Housing on proposals around the clean air zone	Andrew Hickford	B
Meeting date: 6th February 2018			
LA03 Statement of Licensing Policy	To receive a report by the Head of Elections, Licensing and Registration which sets out the consultation arrangements for the	S Holden	SC

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

LICENSING COMMITTEE WORK PROGRAMME 2017/18 - LAST UPDATED 24/11/17 (JG)

ITEM	DESCRIPTION	Officer	TYPE OF ITEM
Consultation	LA03 Statement of Licensing Policy		
Meeting date: 6th March 2018			
Policing and the Night Time Economy	To receive a Presentation from Sergeant Dave Shaw, West Yorkshire Police on the issues of "Policing and the Night Time Economy"	D Shaw	B
Meeting date: 3rd April 2018			
Licensing Authority Policy Statement (2016-2018)	To receive a report by the Head of Elections, Licensing and Registration requesting approval of the public consultation in respect of the Licensing Authority Policy Statement (2016 – 2018)	S Holden	SC

Report of Head of Elections, Licensing and Registration

Report to Licensing Committee

Date: 5th December 2017

Subject: Large Casino – variation to Schedule 9 Agreement

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): City and Hunslet		
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?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, Access to Information Procedure Rule number: 10.4(3) Appendix number: A only		

Summary of main issues

1. The Gambling Act 2005 provided for 8 large and 8 small casino licences to be granted, in addition to the limited converted casino licences. Leeds was awarded the ability to grant a large casino licence and did so to Global Gaming Ventures Ltd in 2013.
2. As part of the competitive process Global Gaming Ventures Ltd committed to providing a number of benefits that were converted into a legal agreement made under Schedule 9 of the Gambling Act 2005. Benefits include commitments to employment, training, mitigation of problem gambling, environmental principles and the physical development of the casino. The licence was transferred to Global Gaming Ventures (Leeds) Ltd in 2016.
3. Following discussions with Global Gaming Ventures (Leeds) Ltd, it is proposed to amend two clauses within the original Schedule 9 agreement relating to the annual monitoring fee and the provision of a monthly drop in centre.

Recommendations

4. That Licensing Committee approve the variation to the Schedule 9 Agreement as set out in this report.

1 Purpose of this report

- 1.1 To seek approval of a variation of contract for the Schedule 9 Agreement between the Council and Global Gaming Ventures (Leeds) Ltd.

2 Background information

- 2.1 The Gambling Act 2005 changed the legislation governing the licensing of casinos significantly. The Act and associated regulations and a Code of Practice prescribed a two stage process under which applications for the licence can be submitted and considered. The Council must grant the application which would, in the authority's opinion, be likely if granted to result in the greatest benefit to the authority's area.
- 2.2 The two stage application process commenced on 24th January 2012 and culminated on the 13th May with two remaining applicants. On the 13th May Licensing Committee met to determine which of the two applicants would, in the authority's opinion, be likely if granted to result in the greatest benefit to the authority's area.
- 2.3 Licensing Committee determined which of the two applicants would be the preferred applicant, and instructed officers to complete a legal agreement to secure the benefits offered under schedule 9 of the Gambling Act 2005.

3 Main issues

- 3.1 Following discussions between Global Gaming Ventures (Leeds) Limited and the Council's Financial Inclusion Team it has been identified that now the casino is fully operational, the monitoring of its activities are on the whole subject to its premises licence which is carried out by way of an annual report to the Licensing Committee. As a result it is unlikely that the monitoring fee, which is presently unspecified but to a maximum cap, will ever be fully drawn down. The change proposals will ensure that a set agreed amount is paid annually to the council for costs incurred or to be incurred by the council in connection with monitoring activities.
- 3.2 These proposed changes may be found in **Appendix A** to this report.
- 3.3 An officer of the Council's Financial Inclusion Team will be attendance to provide Members with further information as required.
- 3.4 It should be noted that the contents of Appendix A and any related discussions are potentially exempt information under Access to Information Procedure Rule 10.4(3) as these include information relating to the financial or business affairs of any particular person and in all circumstances of the case, the public interest in maintain the exemption outweighs the public interest in disclosing the information. The report does not contain exempt information.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 The large casino premises licence was awarded in accordance with the Gambling Act 2005.

4.1.2 The current Gambling Act Statement of Licensing Policy 2016 to 2018 was reviewed and approved by Full Council in November 2015 having first been presented before Licensing Committee, Scrutiny and Executive Board.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 There are no equality and diversity/ cohesion and integration issues.

4.3 Council Priorities and Best Council Plan

4.3.1 The licensing regime contributes to the following Best Council Plan 2015-20 outcomes:

- Improve the quality of life for our residents, particularly for those who are vulnerable or in poverty;
- Make it easier for people to do business with us.

4.3.2 The licensing regime is linked to the Best Council Plan objectives:

- Supporting communities and tackling poverty, and
- Becoming a more efficient and enterprising council

4.4 Resources and value for money

4.4.1 Securing an annual fee for both the monitoring of the Schedule 9 and the provision of a support service, will ensure that the council has a sustainable regular income to cover costs associated. In addition that a service provision can be provided in a way that complements other support services. The annual fee will be paid into the Social Inclusion Fund and provide resource to support the Council's work around problem gambling.

4.5 Legal Implications, Access to Information and Call In

4.5.1 A variation agreement will be undertaken, agreed and signed by both the council and Global Gaming Ventures (Leeds) Limited.

4.5.2 This matter is an administrative decision made by Licensing Committee and as such is not available for Call In.

4.6 Risk Management

4.6.1 There are no issues relating to risk

5 Conclusions

5.1 In order to secure maximum benefit for the city, clauses relating to monitoring in sections 21.1 to 21.1.2 of the Schedule 9 Agreement and benefit 26 of the Schedule 1 are amended in accordance with Appendix A.

6 Recommendations

6.1 That Licensing Committee approve the variation to the Schedule 9 Agreement as set out in this report.

7 Background documents¹

7.1 There are no unpublished background documents that relate to this matter.

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.

Document is Restricted

This page is intentionally left blank



Report of the Head of Elections, Licensing and Registration

Report to the Licensing Committee

Date: 5 December 2017

Subject: Leeds Festival 2017 - Members Debrief

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Wetherby and Harewood		
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?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Access to Information Procedure Rule number: 10.4 (3 & 7)		
Appendix A		

Summary of main issues

1. The Leeds Festival is an annual event held over the August Bank Holiday weekend within the grounds of Bramham Park. The Festival is held under the authorisation of a premises licence issued under the Licensing Act 2003.

Recommendations

2. The Licensing Committee is required to note the contents of this report in respect of the de brief meetings following the Leeds Festival 2017 held at Bramham Park.

1.0 Purpose of this Report

1.1 This report is to advise Members of the outcome of the Leeds Festival held between the 25th and 27th August 2017.

2.0 Background Information

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

2.2 The licence granted to the Premise Licence holder Mr. Benn is held for Bramham Park and allows the festival to take place every August Bank Holiday weekend.

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

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

2.4 In addition the Committee reserved the right to determine how the final amended Event Management Plan for the festival should be agreed with the facility for the final plan to be agreed by the Committee or officers under delegated authority.

2.5 Members were presented with a report on the 2017 Festival arrangements at a meeting of the Licensing Committee held on the 1st August 2017.

2.6 Members resolved to give delegated authority to the Head of Elections, Licensing and Registration, to approve the final Event Management Plan. This was duly approved on the 23rd August 2017.

2.7 Members of the Licensing Committee undertook a tour of the site on the 23rd August in the company of the festival organiser.

3.0 Main Issues

3.1 The car parks and campsites opened to the early bird ticket holders on Wednesday 23rd August.

3.2 Multi agency meetings were held on the following occasions:

- Thursday 24 August 17:00hrs
- Friday 25 August 17:00hrs
- Saturday 26 August 00:15hrs
- Saturday 26 August 17:00hrs
- Sunday 27 August 17:00hrs

3.3 No agency concerns were raised at any of these meetings. Minor issues identified were dealt with.

3.4 On the Sunday evening the revised bus schedule and traffic management arrangements were a notable improvement on the 2016 event, and Entertainment Licensing are not in receipt of any complaints as experienced in 2016 relating to the exiting arrangements from the car parks and pick up areas.

3.5 Entertainment Licensing are however in receipt of one complaint in respect of the road closure imposed to prevent traffic volume through Thorner village. This has been referred to Festival Republic and LCC Department of Highways. The complaint consists of two elements these being that he could not get from his home to his place of work (Tadcaster) and that he should not have to direct his complaint to Festival Republic.

3.6 There were issues identified in the management of the Taxi/Private Hire pick up area including lack of communication between the Taxi/Private Hire Vehicles and the festival management and poor lighting in the area. The Premise Licence holder will address these issues in the review of the Traffic Management Plan.

3.7 The weather conditions experienced in 2016 were not repeated and as a consequence there were no problems with mud in the City Centre this year.

3.8 Debrief meetings were held on the 19 October 2017, summaries of which can be found at **appendix A**.

3.9 It should be noted that the contents of appendix A is potentially exempt information under Access to Information Procedure Rules 10.4(3) as this includes information relating to the financial or business affairs of any particular person, and 10.4 (7), information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime as in all the circumstances of the matter the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

3.10 Attached at **appendix B** are debrief reports from the Environment Department which expand on their reports at the de brief on the 19 October last.

3.11 The Premises Licence Holder will be in attendance at the meeting to address any questions from members.

4.0 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 The application for the premises licence in 2006 was subject to the statutory consultation process involving a newspaper advertisement and public notices displayed around the site for 28 days. Full liaison was held with the Ward Members and responsible authorities. Festival Republic continues to liaise with community representatives through the Parish Councils and local residents.

4.2 Equality and Diversity/Cohesion and Integration

4.2.1 At the time of writing this report there were no implications for equality and diversity.

4.3 Council Policies and City Priorities

4.3.1 The Premises Licence was granted in 2006 in accordance with the Licensing Act 2003 and the Council's Statement of Licensing Policy (Licensing Act 2003).

4.3.2 The licensing regimes contribute to the following outcomes as set out in the Best Council Plan 2015-20:

- Supporting economic growth and access to economic opportunities
- Keeping people safe from harm
- Supporting communities, raising aspirations
- Hosting world class events in Leeds City Council supporting a resilient, inclusive, cultural and creative sector

4.4 Resources and Value for Money

4.4.1 There are no resource implications to the licensing authority. The premises licence is subject to an annual maintenance fee as prescribed under the Licensing Act 2003.

4.5 Legal Implications

4.5.1 There are no legal implications known to the Council in terms of its responsibilities held under the Licensing Act 2003.

4.6 Risk Management

4.6.1 The Premise Licence Holder supplies an Event Management Plan that is distributed to all relevant agencies through the Council's Safety Advisory Group. The festival is subject to a number of multi-agency meetings before, during and after the event.

4.6.2 Any matters having an implication on the premises licence and the objectives of the Licensing Act will be referred to the Licensing Committee.

5.0 Conclusions

- 5.1 The multi agency debrief meetings have not identified any major concerns resulting from the 2017 Festival. Close partnership working between the organiser, emergency services, Leeds City Council and other partners are key to this being a successful event.
- 5.2 The Premises Licence Holder is now in the process of drafting the Event Management Plan for 2018, incorporating any amendments to reflect improvements on the 2017 event.

6.0 Recommendations

- 6.1 The Licensing Committee is required to note the contents of this report in respect of the de brief meetings following the Leeds Festival 2017 held at Bramham Park.

7.0 Background Papers

None¹

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.

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank