



LICENSING COMMITTEE

MEETING TO BE HELD IN CIVIC HALL, LEEDS ON

TUESDAY, 6TH MARCH, 2018 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:
Tel No:
Governance Services
Civic Hall
LEEDS LS1 1UR

John Grieve
37 88662

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 9th January 2018.</p> <p>(Copy attached)</p>	1 - 10
7			<p>MATTERS ARISING FROM THE MINUTES</p> <p>To consider any matters arising from the Minutes.</p>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
8			<p>LICENSING ANNUAL REPORT 2017</p> <p>To consider a report by the Head of Elections, Licensing and Registration which presents the Licensing Annual Report for 2017.</p> <p>The report provides information and statistics on the type and number of licensing applications processed by Entertainment Licensing and Taxi and Private Hire Licensing. It also provides information about the enforcement activity and liaison work undertaken by both Sections.</p> <p>(Report attached)</p>	11 - 40
9	City and Hunslet		<p>POLICING AND THE NIGHT TIME ECONOMY</p> <p>To receive a presentation from Sergeant Martin Mynard, West Yorkshire Police on the issues of "Policing and the Night Time Economy"</p> <p>(Report attached)</p>	41 - 42
10			<p>LICENSING COMMITTEE WORK PROGRAMME</p> <p>To note the contents of the Licensing Committee Work Programme for 2018/19.</p> <p>(Copy attached)</p>	43 - 44
11			<p>DATE AND TIME OF NEXT MEETING</p> <p>To note that the next meeting will take place on Tuesday 3rd April 2018 at 10.00am in the Civic Hall, Leeds.</p>	

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>	
2				
a)				
b)				

This page is intentionally left blank

Licensing Committee

Tuesday, 9th January, 2018

PRESENT: Councillor B Selby in the Chair

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

73 Appeals Against Refusal of Inspection of Documents

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

74 Exempt Information - Possible Exclusion of the Press and Public

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:-

Appendix A to Agenda Item No. 13, Gambling Act 2005 – Licensing of the Large Casino Schedule 9 Agreement – Annual Update was designated as exempt under Access to Information Procedure Rules 10.4 (3) because it contained information relating to the financial or business affairs of any particular person. (Minute No.85 Referred) and in all the circumstances of the matter, the public interest in maintaining the exemption outweighed the public interest in disclosing the information

75 Late Items

There were no late items of business.

76 Declaration of Disclosable Pecuniary Interests

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

77 Apologies for Absence

Apologies for absence were received from Councillors: S McKenna, and C Townsley.

78 Minutes of the Previous Meeting

The minutes of the previous meeting held on 5th December 2017 were submitted for accuracy and approval.

Draft minutes to be approved at the meeting
to be held on Tuesday, 6th February, 2018

RESOLVED – That the minutes of the previous meeting held on 5th December 2017, were accepted as a true and correct record

79 Matters Arising from the Minutes

There were no issues raised under matters arising.

80 Clean Air Zone Consultation Update

The Director of Resources and Housing submitted a report which advised Members of the plans to engage with the taxi and private hire trade as part of the wider consultation on the Council's Clean Air Zone (CAZ) plans.

Members were informed that the aim of the report was to illustrate how the process would support the steps that would be taken to complete the submission of a bid for funding to government to assist mitigation of the impacts of the CAZ on this sector.

Appended to the report was a copy of a Leeds City Council Newsletter (Taxi and Private Hire) dated 5th December 2017 which set out details of the government's intention to improve air quality (Clean Air Zones)

The Project Manager, Resources & Housing presented the report and responded to Members' questions and queries. Councillor J Lewis, Executive Member, Resources and Strategy was also in attendance.

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

- The defined boundary of the CAZ
- The charges that would apply to non-compliant vehicles entering the CAZ
- The measures that would need to be undertaken for a vehicle to be compliant
- The CAZ consultation to run from 2nd January to 2nd March 2018
- Communication with the trade, consultation approach, online information and engagement with the trade using existing channels and trade forums
- Support from the government to assist with the transition to lower emission vehicles that would be required by the introduction of a CAZ

Reference was made to the purchase of newer/ lower emission compliant vehicles suggesting that many drivers / operators would find it a financial strain to purchase newer vehicles.

In responding the Project Manager, Resources & Housing said it was important for individual drivers to be made aware of the options available to them and understand the benefits and savings from hybrid/ low emission vehicles. Government grants together with low interest loans could be made available if that was what drivers/ operators wanted.

Members queried how out of town vehicles would be monitored and charged.

Members were informed that the enforcement of out of town vehicles was not just a local issue but was a national issue. It was understood that representations had already been made to the Government from all major UK cities about this issue and there was also considerable support from Members of Parliament.

A discussion ensued on the use of electric vehicles with Members suggesting that the trade needed to be aware of electric vehicle costs (purchase costs and also running costs), the number of miles that could be achieved on a single charge and was there an adequate charging network in place.

Members were made aware that if an electric vehicle was charged from a residential property, off street car parking was required, and running a charging cable across the pavement would not be permitted.

One Member queried if it was possible to adapt a street lamp so the street lamp could act as a charging point.

In responding officers reported that it was possible to adapt a street lamp to become an electric vehicle charging point but it would only be suitable for curb-side lamp posts, it was understood a pilot scheme was currently been planned.

The Project Manager suggested that in the first instance it was likely there would be a large uptake of hybrid vehicles with uptake of electric vehicles following as the technology developed and charging points became more accessible

In providing an overview of the consultation the Executive Member responsible said the introduction of a clean air zone in Leeds was not a mechanism to make money, the main aim was to achieve lower vehicle emissions. The consultation would provide us with an understanding as to how we can help people to achieve this.

In summing up the Chair thanked Members and Officers for their contributions commenting that it had been an interesting and worthwhile discussion.

RESOLVED –

- (i) To note the consultation plan and engagement overview in respect of the taxi and private hire trade
- (ii) That a further update report be brought back to this Committee in six months-time (July 2018)

81 Review of the City Centre Cumulative Impact Policy Areas

The Head of Elections, Licensing and Registration submitted a report which requested the Committee to review the annual Cumulative Impact Assessment for the city centre.

Appended to the report were copies of the following appendices:

- West Yorkshire Police crime statistics for the preceding twelve month period (Appendix 1 referred)
- Updated Cumulative Impact Assessment for 2018 – (Appendix 2 referred)

The Principal Licensing Officer together with PC Arkle from West Yorkshire Police presented the report and responded to Members' questions and queries.

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

- The requirement of licensing authorities to prepare and publish a statement of licensing policy every 5 years
- The current policy was adopted as part of the Licensing Act 2003 Statement of Licensing Policy 2014 to 2018 in December 2013 and was updated in June 2016 to introduce a CIP for Armley
- The policy specifies that the city centre CIP evidence and map would be reviewed each year based on the most recent crime and disorder statistics supplied by West Yorkshire Police. This review would be detailed in the Cumulative impact Assessment for the city centre, which provides guidance for businesses making applications in the city centre
- West Yorkshire Police crime statistics for the preceding 12 months demonstrated that there was a 15% increase in violent crime in the red zone areas of the city centre and continued to be problematic.

In the discussion that ensued Members expressed concern and disappointment at the increase in violent crime. It was also noted there was a small increase in the number of sexual offences reported. Referring to sexual offences officers suggested that more people having the confidence to report such crimes possibly accounted for the slight increase.

Members queried paragraph 3.11 of the submitted report and the discontinuation of the street marshal scheme due to lack of overall organisation and competing police priorities.

In responding Officers reported that the Purple Ambassadors, provided by a partnership between LeedsBID, Leeds City Council and BACIL had assumed responsibility for the scheme since September 2017. The impact on the crime statistics would be evident in the next review

The Chair thanked PC Arkle for her attendance and contribution

RESOLVED –

- (i) To approve the cumulative impact assessment for the city centre effective for 2018
- (ii) To note the establishment of a Working Group set up to review the city's cumulative impact policies in the city centre, Headingley, Woodhouse, Chapel Allerton, Horsforth and Armley, (Working Group to include Councillors: M Harland, B Flynn, B Selby, A Khan and K Groves

82 Consultation on Proposals for Changes to Gaming Machines and Social Responsibility Measures

The Head of Elections, Licensing and Registration submitted a report which set out the Council's proposed response to the consultation on proposals for changes to gaming machines and social responsibility measures.

Appended to the report were the following documents:

- Consultation on proposals for changes to Gaming Machines and Social Responsibility Measures – Issued by the Department for Digital, Culture Media & Sport October 2017 (Appendix A referred)
- Draft Leeds City Council response to the consultation (Appendix B referred)

The Principal Licensing Officer presented the report and responded to Members' questions and queries.

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

- The main proposals put forward in the consultation
- The views of the industry
- The coordination/ consultation undertaken by Entertainment Licensing in preparing the proposed response

RESOLVED –

- (i) That the proposed draft response be approved as the City Council's formal response to the consultation
- (ii) That a letter be sent on behalf of the Committee to all Leeds Members of Parliament requesting their support in ensuring the views of the City Council are made known to the appropriate Minister responsible

83 Licensing Committee Work Programme

Members considered the contents of the Licensing Committee Work Programme for 2018.

In accordance with Minute No. 80 above, a further report providing an update of the Clean Air Zone Consultation be brought back to this committee in six months-time (July 2018)

RESOLVED – That with the inclusion of the above, the contents of the Licensing Committee Work Programme for 2018 be approved.

84 Date and Time of Next Meeting

RESOLVED – To note that the next meeting will take place on Tuesday, 6th February 2018 at 10.00am in the Civic Hall, Leeds.

Draft minutes to be approved at the meeting
to be held on Tuesday, 6th February, 2018

CLOSED SESSION

(At this point on the agenda, the meeting went into closed session)

85 Gambling Act 2005 - Licensing of the Large Casino Schedule 9 Agreement - Annual Update

The Head of Elections, Licensing and Registration submitted a report which provided an update on the delivery of the benefits of the Schedule 9 Agreement as a condition of the Casino Premises Licence.

Appended to the report were copies of the following documents:

- Annual Update Report prepared by Global Gaming Ventures (GGV) the casino premises licence holders. – Appendix A (Exempt Report)
- Problem Gambling in Leeds – Briefing Note prepared by the City Council's Financial Inclusion Team – Appendix B

The Section Head, Entertainment Licensing together with the Financial Inclusion Manager, Communities and Environment presented the report and responded to Members questions and queries.

Members were informed that GGV Ltd secured the full casino premises licence in March 2015. Upon being granted the licence, GGV Ltd committed to undertake a range of benefits, including commitments to employment, training, the mitigation of problem gambling, and commitment to environmental principles to the physical development of the casino. These benefits are secured by a Schedule 9 Agreement. The Schedule 9 Agreement is strengthened by a condition on the casino premises licence which ensures that the benefits are evaluated.

Members noted the Schedule 9 Agreement consisted of a Schedule 1 document which sets out 38 benefits that the casino would deliver. (Appendix 1 referred)

The Chair welcomed and introduced representatives from Global Gaming Ventures (GGV) Ltd:

Andrew Herd – Chief Executive

Deborah Roil – Director of Development & Stakeholder Relations, GGV

Patrick Noakes – Managing Director, Victoria Gate Casino

Members received a brief presentation on the operation of the Casino in the first ten months of opening which included:

- Opening and Performance
- Business Highlights
- Employment and Training
- Responsible Operator
- Ownership and Financing

Members also received an update on the delivery of the benefits as contained in Schedule 1 of the Schedule 9 Agreement. The additional information to be supplied is set out in the resolution (iv) below

The Chair thanked GGV for their attendance and presentation and welcomed the update on the annual report.

RESOLVED –

- (i) To note and welcome the presentation by GGV (Leeds) Limited
- (ii) To note the progress on the delivery of the benefits as contained in the Schedule 9 Agreement
- (iii) To note and welcome the contribution made by the council's Financial Inclusion Team
- (iv) That the requested information on local employment be circulated to Members as soon as it becomes available

This page is intentionally left blank

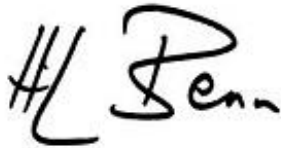
To Cllr Brian Selby
Chair of Licensing Committee

Dear Brian

Many thanks for your letter of the 18th January enclosing your response to the Government's consultation on the review of Gaming Machines.

This is really helpful and I am glad to see that the Council supports a reduction of the maximum stake of FOBT's to £2.

Best wishes

A handwritten signature in black ink, appearing to read 'H Benn'.

Hilary Benn
Member of Parliament for Leeds Central

This page is intentionally left blank

Report of Head of Elections, Licensing and Registration

Report to Licensing Committee

Date: 6th March 2018

Subject: Licensing Annual Report

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 type="checkbox"/> Yes	<input checked="" 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:		
Appendix number:		

Summary of main issues

1. This report provides the Licensing Annual Report for consideration by Licensing Committee
2. The annual report provides information and statistics on the type and number of licensing applications processed by Entertainment Licensing and Taxi and Private Hire Licensing. It also provides information about the enforcement activity and liaison work undertaken by both Sections.

Recommendations

3. That Licensing Committee considers the Annual Report for information only.

1 Purpose of this report

- 1.1 To present to Licensing Committee the annual report of Entertainment Licensing and Taxi and Private Hire Licensing.

2 Background information

- 2.1 Each year Entertainment Licensing and Taxi and Private Hire Licensing provides licensing statistics and a summary of enforcement and liaison activity to Licensing Committee.

3 Main issues

- 3.1 This is a covering report for the Licensing Annual Report.
- 3.2 The Annual Report will be presented to full Council in March and Corporate Governance & Audit Committee in June.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 There are no implications for consultation and engagement. The Annual Report is for information only.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 There are no implications for equality and diversity, cohesion and integration.

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;
- Be safe and feel safe
- 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
- Promoting sustainable and inclusive economic growth
- Building a child friendly city

4.4 Resources and value for money

- 4.4.1 There are no implications for resources and value for money.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 There are no legal implications, and this report is not subject to access to information and call in requirements.

4.6 Risk Management

4.6.1 There are no risks associated with this report.

5 Conclusions

5.1 This is the covering report to the Licensing Annual Report for 2017.

6 Recommendations

6.1 That Licensing Committee considers the Annual Report for information only.

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.

This page is intentionally left blank

Licensing

Annual Report 2017



Contents

Foreword by Cllr James Lewis & Cllr Brian Selby		3
Entertainment Licensing	Introduction	4
	Evening and Night time economy	5
	Strategy & Policy	6
	Proactive Work	7
	Reactive Work	8
	Licensing Act Application Statistics	10
	Gambling Statistics	13
	Large Casino	13
	Sex Establishments	14
	Outdoor Events	14
Taxi and Private Hire Licensing	Introduction	15
	Enforcement	16
	Safeguarding	17
	Service Improvement	18
	Licensing Statistics	19
	Decisions	19
	Refusals and Revocations	20
	Suspensions	21
	Complaints	22
Corporate Considerations	25	

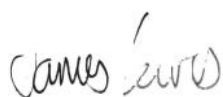
Foreword

Businesses who wish to operate in the UK are regulated under a number of pieces of legislation. To run a pub you must hold a personal licence, a premises licence, be registered as a food premises and be signed up to Performing Rights Society so royalties are paid to musicians. To be a taxi or private hire driver you will need a driver licence, a vehicle licence and if you are a sole trader, an operators licence as well as insurance, road tax and a valid MOT. Don't forget if you have a business that is profitable above a certain threshold you will have to be registered with HMRC and if you employ people there is a whole raft of health and safety and employment legislation to have regard to. You may have to speak to a number of different departments working within the council and this fragmented approach to regulation proves to be challenging for most new businesses.

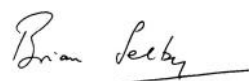
Elections, Licensing and Registration seek to make this process as easy as possible, with comprehensive guidance and application forms to download on the web, web based application routes for most application processes and face to face assistance available. Although the council seeks to promote self-service, some of our customers need one on one help and this is provided by Taxi and Private Hire Licensing at their bespoke offices on York Road, and by Entertainment Licensing in the city centre.

In the past year both licensing teams have seen a flurry of changes to the way they work. The new Policing and Crime Act 2017 brought changes to alcohol and entertainment licensing, but more significantly the House of Lords Select Committee on the Licensing Act 2003, the Government Review on Scrap Metal Licensing and the All Party Working Group on Taxi and Private Hire Licensing have brought with them an element of uncertainty over the future of licensing which makes it difficult to forward plan. However, thankfully, both reviews have only led to minor changes so far, with the future changes being welcomed as they will increase public protection. More fundamentally the way the services work is changing with more digital opportunities making the work of applying for and renewing licences easier for everyone.

This report provides a summary of the work undertaken in 2017 by Entertainment Licensing and Taxi and Private Hire Licensing. Between them these two small teams administrate and enforce in excess of 10,000 licences.



Cllr James Lewis
Executive Member for Licensing



Cllr Brian Selby
Chair of Licensing Committee

Introduction

The Leeds metropolitan district extends over 217 square miles and has a population of just over 750,000. It includes the City Centre and the urban areas that surround it, the more rural outer suburbs and several towns, all with their very different identities. Two-thirds of the district is greenbelt (open land with restrictive building), and there is beautiful countryside within easy reach of the city.

Entertainment Licensing is a section based within Communities and Environment under the Elections, Licensing and Registration Service. The section comprises of a section head, 5 principal officers, 4 enforcement officers and 9 licensing officers under the following structure:

- Section Head
- Principal Liaison and Enforcement Officer with responsibility for 4 Enforcement Officers
- Three Principal Licensing Officers with responsibility for 9 Licensing Officers.
- One Principal Licensing Officer with responsibility for systems and processes.

Entertainment Licensing deals with a variety of licences and registrations under a number of different laws.

The main functions of the section are:

Licensing Act 2003 - Sale or supply of alcohol, regulated entertainment and late night refreshment.

In the wider Leeds district the section licences 2,702 individual premises under the Licensing Act. These include public houses, registered members clubs, late night bars, nightclubs, late night takeaways and restaurants. Also caught under this legislation are village halls, community centres and school halls.

The section also administrates 1,500 temporary events, around 500 personal licences and processes a large number of permissions to site gaming machines in alcohol licensed premises each year.

Gambling Act 2005 - Gambling facilities including bookmakers, amusement arcades, casinos but also permits and permissions such as lotteries.

There are around 250 premises licensed under the Gambling Act including 120 betting shops and 4 casinos.

Local Government (Miscellaneous Provisions Act) 1982 - Adult entertainment including 3 retail shops and 4 sexual entertainment venues (lap dancing clubs).

Scrap Metal Dealers Act 2013 - Registration of mobile collectors and scrap yards. The section currently has around 250 licensed scrap metal dealers.



Police, Factories etc (Miscellaneous Provisions) Act 1916 and House to House Collections Act 1939

- Charitable street and house to house collections.

Hypnotism Act 1952 - Regulation of performances of hypnotism in public venues.

Marriage Act 1949 - Venues licensed as places where civil marriage ceremonies are conducted.

The council is required to develop, publish and regularly review a statement of licensing policy under the Licensing Act 2003 and Gambling Act 2005.

The council has developed a statement of licensing policy for the licensing of sex establishments which describes the suitable number and locality where it is suitable to locate sexual entertainment venues.

Application, inspection and enforcement procedures are prescribed in the relevant legislation.

As a general rule any application that attracts adverse representation will be heard before a licensing subcommittee, with the exception of licences for lap dancing clubs where all applications are brought before a licensing subcommittee.

Applications made under the Licensing and Gambling Acts must be granted in the absence of representations.

Applications under the Scrap Metal Dealers Act are determined by officers. If an applicant is considered to be unsuitable they will have the opportunity to attend a meeting before a panel of officers. The applicant then has a further avenue of appeal to the magistrates court. Scrap metal applications are not considered before a licensing subcommittee.

Evening and Night Time Economy

The Evening and Night Time Economy Strategy for Leeds 2010 defines the night time economy as the provision of entertainment, food, and drink usually in a social setting, predominantly but not exclusively between 6pm and 6am. That report considered entertainment, food and drink to be identified as:

- Theatres, cinemas and cultural events
- Restaurants, cafe-eateries and takeaways
- Bars, pubs, cafes and off licences
- Dance clubs and music venues
- Fairs, circuses and other public events
- Evening retail

Most of these premises are licensed under the Licensing Act 2003 which is legislation administered and enforced by Entertainment Licensing and seeks to control the sale of alcohol, provision of entertainment and late night hot food and drink.

Licensing Act 2003

The Licensing Act has four licensing objectives which underpin all decision making under that Act:

- The prevention of crime & disorder
- The prevention of public nuisance
- Public Safety
- The protection of children from harm

The Act places a responsibility on licensing authorities to establish a Statement of Licensing Policy which must set out how the authority intends to promote these objectives. The Statement of Licensing Policy must be reviewed every three years,

The Statement of Licensing Policy may provide for cumulative impact policies (CIPs) where it is identified that any of the licensing objectives are being undermined due to the concentration of licensed premises.

Leeds has six areas to which the cumulative impact policy applies:

- City Centre
- Woodhouse/Hyde Park corridor
- Headingley
- Horsforth
- Chapel Allerton
- Armley

The city centre area goes further to identify red, amber and green zones. The red zones focus on the areas of Call Lane/Lower Briggate and Albion Street, where it is considered that these areas cannot support any more licensed premises. The annual review of the City Centre CIP took place late 2017 and in December and the licensing committee discussed the increase in crime in these areas and how partners will be working with premises in the area to reduce the crime rate. The evidence was published in January 2018. The Statement of Licensing Policy 2019—2023 is due for review in 2018.

With 2700 licences to administer and enforce, and a team of 19 staff, the section takes three approaches – strategic, proactive and reactive.

Strategy and Policy

The strategic view includes involvement in national and regional policy making, liaison with the trade, including external trade organisations such as PubWatch, Business Against Crime in Leeds (BACIL), LeedsBID, Public Health England, Local Government Association.

In the last 12 months officers from Entertainment Licensing have contributed to the following strategic and proactive projects and groups:

PubWatch forums - Entertainment Licensing and West Yorkshire Police support 16 business-led forums across Leeds, including administering of the PubWatch website which provides a useful tool for licensees to access and share information in

promoting safe and enjoyable environments in the daytime, evening and night-time economies.

LeedsBID Steering Group—LeedsBID is the organisation that collects and manages the Business Improvement District in Leeds. It is providing safeguarding training for licensees and their staff, have taken the lead in obtaining Purple Flag for the city and have worked in partnership with BACIL and Leeds City Council to procure teams of Evening Ambassadors who work alongside other organisations to help identify anti-social behaviour, and work on early intervention and crime prevention in liaison with city centre venue owners, door staff, Street Angels Leeds and emergency services to ensure Leeds is an attractive, welcoming and safe place to be.

Business Against Crime in Leeds (BACIL) Board of Management - BACIL supports daytime and night-time retailers in fighting retail crime across the city centre through closer partnership working with retailers, agencies and other stakeholders. Entertainment Licensing is an active partner on the board in supporting its aims and objectives.

Leeds Purple Flag Task Force - Purple Flag is an accreditation process similar to the Green Flag award for parks and the Blue Flag for beaches. It leads to Purple Flag status for town & city centres that meet or surpass the standards of excellence in managing the evening and night-time economy. The city centre was awarded Purple Flag status in January 2017.

Leeds Licensing Enforcement Group (LEG) – Chaired by Entertainment Licensing, this is a six weekly meeting between all bodies designated as responsible authorities under the Licensing and Gambling Acts as well as other groups such as Leeds Antisocial Behaviour Team, West Yorkshire Police, British Transport Police, Trading Standards and the council's Safer Leeds, Planning, Environmental Health, Public Health, and Children's Services where a common and consistent approach is agreed in respect of specific 'problem premises' in all areas of the city.

City Centre Tasking Group – The operational group sits under the Divisional Community Safety Partnership and looks at addressing issues of concern affecting the city centre e.g. environmental issues, street begging and anti-social behaviour. The group is made up of partners from a wide variety of agencies.

City Centre Community Safety Partnership – The group is made up of a wide range of agencies and stakeholders. The aim of the group is to reduce crime and disorder in the city centre and to help people feel safe in their communities, concentrating on anti-social behaviour, safeguarding, localities working, partnership arrangements and Intelligence sharing.

Strategic Safety Advisory Group (SSAG) - It is the policy of the Leeds City Council to uphold reasonable standards of public safety at outdoor events and to encourage the wellbeing of the public, officials, event organisers and performers. The local authority maintains a Strategic Safety Advisory Group (SSAG) to provide oversight of existing Safety Advisory Groups (SAGs) to seek assurance as to their efficacy. It is not within the remit of this group to advise organisers on licensing and other technical issues relating to their public event. This function will continue to be implemented at an event planning level, through Safety Advisory Groups. The SSAG exists to ensure that the relevant SAGs are meeting and considering the relevant guidance, legislation and advice provided.

LGA Policy Forum - Entertainment Licensing sits as a representative for Yorkshire and Humber at the Local Government Association Licensing Policy Forum which looks at national issues and upcoming changes to legislation. This group provides a valuable link between Government departments and local authorities under the LGA umbrella and has been able to provide a local authority view in a number of key legislative changes.

Proactive Work

The LA03 Act prescribes responsible authorities that must be consulted and may submit representation against a licence application, such as the police, environmental health, planning, and the licensing authority. For the purpose of Leeds, Entertainment Licensing is the licensing authority.

In the capacity as a responsible authority, Entertainment Licensing assesses all applications and may make representations in liaison with responsible authorities. In the last 12 months Entertainment Licensing has made representations to applications for:

- 5 Briggate (red zone) — Late night refreshment application which was withdrawn
- Hirsts Yard (red zone) - Variation application which was partially withdrawn. Remaining changes had no impact on licensing objectives
- Space to Eat (red zone) - Late night refreshment application granted for 6 months to prove reduction in crime
- 5 Briggate (red zone) - Late night refreshment application refused at hearing
- Lister Fisheries (Headingley) - Conditions agreed
- Viaduct (red zone) - application amended to remove it from scope of CIP
- Guitar Café (red zone) - Granted at Hearing

The Enforcement Team undertake regular joint licensing operations with partner agencies, an example of which is Operation Capital with West Yorkshire Police. This operation is typically held on Friday, Saturday or Sunday evenings in to the early hours of the morning and involves compliance

visits to identified premises within the City Centre policing district. Similar operations are held with divisional Neighbourhood Policing Teams around the Leeds district.

Joint operations also take place to identify and address under-age and counterfeit goods, illegal drinking dens, and unlicensed late night takeaways.

Members of the Licensing Committee join licensing and police officers on visits of the City Centre. The Members are able to witness for themselves the vibrancy of the City into the early hours of the morning, and the excellent work carried out by partner agencies, licence holders and volunteers in supporting the night-time economy.

Reactive Work

The Licensing Act contains measures to ensure that the council, and responsible authorities, are able to deal with premises that wilfully and persistently undermine the licensing objectives.

The council and responsible authorities are committed to encouraging a thriving day time and evening licensed economy but will not tolerate those premises whose activities infringe upon the quality of life for local residents and businesses.

The Enforcement Team operate under an Enforcement Protocol which was developed and agreed with the bodies that are designated as responsible authorities under the legislation. As such complaints about licensed premises are dealt with under this protocol which ensures a reasonable and proportionate response.

This year Enforcement have received 180 complaints. Typical complaints include public nuisance arising from music, patrons using external areas, nuisance caused by lighting or vehicles, premises exceeding hours or operating without licence, and aggrieved persons having been refused entry to pubs and clubs.

Complaints are generally resolved through liaison with the relevant licence holder, and where required engagement with the relevant services, but where complaints are substantiated and satisfactory solution is not obtained formal enforcement action may be necessary.

Prosecutions

In accordance with the enforcement protocol, the council adopts a multi-agency approach to the prosecution of offences under the Licensing Act.

Consideration will be given to the appropriate powers that should be used to address a problem where other agencies such as the police, fire authority, environmental protection and trading standards also have their own powers.

The council has adopted the principles of the Hampton Report in its enforcement concordat. Formal enforcement will be a last resort and proportionate to the degree of risk. To this end the key principles of consistency, transparency and proportionality will be maintained.

The council has a zero tolerance to anti-social behaviour and environmental crime.

Entertainment Licensing has not brought any prosecutions to court in 2017 which demonstrates that liaison and support to licence holders and by the same token with residents is a successful tool.

Reviews of Licences

The Act provides for an application to review a licence which can be brought by a responsible authority or any other person where a premises is undermining one or more of the licensing objectives. Once again, liaison is often the key to resolving problems before they reach the need for a review.

Over the past 12 months there have been 3 reviews brought before the Licensing Committee:

Public House, LS10. Summary review brought by West Yorkshire Police on the grounds of crime and disorder. The licence was initially suspended, then suspended for three months to allow a change in personnel and conditions were added to the licence.

Event Space, LS12. Review brought by West Yorkshire Police on the grounds of crime and disorder. Conditions were added to the licence.

Restaurant, LS8. Summary Review brought by West Yorkshire Police on the grounds of serious crime or disorder. The licence was modified with additional conditions after an initial suspension.

Legislation Changes in 2017

The Policing and Crime Act 2017 brought a number of changes to the Licensing Act 2003. The most significant of these was an amendment to the Late Night Levy which will allow the council to specify the area to which it applies. This will enable the council to set a levy only in those areas that require additional night time economy funding rather than apply it to the entire metropolitan district. This has not been commenced yet, but is expected in April 2018.

Another change will be that cumulative impact policies will be inserted into the Licensing Act 2003 and so place them on a statutory footing. This change is expected to be commenced in April 2018.

The House of Lords convened a Select Committee to review the Licensing Act in its entirety. Leeds City Council provided a formal response to the Call for Evidence. Cllr Lewis made a presentation to the Committee on behalf of licensing authorities.

The Select Committee published their report which recommended number of changes. These were broadly rejected by Parliament, however Section 182 guidance will be strengthened to encourage greater coordination between licensing and planning.

The Government review on gaming machines concluded with a public consultation this year, including the stakes and prizes for fixed odds betting terminals. This review will also look at how gaming machines impact on the community.

The Government reviewed the Scrap Metal Dealers Act to see if it addressed the outcomes it was designed for. Essentially this was to see a reduction in metal theft. The Government has elected not to change the regime.

Future Changes

The Government Digital Service is trialling an improved form for temporary event notices based on the information Leeds and other authorities gave them. Leeds is still involved in the process and is providing as much assistance as possible to encourage this system to be put live.

The Statement of Licensing Policy is due to be reviewed in 2018 which will bring changes to cumulative impact policies and local licensing guidance. The specifics will be consulted upon mid 2018.



Entertainment Licensing

Application Statistics

This table shows the number of new and variation premises licence applications received under the Licensing Act 2003. For comparison purposes the figure for the previous year has been included. Due to the length of time the licensing process takes (60—90 days) the numbers of applications received and the determinations may not match.

Premises Licence applications and variations (excluding CIP areas)	2016	2017
Total number of applications received	135	129
Of which:		
Had no representations	63	63
Had control measures agreed and/or the representation withdrawn prior to a hearing	39	38
The application was withdrawn	5	6
Was granted at hearing	16	13
Was refused at hearing	2	3
Still pending determination	10	4
Appeals	2*	0

This table sets out the applications and variations received for cumulative impact areas 1 to 3.

	Area 1 City		Area 2 Headingley		Area 3 Woodhouse	
	2016	2017	2016	2017	2016	2017
Total number of applications received	69	55	11	9	1	1
Applications with no reps	32	22	5	4	0	0
Applications with control measures agreed/rep withdrawn prior to a hearing	16	27	1	1	0	1
Applications withdrawn	4	4	1	2	0	0
Granted at hearing	4	4	1	0	0	0
Refused at hearing	1	2	1	0	0	0
Pending determination	17	1	0	0	0	0
Appeals	0	0	0	1	0	0

* Appeals—The Hedonist (withdrawn) and Wetherspoons (dismissed)

Entertainment Licensing

Cumulative Impact Policy Areas

This table sets out the applications and variations determined for cumulative impact areas 4 to 6:

	Area 4 Chapel Allerton		Area 5 Horsforth		Area 6 Armley	
Year	2016	2017	2016	2017	2016	2017
Total number of applications received	0	5	0	1	3	0
Applications with no reps	0	2	0	2	0	0
Applications with control measures agreed/rep withdrawn prior to a hearing	0	2	0	0	0	1
Applications withdrawn	0	0	0	0	0	0
Granted at hearing	0	0	0	0	0	0
Refused at hearing	0	0	0	0	2	0
Appeals	0	0	0	0	1	0

This table shows a breakdown of the data for the City Centre CIP to identify the decisions made for premises in each of the areas.

	City Red Zone		City Amber Zone		City Green Zone	
Year	2016	2017	2016	2017	2016	2017
Total number of applications received	5	13	44	35	20	7
Of which:						
no representations	0	1	20	18	12	3
control measures agreed/rep withdrawn prior to a hearing	0	6	12	18	4	3
withdrawn	1	2	1	1	2	1
granted at hearing	1	2	2	2	1	0
refused at hearing	1	2	0	0	0	0
Appeals	1	0	0	0	0	0

Temporary Event Notices

Temporary event notices are a facility under the Licensing Act 2003 where people can serve a notice on the council that states that they will be serving alcohol, providing regulated entertainment or both at a specific time. As it is not an application or permit, no permission is sought. It is merely a notice served upon the council.

However there are strict limits to the number of temporary event notices someone can serve, for how long the event can run and the number of people that can attend. There is the ability for either the Police or Environmental Health to serve an objection notice which would then lead to a hearing of the Licensing Committee to determine if licensable activities at the event can take place.

Temporary Event Notices were served on the Authority as follows:

Normal Temporary Event Notices:	Jan - Dec 2016	Jan - Dec 2017
Total Number Received:	1286	1530
Accepted:	1264	1529
Objections/ Withdrawn:	0	0
Hearings	0	0
Counter Notice issued by the authority preventing the event	21	41

The notice period required under the law is ten working days, not including the day we receive the notice or the day of the event. However there is the ability to serve a limited number of 'late temporary event notices'. If these are objected to a counter notice is automatically served without recourse to Licensing Committee.

Late Temporary Event Notices:	Jan - Dec 2016	Jan - Dec 2017
Total Number Received:	529	647
Accepted:	529	646

Gambling Statistics

In 2016 the Section dealt with 7 gambling applications as follows:

Betting shops

1 application to vary a betting shop licence after a refurbishment

Casinos

3 variations to existing casino premises licences for layout changes

Adult Gaming Centres

No new adult gaming centre applications

Bingo

1 application for a new licence for Luda Bingo in the city centre.

1 application to vary an existing bingo premises.

Large Casino

In May 2013, following a competitive process the council granted a large casino provisional statement to Global Gaming Ventures Ltd (GGV Ltd) for the site at Eastgate, now known as Victoria Gate. In granting the provisional statement, the council secured an up-front financial payment in addition to commitments for annual payments to be made from the first anniversary of the casino opening.

A legal agreement between the council and GGV Ltd sets out the 38 benefits that will accrue from the operation of the licence. These benefits include funding projects that seek to mitigate potential harmful social effects of gambling and more general social inclusion priorities across the city through funding a social inclusion fund.

In 2016 the premises licence was issued, varied and transferred to GGV (Leeds) Ltd. Construction work began and the fit out started in earnest. Licensing Committee were able to visit the casino in January 2017, a couple of weeks before the casino opened on 26th January 2017.

The Leeds Responsible Gambling Forum was established and the Leeds Beckett University finalised the baseline assessment of problem gambling in Leeds which shows a gap in support services. The Social Inclusion Fund, funded by GGV (Leeds) Ltd, will help meet this need.



Sex Establishments

The council has a statement of licensing policy for the licensing of sex establishments which includes adult shops and lap dancing venues.

There are presently two licensed adult shops in the city centre, with one further shop at LS12. All licences are applied for on an annual basis before which they are subject to a compliance visit. The applications for 2017 were not subject to any objections.

In addition to the shops, there are four sexual entertainment venues in the City Centre. A new sexual entertainment venue successfully applied for a licence on Assembly Street, in the city centre, near to the Corn Exchange. This premises, known as Whiskey Down, will operate as a whisky based venue with lap dancing provided on the upper floors.

The other three sexual entertainment venues located on York Place (x2) and Sovereign Street had their licences renewed for a further 12 months.

Outdoor Events

Premises Licences are required for the majority of outdoor events held throughout the Leeds district, ranging from large scale events such as Leeds Festival to smaller community events, some of which are held under Temporary Event Notices.

The council's Resilience and Emergencies Team formed a Strategic Safety Advisory Group in 2015 to co-ordinate a calendar of all events, and convene safety advisory meetings for those events that are flagged through a risk scoring matrix. This ensures that all agencies have a full picture of events, both licensed and unlicensed taking place around the Leeds district and have an opportunity to feed in to the planning and debrief processes.

This group has enabled officers to be more targeted in their approach to events, visiting 11 medium to high risk events during the year.

In August the Leeds Festival took place at Bramham Park to great success. A debrief report was brought before Members of the Licensing committee by the organiser in November.

The multi-agency meetings for the 2018 event are about to commence.



Introduction

In England, outside London, Hackney carriage (taxi) and private hire licences are issued by district councils to control the safe operation of Hackney carriage and private hire vehicles being used for hire and reward on public roads.

It is our responsibility to make sure that the taxi and private hire trade in Leeds is operated in a professional manner and that the correct standards of safety and comfort are satisfied by all licensed drivers, vehicles and operators.

Our overriding principle is the safety of the travelling public and we are committed to contributing to a high quality transport service and continuous development and improvement within the taxi and private hire trade which encompasses quality of service issues.

It is recognised that those who are licensed by the section are the biggest providers of transport in the evening and night time economy and the safe licensing and monitoring of licensed drivers and vehicles contributes significantly to the safety of the travelling public.

The taxi and private hire licensing service in Leeds is one of the most active licensing authorities in the country and works closely with the West Yorkshire local authorities and other neighbouring authorities.

A self-financing Section (setting fees to administer the function as defined within the controlling legislation), we have responsibility for issuing licences to:

- Hackney carriage drivers
- Hackney carriage vehicles,
- Private hire drivers
- Private hire operators
- Private hire vehicles
- Council permits for vehicles issued under contract to Social Services
- Vetting of Escorts for children with special needs within those contracts.

Fit and Proper

Particular attention is paid to ensuring that all licence holders are 'fit and proper' to hold a licence within the Leeds Licensing District.

All applicants undertake a criminal records disclosure (DBS) to check for the existence and content of any criminal record.

Applicants must pass an English comprehension test, a Hackney carriage and/ or private hire knowledge test and a customer care course to ensure that they are able to communicate effectively with their customers, have a working knowledge of the law surrounding their trade and are familiar with the Leeds district.

Before granting vehicle licences, on-site examinations are conducted to ensure that the vehicle meets MOT standards and that certain criteria are met, as set out in our current licensing conditions

Further proactive enforcement activity is undertaken by the means of on street inspections, investigations and operator base visits to ensure compliance with legal requirements and licence conditions whilst ensuring the comfort, safety and appearance of vehicles.



Enforcement

Our Enforcement Officers regularly conduct roadside vehicle inspections to check the road worthiness and fitness of our licensed vehicles.

Enforcement Officers will issue Rectification Notices and Suspension Notices for minor and major faults respectively.

The areas our officers check include but are not restricted to:

- Tyres
- Brakes
- Steering
- Lights
- Engine Transmission
- Interior condition
- Bodywork condition
- Insurance certificate
- Driver and vehicle badges
- Meters (Hackney carriages)
- First extinguisher and first aid kit
- Rear and door plates
- Windscreen and rear window stickers
- Radios correctly fitted

Enforcement Officers will take action against drivers of private hire vehicles who:

- Unlawfully ply for hire
- Drive without valid insurance
- Fail to wear or prominently display their badge
- Stand or wait on Hackney carriage ranks
- Obstruct or fail to comply with a request made by Authorised Officers or Police
- Fail to carry guide dogs
- Fail to report accidents to the licensing service
- Fail to report convictions an other associated matters

Enforcement Officers will take action against drivers of Hackney carriage vehicles who:

- Drive without valid insurance
- Fail to wear or prominently display their badge
- Do not initiate the meter at the start of every journey
- Obstruct or fail to comply with a request made by Authorised Officers or Police
- Fail to carry guide dogs
- Fail to report accidents to the licensing service
- Fail to report convictions an other associated matters

Plying for Hire Operations 2017

Plying for hire detection operations have continued during 2017, assisted by Enforcement Officers from other licensing authorities posing as passengers. This has resulted in 28 drivers being reported on suspicion of unlawfully plying for hire. As of December 2017, 12 of these drivers had been successfully prosecuted, one dealt with by other means and the remainder are in the court process.

The service also conducts a number of operations with West Yorkshire Police (WYP) and funding has been secured by them to provide two Road Policing Traffic Officers to work alongside our enforcement team. The officers have been conducting compliance checks on out of town drivers and vehicles who are observed in the Leeds district. This funding is due to continue for the next 12 months.

Furthermore, regular Operations are conducted on an ad-hoc basis using recording equipment and Leeds Watch Cameras in key locations to identify those private hire drivers whom are believed to be unlawfully plying for hire.

Taxi and Private Hire Licensing

Annual online DBS update service - the online update service enables officers to undertake DBS checks, not only at the point of renewal of a licence or where a concern is raised, but also to randomly check a percentage of drivers each month. This is done to check if there are any areas of concern revealed that have not been reported in another way.

Compulsory safeguarding training—was designed for all existing licence holders by Leeds Children’s Safeguarding Board and is delivered by a safeguarding consultant. The latest position on progress of licence holders attending the session is:

Attended	Still to Attend
6049 (98.2%)	109 (1.8%)

The 109 outstanding are predominantly new applicants to the trade who have been issued with a licence in the latter half of 2017. Those who have consistently failed to attend a session will be subject to the suspension of their driver licence.

Clean Air Zone—The council’s Executive Board met in December 2017 to discuss the Clean Air Zone for the city, initiating six months or so of debate and discussions about a Clean Air Zone in 2020, and the implications for which sort of taxi and private hire vehicles the council licences, as well as where the zone might start and end, and how much a charge would be. The current fleet is around 83% diesel and diesels of all types are the most polluting vehicles.

It is possible that Euro 6 diesels will be permitted in the Clean Air Zone, but also that Leeds will be asked to review its vehicle conditions to encourage drivers and operators to switch from diesel to cleaner fuel types, including hybrid, plug in electric, LPG (liquefied petroleum gas) and others.

Cross-border working—Leeds city centre has increasingly been seen as an attractive and lucrative location for private hire vehicles licensed in other districts and the subject has generated a great deal of local interest and concern, where it is perceived that drivers licensed elsewhere have not been required to meet the high standards of training and compliance required in Leeds.

Enforcement officers are being trained in 2018 to be able to take effective enforcement action on drivers and vehicles licensed by five neighbouring authorities. Enforcement officers have also developed a CCTV number plate database of out of district vehicles observed working regularly in Leeds city centre.

Intelligence and Police liaison—the team has a Police Intelligence Officer located in Safer Leeds to provide further background information for decisions, for example on DBS convictions or Police investigation.

Partnership working—enforcement officers have been working alongside two police officers, in an initiative funded by West Yorkshire Police and Crime Commissioner. The team also works closely with neighbouring authorities, including several operations a year where enforcement officers from one authority work alongside officers from another authority.

Service Improvement

As already outlined, the role of the taxi and private hire licensing service is recognised as an important council function in ensuring that the travelling public are safe with professional drivers who have attained good standards, safe vehicles and a dedicated enforcement team.

In recent years, the spotlight on licensing functions nationally has attracted much media attention and the deficiencies in procedures across the country which led to the shocking effects on a large number of children's lives have been identified.

Now that additional safeguarding measures have been introduced, the service is in a much stronger position to concentrate on overall service improvements and efficiencies.

A quick overview of the additional work the service has been undertaking includes:

Customer contact – while the number of new licence applications has fallen slightly (by around 5%), the team has experienced an increase in customer contact – of around 20% increase in phone calls and 16% in emails.

Customer Focus – queue busting has been working well, with many Licensing and Compliance Officers intercepting people before they join the queue, making appointments. A new vehicle inspection booking system that has been designed and tested ready for implementation will really help to make best use of staff time.

Information governance and modernisation – the team are partway through a large document scanning programme to move from paper based to digital based casework, aimed to complete by December 2018.

ICT systems and development – the core licensing ICT system contract expires in 2020. There are a number of improvements which are either required to the core system, or to be developed in accompanying systems, such as customer self service.

Training contract – the service has consulted on proposals to bring together each of the driver training courses and contract them out to a number of suppliers, to increase training capacity and reduce the time taken to train. There is some evidence that differences in time to train and get a licence are a motivating factor in drivers applying to be trained and licenced in one area and working predominantly in another. This work will also explore the possibility of developing a common training standard across the West Yorkshire and City of York authorities.



Taxi and Private Hire Licensing

Licensing Statistics

Leeds currently has the following number of licences in place;

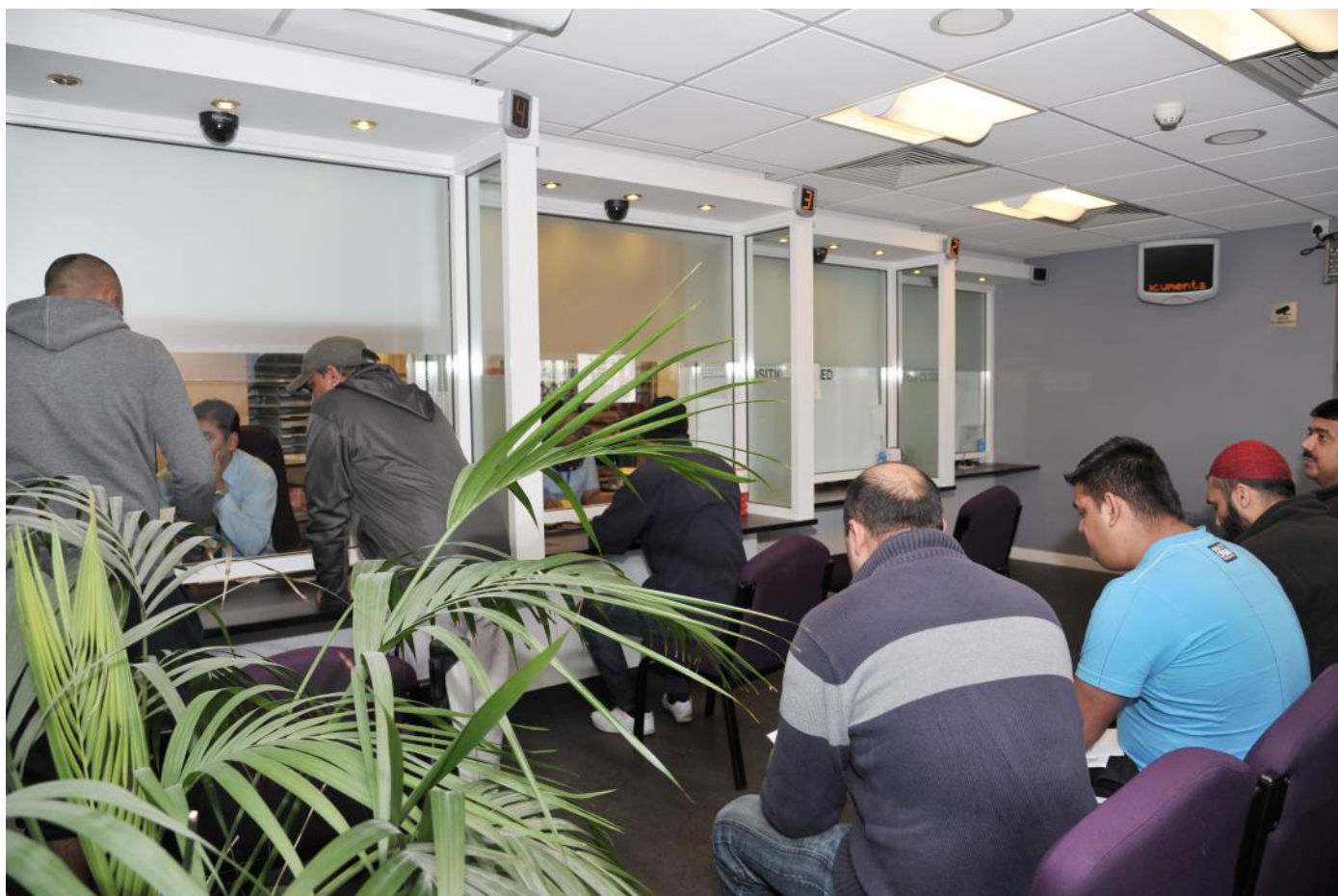
- 943 Hackney carriage drivers
- 537 Hackney carriage vehicles
- 5360 Private hire drivers
- 4448 private hire vehicles
- 60 Private hire operators

Decisions Taken

The application, renewal, refusal, suspension and revocation of licence figures for 1st January to 31st December 2016 and 2017 are set out in the table below

When considering the above information it is important to note that there is no direct correlation between the number of suspensions and revocations in any period. For example, the number of licences revoked (final decision to end a licence) in the last six months will include a proportion which were suspended in the previous six months.

	Applications	Refusals	Suspensions	Revocations
2016	919	10	110	24
2017	751	12	143	16



Taxi and Private Hire Licensing

Refusal and Revocation Decisions

The application, renewal, refusal, suspension and revocation of licence figures for 1st January 2016 to 31st December 2017 are set out in the table below

- Between 1st January – 31st December 2017, 12 licences were refused and 16 licences were revoked.
- Between 1st January – 31st December 2016, 10 licences were refused and 24 licences were revoked.

The reasons for refusal and revocation are set out in the table below:

	2016		2017	
	Refusal	Revocation	Refusal	Revocation
Dishonesty	5	1	4	2
Drugs	1	0	6	1
Violence	3	3	2	3
Sexual	1	8	0	3
Driving disqualification	0	3	0	0
Plying for hire	0	3	0	5
Inappropriate conduct	0	1 *	0	0
Medical	0	0	0	0
No right to work in UK	0	1	0	0
Safeguarding	0	3	0	2
TOTAL	10	24	12	16

* Failed to attend repeated DBS appointments, previous warnings on file regarding conduct

Taxi and Private Hire Licensing

Suspension Decisions

In relation to suspensions, 143 drivers were suspended between 1st January – 31st December 2017 compared to 110 drivers who were suspended between 1st January – 31st December 2016.

The largest category of suspensions in both 2016 and 2017 relate to a medical reason and plying for hire.

The number of suspensions relating to allegations of a sexual nature directly relate to the 'fit and proper person' test and touch on the key aspect of the licensing scheme namely the safety of the travelling public.

Reason for suspension (allegations)	2016	2017
Dishonesty	1	2
Drug offence	1	2
Violent offence	9	8
Sexual offence	13	19
Safeguarding concerns	3	2
Motoring offence	12	8
Driving disqualification	1	4
Plying for Hire	20	28
Fail to comply with conditions	0	2
Disability Offence	0	1
Inappropriate behaviour	3	10
No right to work in UK	4	4
Medical reason	33	31
DVLA licence expired	1	0
Non completion of DBS/ Not attended safeguarding training	8	22
Unable to pass seminar	1	0
Total	110	143

Taxi and Private Hire Licensing

Complaints Received

In total, 658 complaints made against the licensed trade were received in 2017. In total 576 were received in 2016.

The Independent Inquiry into Child Sexual Exploitation in Rotherham (1997 – 2013) led by Alexis Jay OBE, highlighted significant concerns regarding safeguarding controls for taxi and private hire licensing in Rotherham. As a direct result of that report, the taxi and private hire licensing service here in Leeds have worked proactively to raise awareness and encouraged the reporting of such inappropriate behaviours— whether they have seen this occurring or have themselves been a victim. This has been effective in encouraging more people to report these issues to the council.

Complaints regarding the standard of driving most commonly relate to the use of mobile phones whilst driving, and speeding. In the majority of cases, licensed drivers are given verbal warnings, a record of which is placed on their licensing file.

Each complaint is dealt with on its own merits however complaints regarding racial, sexual or disability discrimination directly relate to the 'fit and proper person' test and touch on the key aspect of the licensing scheme namely the safety of the travelling public.



Taxi and Private Hire Licensing

Complaints Received Continued

Complaint Category		2016	2017
Driver behaviour	Rudeness/ Verbal Abuse	16	33
	Driver Conduct	92	136
	Property	7	8
	Disability	14	11
	Over Charging	36	24
	Standard of driving	149	174
	Inappropriate Sexual Behaviour	29	22
	Lateness	1	0
	Smoking	14	6
	Race Discrimination	0	5
	Refuse to carry	2	8
	Sex Discrimination	0	3
	Environmental	Parking nuisance	49
Noise nuisance		8	1
Littering		11	0
No Insurance		0	0
Plying for hire		41	46
Breach of licensing conditions		30	44
Criminal complaint		34	18
Defective vehicle		19	13
Operator		17	38
Unlicensed vehicle		5	0
Unlicensed driver		2	8
Uncategorised		0	10
Total		483	658

Taxi and Private Hire Licensing

Appeals Received

In total, 8 appeals were received in 2017 in comparison to the 14 appeals received in 2016. The reason for the appeal and outcome are set out below:

2016—Type of Appeal	Volume	Court	Result
Against refusal to grant	2	Leeds Magistrates Court	Dismissed x 2
Against revocation	4	Leeds Magistrates Court	Dismissed x 2 Withdrawn x 2
Against suspension	8	Leeds Magistrates Court	Dismissed x 4 Withdrawn x 2 Upheld x 2
Total	14		Dismissed x 7 Withdrawn x 4 Upheld x 2

2017—Type of Appeal	Volume	Court	Result
Against refusal to grant	0	n/a	n/a
Against revocation	1	Leeds Magistrates Court	Dismissed x 1
Against suspension	6	Leeds Magistrates Court	Dismissed x 1 Withdrawn x 5
LCC Appeal against a Magistrates decision	1	Crown Court	Dismissed x 1
Total	8		Dismissed x 3 Withdrawn x 5

Consultation and Engagement

Consultation is embedded into the newer licensing acts with , as an example, new and variation applications for alcohol licences subject to a 28 day consultation period.

Both sections undertake considerable consultation with the trade when developing and reviewing policy and consults on the licensing policies in accordance with local and government guidelines.

In addition , as part of ongoing partnership working, both section engage the trade at trade meetings such as taxi association and PubWatch meetings.

Similarly both sections are active in working with partners from both council departments and external bodies through a range of meetings relating to night time enforcement.

Equality and Diversity / Cohesion and Integration

The council's licensing policies are developed with matters of equality, diversity and human rights taken into consideration. Policies are regularly reviewed in line with the legislation.

The council has completed equality, diversity, cohesion screening and impact assessments with regards to the consultation process undertaken during the review of each policy

Council Policies and City Priorities

When determining applications the licensing authority must have regard for governing legislation and will be assisted by any guidance issued by the Department for Transport, Home Office or Gambling Commission. In addition where there is an associated statement of licensing policy this will set out the principles the council will use to exercise its functions under that policy, and in making a decision the council will have regard to that policy.

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;
- Be safe and feel safe
- Make it easier for people to do business with us.

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

- Supporting communities and tackling poverty, and
- Becoming a more efficient and enterprising council
- Promoting sustainable and inclusive economic growth

Resources and Value for Money

The Section encourages partnership working with internal and external services making best use of resources and information sharing.







Report author: Nicola Raper

Tel: 85339

Report of the Head of Elections, Licensing and Registration

Report to Licensing Committee

Date: 6th March 2018

Subject: Policing and the Night Time Economy

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?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Summary of main issues

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

Recommendations

1. The Committee is requested to consider and discuss the information presented by West Yorkshire Police as appropriate.

1 Purpose of this report

- 1.1 This report is submitted by means of introduction to a presentation from officers of West Yorkshire Police on issues relating to policing and the night time economy in Leeds pertinent to the work of the Licensing Committee and its' Sub Committees. Sergeant Martin Mynard will attend the meeting
- 2.1 The Committee is requested to note that Members may be provided with information that is not normally in the public arena such as information set out in the Council's Access to Information Procedure Rules, namely 10.4.1 information relating to an individual;
 - 10.4.3. information relating to the financial or business affairs of any particular person;

10.4.7 information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

In that event Members would be asked to consider under the Access to Information Procedure Rules if in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

2 Background information

The Committee has previously received presentations from West Yorkshire Police on a six monthly basis and discussed issues relating to the Review hearing system, the use of the Matrix system and the City Centre Cumulative Impact Area and partnership working with licensees

3 Recommendations

- 3.1 The Committee is asked to receive the presentation from West Yorkshire Police and consider and discuss the contents as appropriate

4 Background Documents¹

None

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

LICENSING COMMITTEE WORK PROGRAMME 2017/18 - LAST UPDATED 22/02/18 (JG)

ITEM	DESCRIPTION	Officer	TYPE OF ITEM
Meeting date: 6th March 2018			
Licensing Annual Report 2017	To consider a report by the Head of Elections, Licensing and Registration which present the annual report of Entertainment Licensing and Taxi and Private Hire Licensing.	N Raper/ A White	PM
Policing and the Night Time Economy	To receive a Presentation from Sergeant Martin Mynard, West Yorkshire Police on the issues of "Policing and the Night Time Economy"	M Mynard	B
Meeting date: 3rd April 2018			
Meeting date: 25th May 2018			
Licensing Procedure Rules, the Code of Practice for Determining Licensing Matters and Prescribed Licensing Training	To receive a report of the City Solicitor which sets out draft procedure rules relating to hearings and other meetings of the Licensing Committee and sub-committees and to seek Members approval to the adoption of these procedure rules.	M O'Shea	B

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 22/02/18 (JG)

ITEM	DESCRIPTION	Officer	TYPE OF ITEM
Licensing Committee – Annual Governance Arrangements	To receive a report of the City Solicitor seeking to establish the governance arrangements for the Licensing Committee for the 2018/19 Municipal Year.	M O'Shea	B
GA05 Statement of Licensing Policy Consultation	To receive a report by the Head of elections, Licensing and Registration which sets out the consultation arrangements for the Gambling Act 2005 Statement of Licensing Policy.	S Holden	SC
LA03 Statement of Licensing Policy Consultation	To receive a report by the Head of Elections, Licensing and Registration which sets out the consultation arrangements for the LA03 Statement of Licensing Policy	S Holden	SC
Meeting date: 3rd July 2018			
Clean Air Zone – Update	To receive an update by the Director of Environments and Housing on proposals around the clean air zone	A Hickford	B