

Licensing Committee

Tuesday, 13th August, 2013

PRESENT: Councillor R Charwood in the Chair

Councillors N Buckley, R Downes,
B Gettings, T Hanley, M Harland,
G Hussain, G Hyde, A Khan and
G Wilkinson

33 Exempt Information - Possible Exclusion of the Press and Public

RESOLVED – That, the public be excluded from the meeting where Members consider that part 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. Appendix B of the report entitled ‘Leeds Festival 2013 Update’ (Minute No.39 refers) is designated as exempt in accordance with paragraphs 10.4 (3,7) of Schedule 12A(3) of the Local Government Act 1972 on the grounds that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information) and information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime. As such, on this occasion, it is deemed that the benefit of keeping the information confidential is greater than that of allowing public access to it.

34 Late Items

No formal late items of business were added to the agenda, however Members acknowledged receipt of a letter received from Mr F Patterson QC in response to their comments on the Interim Statement from the Law Commission “Reviewing the Law of Taxi and Private Hire Services” (minute 15 of the meeting held 25th June 2013 refers).

35 Declaration of Disclosable Pecuniary Interests

There were no declarations of interest.

36 Apologies for Absence

Apologies were received from Councillors Bruce, Dunn, P Latty, Selby and Townsley

37 Minutes of the Previous Meeting

RESOLVED – That the minutes of the previous meeting held 23rd July 2013 be agreed as a correct record

38 Delegated Decisions taken by Taxi and Private Hire Licensing - 1st January to 30th June 2013

The Head of Licensing and Registration submitted a report providing an update on the delegated decisions taken by officers at Taxi and Private Hire Licensing Section. Members had previously received statistical information in

February 2013. This report contained information on decisions taken from 1st January to 30th June 2013.

The Committee noted and discussed in detail the number and nature of the decisions made outlined in the report, including

- The number of suspensions and the reasons for the suspension
- The number and nature of complaints received from the public in respect of licensed drivers, vehicles and operators
- The number of appeals against officer decisions and the nature of the appeal and outcome

The Committee noted the recent media interest in the contents of the report and commented on the style of the presentation of the statistics, seeking more comparable information and requested the following be included within future reports:

- information on the types of enforcement action available for the Authority to take and the role of enforcement action in changing the behaviour of drivers/operators in terms of education/personal development
 - information on the nature of complaints received from the public, and the outcomes of the investigations into those complaints
 - detail of complaints made against officers by members of the trade.
- In response, it was noted that new ICT software would enable the presentation of more detail in support of the statistical information

The Committee noted the concern expressed by one Member over the length of time some cases took to resolve and the report from the same Member in respect of one driver case which had taken five months to resolve from time of first application to outcome of appeal to the Magistrates Court. Members noted that the Court, in reaching its' decision, had supported the officer decision making process. The Committee also noted comments from another Member in respect of a number of cases he had followed, and comments in respect of the appeals process at the Magistrates Court. It was agreed that discussions on those individual cases would be most appropriately held outside of the formal committee meeting.

Having regard to the nature of complaints received, the Committee also considered measures previously employed to promote the safety of the travelling public and agreed to review and publicise the measures and initiatives to promote the safety of the travelling public

In response to a query regarding ethnicity monitoring, Members noted that a report on the collection of relevant monitoring data for TPH Licences would be presented to the next Committee meeting for consideration.

RESOLVED - That the contents of the report and the comments made by Members be noted

39 The Leeds Festival 2013 Update

The Head of Licensing and Registration submitted a report on the progress of the multi-agency meetings and the Event Management Plan for the Leeds

Festival 2013, scheduled to be held within the grounds of Bramham Park from Friday 23 August to Sunday 25 August 2013.

Officers provided an update on the most recent multi agency meetings. The report included a copy of the current premises licence for Bramham Park (attached at Appendix A) and a copy of the summary of changes made to the Event Management Plan (Appendix B). A site plan was table at the meeting for Members' reference.

RESOLVED –

- a) That authority be delegated to the Head of Licensing and Registration to approve the Event Management Plan prior to the start of the event; and
- b) That authority be delegated to the Head of Licensing and Registration to approve any minor amendments to the Event Management Plan, as necessary, prior to the start of the event.
- c) To note that, should the Event Management Plan be subject to amendment without the relevant agency consent, or be of a nature which officers consider may impact on the licensing objectives, then the Event Management Plan will be brought back before the Licensing Committee prior to the event taking place.

40 Work Programme

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

41 Date and Time of next meeting

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