

Licensing Committee

Tuesday, 5th August, 2014

PRESENT: Councillor M Harland in the Chair

Councillors R Downes, B Gettings,
M Harland, G Hussain, G Hyde, A Khan,
B Selby, C Townsley, G Wilkinson, B Flynn
and M Ingham

31 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.41 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.

32 Late Items

The were no late items

33 Declaration of Disclosable Pecuniary Interests

There were no declarations of Diclosable Pecuniary Interests made at the meeting.

34 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors K Bruce, N Buckley, T Hanley and G Hussain.

35 Minutes of the Previous Meeting

RESOLVED – That the minutes of the meeting held on 8 July 2014 be confirmed as a correct record.

36 Activity Update: Taxi and Private Hire Licensing 1st January to 30th June 2014

The report of the Head of Licensing and Registration updated the Committee with statistical information regarding delegated decisions taken by officers at Taxi and Private Hire Licensing. The report contained information on decisions taken between 1 January 2014 and 30 June 2014.

The report provided statistics on the following:

- Refusal and Revocation Decisions
- Suspensions
- Complaints
- Appeals

Further information was given regarding appeals that had been upheld and examples of inappropriate behaviour. In response to Member's questions, it was reported that dishonesty offences generally related to theft/left property and that smoking in vehicles when not carrying passengers was still an offence.

RESOLVED – That the report be noted.

37 Information Report - Taxi and Private Hire Licensing Equality Monitoring

The report of the Head of Licensing and Registration provided statistical information on equality monitoring returns to the Taxi and Private Hire Licensing Section.

Issues discussed included the following:

The information was collected when new licence applications were made or when licences were renewed.

The information would be used for equality purposes and for training and testing. The current position of re-licensing vehicles that were over the prescribed age.

RESOLVED – That the report be noted

38 Entertainment Licensing Section - Update Report - January - June 2014

The report of the Head of Licensing and Registration provided Members with an update on matters relating to the Entertainment Licensing Section. The report detailed applications received, reviews and appeals, liaison and enforcement actions and project development.

Issues highlighted from the report included the following:

- The current statement of Licensing Policy was approved by Council in January 2014 and would be reviewed in 2017 for approval in 2018.
- Changes to Cumulative Impact Policies.

- New development in the Lower Kirkgate area – this would see a mix of retail, residential and leisure facilities.
- Local Area Guidance – further to the South Leeds scheme there were similar proposals for Inner East (Harehills) Inner West (Armley) which would bring in control measures for applicants.
- Attention was brought to licensing statistics - there had been 67 recent applications with only 4 being settled at hearings.
- Sexual Entertainment Venues – Members who participated in the recent hearings were thanked and an update was given on the position across the City.
- Gambling Act – Members were made aware of new planning controls that were being proposed and the number of recent applications.

Referring to paragraph 3.6.2 (ii) of the submitted report, it was report that the wording was inaccurate and should be corrected to read as follows:

ii) Ruby May (1) (Deep Blue) and Bean Leisure Trading A Limited (Wildcats)

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

- Work with Community Committee Health Champions was suggested to identify further areas that could benefit from having Local Area Guidance.
- Reports of an illegal scrap metal business trading in a residential area – it was reported that this would be an issue for planning enforcement.
- Sale of illegal cigarettes – this was a trading standards issue.

RESOLVED – That the report be noted.

39 Deregulation of Entertainment

The report of the Head of Licensing and Registration advised the Committee of forthcoming changes to regulated entertainment under the Licensing Act 2003 brought about by the Legislative Reform (Entertainment Licensing) Order 2014 (LRO) which was laid before Government in July 2014 and will come into effect in April 2015.

Issues highlighted from the report included the following:

- The order would bring further deregulation to some low risk forms of entertainment.
- Raising the audience number for live music from 200 to 500.

- Exemptions for local authority, health and school buildings.

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

- Deregulation for private hire/taxis – it was reported that there had been debate in the LGA Policy Forum. A letter had been sent to Government which would be followed up.
- The Environmental Protection Act would continue to be used for enforcing public nuisance issues.
- Parish and Town Council buildings would be classed as local authority buildings.

RESOLVED – That the report be noted.

40 Licensing Committee Work Programme 2014

Members considered the contents of the Licensing Committee Work Programme for 2014/15.

RESOLVED - That the Licensing Committee Work programme be noted.

41 Leeds Festival 2014 Update

The report of the Head of Licensing and Registration advised Members of the progress of the multi-agency meetings and the Event Management Plan for the 2014 Leeds Festival.

It was reported that the final multi-agency meeting was due to be held and it was confident that all arrangements were in place. With regard to the possibility of inclement weather, Members were informed that there had been discussions with Highways and the Environment Agency and a memorandum of understanding would be in place before the festival. Members were asked to approve the event management plan.

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

It was not thought that there would be a ban on e-cigarettes as they were not classed as illegal, but as with normal cigarettes their use would not be allowed in marquees and tented structures

The event organiser had arranged for additional road sweepers should there be problems with mud.

Drainage improvements had been made.

Members were invited to attend the final inspection before the start of the festival.

RESOLVED –

(1) That delegated authority be given to the Head of Licensing and Registration to approve the Event Management Plan prior to the start of the Event.

(2) That delegated authority be given to the Head of Licensing and Registration to approve any minor amendments to the Event Management Plan prior to the start of the event.

42 Date and Time of Next Meeting

RESOLVED – To note that the next meeting will take place on Tuesday, 9th September 2014 at 10.00 a.m. in the Civic Hall, Leeds..