

Licensing Committee

Tuesday, 3rd December, 2019

PRESENT: Councillor B Garner in the Chair

Councillors R Downes, B Flynn,
A Garthwaite, P Drinkwater, C Knight,
A Hutchison, P Latty, J Lennox,
A Marshall-Katung, A Wenham and
P Wray

69 Appeals Against Refusal of Inspection of Documents

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

70 Exempt Information - Possible Exclusion of the Press and Public

RESOLVED – That, in accordance with Regulation 4 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting during consideration of the following parts of the agenda designated as exempt from publication on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information so designated as follows:-

- (a) Agenda Item No.9, Premises Licence – Licensing Act 2003, Roundhay Park, Princess Avenue, Roundhay, Leeds – August 2019 – The Committee heard evidence from the Safety Advisory Group to the event which 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.
- (b) Agenda Item 10 – Premises Licence – Licensing Act 2003, Leeds Festival event - The Committee heard evidence from the Festival Organiser and the Safety Advisory Group to the event which 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.

71 Late Items

There were no late items identified.

72 Declaration of Disclosable Pecuniary Interests

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

73 Apologies for Absence

Draft minutes to be approved at the meeting
to be held on Tuesday, 28th January, 2020

Apologies for absence were received for Councillors: H Bithell and N Buckley.

74 Minutes of the Previous Meeting

RESOLVED – That the minutes of the previous meetings held on 5th November 2019, were accepted as a true and correct record.

75 Matters Arising from the Minutes

Taxi and Private Hire Licensing – Cross Border Working and Responses (Minutes No.65 referred) - The Taxi and Private Hire Licensing Manager suggested that following discussion at the last meeting on cross border working and a possible review of the operating conditions, it may be appropriate to establish a Working Group to review Private Hire Operator conditions, including operators who are licensed in Leeds and in other licensing authorities. It was further suggested that the review should also include operating conditions for the use of “hailing apps” and an explanation as to how hailing apps work.

RESOLVED – That a report be prepared for the next meeting which seeks the establishment of a Working Group to review Private Hire Operator conditions, the report to also include the Terms of Reference of the Working Group.

76 Taxi and Private Hire Licensing - Results of CCTV Working Group

The Chief Officer, Elections and Regulatory submitted a report which provided a summary of the findings of the recent CCTV working group, the likely content of a CCTV policy and the areas where further consultation with the trade, general public and neighbouring authorities was required.

Addressing the report the Taxi and Private Hire Licensing Manager explained that a CCTV working group had been established in August 2019. The group met on four occasions throughout September to November considering a range of issues to develop and implement a new CCTV policy for taxi and private hire vehicles in Leeds. The main issues of discussion included:

- Aims and objectives of CCTV in taxi and private hire vehicles;
- Passenger and driver safety priorities and perceptions;
- Privacy concerns and compliance requirements; and
- CCTV policy, specifications, and practical concerns

Members queried the length of time CCTV footage would be retained before being deleted.

In responding the Taxi and Private Hire Licensing Manager suggested that 31 calendar days was considered to be the appropriate amount of time.

In the discussion that followed, some Members expressed a preference for 31 active days, suggesting that many drivers operated on a part time basis.

On the issue of privacy, Members queried if the CCTV system could be switched off when the vehicle was not being used as a taxi.

Members were informed that National Guidance advised that CCTV systems must be capable of being turned off.

In respect of consultation, Members queried if the Information Commissioner's Office had been consulted.

Members were informed that the draft policy had been shared with LCC's Information Management Team but not with the Information Commissioner's Office, but there was no reason why the draft policy could not be circulated further.

Reference was made to the mandatory CCTV policy in operation in Rotherham with Members querying the background to this.

It was confirmed that the CCTV policy in Rotherham was mandatory, it was explained that Rotherham Council had put forward a special case for adopting a mandatory policy citing "extreme circumstances". Other authorities were pursuing a strong voluntary code in the first instance, although a mandatory system had at one point been proposed by local authorities in Greater Manchester.

Members asked if it was worthwhile considering a mandatory CCTV policy for Leeds given there had been allegations of rape/ assault having taking place in taxis.

With reference to National Guidance the Taxi and Private Hire Licensing Manager said the proposal was to pursue a voluntary code first. Allegations of rape/ assault would continue to be pursued when reported to authorities.

The Chair sought details of the potential costs of CCTV systems and the impact on LCC resources.

Members were informed that the cost of a CCTV system (cameras, audio controls and a hard drive) was in the region of £500. The Council currently offer funding up to 50% of the costs but funding was limited. In terms of impact on LCC resources, it was suggested that if there was a large take up of CCTV use by the trade, the implications may be substantial with up to two full time officers being taken away from existing duties to view CCTV footage in the event of complaints.

The Taxi and Private Hire Licensing Manager said it may be appropriate in the near future for officers from Taxi and Private Hire Licensing to meet with Safer Leeds to discuss common interests in terms of: viewing CCTV footage, maintenance of cameras and repairs.

In drawing the discussion to a conclusion the Chair thanked Councillors: Bithell, Marshall – Katung and Wray for their participation in the CCTV Working Group. He

suggested that Members appeared to be generally supportive of the use of CCTV in taxi and private hire vehicles, However, there needs to be clear guidance and safeguards about how CCTV should be used.

RESOLVED –

- (i) That the contents of the report be noted
- (ii) That the Draft Policy on the use of CCTV in Taxi and Private Hire Vehicles be released for public consultation

(Prior to discussion of the following item, Councillor A Wenham vacated the meeting)

77 Premises Licence - Licensing Act 2003, Roundhay Park, Princess Avenue, Roundhay, Leeds - August 2019

The Chair introduced and welcomed Dave Morgan, Carnival and Events Manager, Rebecca Meers, Assistant Carnival and Event Manager, Parks and Countryside Service and Leanne Cummins a representative of the Safety Advisory Group (SAG)

The Chief Officer, Elections and Regulatory submitted a report which provided details of an event which took place at Roundhay Park, on the 16th & 17th August 2019.

The Principal Licensing Officer presented the report explaining that although the premises licence was held by Leeds City Council Parks & Countryside Service, the promoter for the 2 day concert was Kilimanjaro Ltd.

Members were informed that the multi-agency meetings via the Safety Advisory Group were convened on the lead up to the event, including a table - top exercise, a final site visit took place on Thursday 15th August.

Members noted that the stairway to Hill 60 had received attention with extensive repair works carried out, satisfying responsible authority concerns.

Following the conclusion of the concerts all agency feedback was collated by the Safety Advisory Group to produce an action log which would be used in planning future events on a similar scale.

(At this point in the discussion, the meeting moved into closed session to hear from the premises licence holder and the representative of the Safety Advisory Group.

The Chair thanked the event organisers for their attendance and contributions.

RESOLVED – To note the information provided by Parks & Countryside, on behalf of LCC, the premises licence holder and the representative of the Safety Advisory Group, together with the details of the action log following the 2019 concerts.

78 Premises Licence - Licensing Act 2003, Leeds Festival 2019

The Chair introduced and welcomed Melvin Benn of Festival Republic, the event organiser and Leanne Cummins a representative of the Safety Advisory Group (SAG).

The Chief Officer, Elections and Regulatory submitted a report which provided details of Leeds Festival 2019 which took place within the grounds of Bramham Park over the August Bank Holiday weekend.

The Principal Licensing Officer presented the report explaining that multi agency meetings via the Safety Advisory Group were convened on a regular basis in the lead up to the Festival, including a table - top exercise. On-site multi agency meetings also continued throughout the period of the event.

Following the conclusion of the event all agency feedback was collated by the Safety Advisory Group to produce an action log which would be used in planning the 2020 Festival.

Members were also made aware that a post - event meeting had taken place with the Ward Members for Wetherby and Harewood.

(At this point in the discussion, the meeting moved into closed session to hear from the event organiser and the representative of the Safety Advisory Group.

The Chair thanked the event organisers for their attendance and contributions.

RESOLVED – To note the information provided by the event organiser and the representative of the Safety Advisory Group, together with the details of the action log following the 2019 Festival.

79 Licensing Committee Work Programme

Members considered the ongoing Work Programme for 2020.

Following discussion at today's meeting, it was agreed that a report "Taxi and Private Hire Licensing – Review of Private Hire Operator Conditions", the report to also include the Terms of Reference of the Working Group, be submitted to the January meeting of this Committee.

RESOLVED – That with the addition of the above, the Licensing Committee Work Programme be approved

80 Date and Time of Next Meeting

RESOLVED - That the next meeting of the Committee be arranged for Tuesday, 28th January 2020 at 10.00am in the Civic Hall, Leeds.