



Elections and Regulatory Services

Entertainment Licensing and Taxi and Private Hire Licensing

Annual Report 2023

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Foreword

Businesses who wish to operate in the UK are regulated under several pieces of legislation. To run a pub, a business owner 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. A taxi or private hire driver will need a driver licence, a vehicle licence and as a sole trader, an operator’s licence as well as insurance, road tax and a valid MOT. A business that is profitable above a certain threshold will have to be registered with HMRC and to employ people there is a whole raft of health and safety and employment legislation to have regard to. Businesses may have to speak to several different departments within the council and this fragmented approach to regulation proves to be challenging for most new businesses.

In respect of business licensing, Elections and Regulatory Services seek to make this process as easy as possible, with comprehensive guidance 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 offices on York Road, and by Entertainment Licensing in the city centre.

In the past year licensing and licensed businesses have been impacted by the cost of living crisis. The hospitality industry, which includes alcohol licensed premises, were already suffering from the fallout from the COVID pandemic and subsequent staff shortages. They now face rising fuel and produce costs. Transport services, including taxi and private hire, have also seen an ongoing impact from the pandemic, with more people working from home.

Both licensing services have altered their practices to adapt to new ways of working and continue to support the trade in every way possible.

This report provides a summary of the work undertaken in 2023 by Entertainment Licensing and Taxi and Private Hire Licensing. Between them these two small teams administrate and enforce more than 10,000 licences.



Cllr Debra Coupar
Executive Member for Licensing



Cllr James Gibson
Chair of Licensing Committee

Entertainment Licensing

Introduction

Entertainment Licensing is a section based within Communities, Housing and Environment under the Elections and Regulatory Service. The section comprises of a section head, 5 principal officers, 4 enforcement officers, 6 licensing officers and 2 administration officers.

The Leeds metropolitan district extends over 217 square miles and has a population of just over 798,000. 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.

Entertainment Licensing deals with a variety of licences, registrations and has compliance and enforcement responsibilities throughout the whole metropolitan district, under several different laws. The main functions of the section are:

Licensing Act 2003 – Activities which includes sale or supply of alcohol, regulated entertainment, and late night refreshment, in premises and in outdoor events.

In the wider Leeds district, the section licenses around 3,000 individual premises under the Licensing Act. These include public houses, registered members clubs, late night bars, and night clubs, off licences, late night takeaways and restaurants. Also caught under this legislation are village halls, community centres, school halls and outdoor events where licensable activities are held.

The section also administrates approximately 1,900 temporary events, 414 personal licences and processes many permissions to site gaming machines in alcohol licensed premises each year.

Gambling Act 2005 - Gambling facilities including bookmakers, bingo halls, amusement arcades, casinos but also permits and permissions such as lotteries. There are around 130 premises licensed under the Gambling Act including 72 betting shops and 3 casino premises.

Local Government (Miscellaneous Provisions Act) 1982 - Adult entertainment including 2 retail shops and 3 sexual entertainment venues (lap dancing clubs).

Scrap Metal Dealers Act 2013 - Registration of mobile collectors and scrap yards. The section currently has around 51 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 – The section has licensed 60 venues as places where civil marriage ceremonies are conducted.

Licensing Act 2003

Statement of Licensing Policy

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 the licensing objectives. The Statement of Licensing Policy must be reviewed every five years and was last reviewed in 2022, adopted by Council and coming into effect in January 2023.

Cumulative Impact Assessments

The Statement of Licensing Policy may provide for cumulative impact areas (CIAs) 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
- Hyde Park
- Headingley
- Armley
- Harehills and Burmantofts
- Holbeck

The city centre area goes further to identify red zones which focus on the areas of Call Lane/Lower Briggate and Albion Street/Woodhouse Lane where it is considered that these areas cannot support any more licensed premises. The City Centre is reviewed on an annual basis.

The cumulative impact assessment was given a brief review in 2021 with the outcome that all areas would remain the same until the full impact of the COVID pandemic was known.

A full review was undertaken in the Autumn of 2022. The outcome was as follows:

City centre – area remained as previous.

Hyde Park – area remained as previous.

Headingley – the area was increased to include Far Headingley, which is the start of the pub crawl route known as the Otley Run. The Otley Run activity not an official event and is largely organised by individual groups of people following a route established by students over the last few decades. The Otley run is not licensable. The route has become popularised on social media leading to a large increase in people in Headingley. This in turn has increased antisocial behaviour in Headingley as large groups of people pass through the area.

Armley – the area remained as previous. However following consultation the area will be reviewed during 2024 to establish if the boundary should be extended to address the problems associated with anti-social behaviour and street drinking.

Harehills – the area boundary increased to prevent the accumulation of new premises licensed to sell alcohol for consumption off the premises. The area now extends to include Roundhay Road in the west and down Harehills Lane to York Road in the south.

Holbeck – This is a new area introduced during the review of the Cumulative Impact Assessment. Holbeck is an area which suffers from multiple antisocial and criminal behaviours. One of these is street drinking and an increase in applications for off licences.

Licensing Act Licence Processing

Regardless of the regime, all licences are processed in a similar manner. The application is received, checked and a consultation held. As a rule, any new application that attracts relevant adverse representation will be heard before a licensing sub-committee. In addition, lap dancing club renewals are always determined by a licensing sub-committee so that consideration can be given to the location and numbers. Exceptions are for applications where an event is to exceed 30,000 capacity, new applications for adult shops, adult cinemas, and lap dancing clubs, which are brought before a full committee.

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 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 magistrate's court. Scrap metal applications are not considered before a licensing sub-committee.

Responsible Authority and Public Consultation

The Licensing Act 2003 and Gambling Act 2005 prescribe responsible authorities that must be consulted and may submit representation against a licence application. Such authorities include the police, environmental health, planning, and the licensing authority. Applicants must also place notices on site and advertise the application in a local newspaper.

For Leeds, Entertainment Licensing acts as the licensing authority for making representations to licence applications, especially in cumulative impact areas. In the capacity as a responsible authority, Entertainment Licensing assesses all applications and may make representations as necessary in liaison with the responsible authorities and ward members. In 2023 Entertainment Licensing has made nine representations:

Harehills CIA:

- Maxi Foods – Application refused.
- RS Minimarket – Application refused.
- Eri Red Sea – Application granted but with reduced hours and additional conditions.
- Graudo foods – Application granted but with reduced hours and additional conditions.
- Reliable Shop – Application withdrawn prior to hearing.

City Centre CIA

- Club Atomic – Application granted with reduced hours.
- Reds True Barbecue – Application granted but retaining the food led condition.
- Big Bite – Application withdrawn prior to hearing.

Licensing Act 2003 Applications

The Licensing Act 2003 applications represent around 93% of the section’s workload. 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 (30—60 days) the numbers of applications received, and the determinations may not match.

	2021	2022	2023
Applications with no reps	94	62	40
Applications with conditions agreed	69	57	79
Applications withdrawn	6	7	10
Granted at hearing	14	23	27
Refused at hearing	1	6	4
Pending determination	10	15	13
Appeals	1	5	4
Total number of applications received (including CIAs)	194	171	173

Appeals

In 2023, the Council were subject to 4 appeals against decisions:

- 1 appeal by licence holder against the revocation of the licence on review – appeal dismissed.
- 1 appeal by applicant against the refusal of a licence – appeal heard but compromise agreed.
- 1 appeal by applicant against the refusal of a licence – application withdrawn by appellant.
- 1 appeal by applicant against the refusal to remove a food led condition – appeal ongoing.

Cumulative Impact Policy Areas

This table sets out the applications and variations received in the city centre cumulative impact area.

City Centre	Red Zone	Green Zone	Total
Applications with no reps	0	11	11
Applications with conditions agreed	4	12	16
Applications withdrawn	1	0	1
Granted at hearing	2	1	3
Refused at hearing	0	0	0
Pending determination	0	0	0
Appeals	0	0	0
Total number of applications received	7	24	31

This table sets out the applications and variations determined for the four other cumulative impact areas.

	Headingley	Hyde Park	Harehills	Armley
Applications with no reps	0	1	1	0
Applications with conditions agreed	2	0	0	2
Applications withdrawn	2	0	1	0
Granted at hearing	1	0	2	0
Refused at hearing	0	0	3	0
Pending determination	0	0	0	0
Appeals	0	0	1	0
Total number of applications received	5	1	8	2

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 and/or providing regulated entertainment and/or late night refreshment at a specified time. As it is not an application or permit, no permission is sought. It is merely a notice served upon the licensing authority, the police and environmental health.

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 (and delegated to a licensing sub-committee) to determine if licensable activities at the event can take place.

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, and the objection window for the police and environmental health is just three working days.

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 the licensing sub-committee.

Temporary Event Notices were served on the Authority as follows:

Normal Temporary Event Notices:	2021	2022	2023
Total Number Received:	661	1229	1549
Accepted:	624 (94%)	1168 (95%)	1513 (98%)
Objections/ Withdrawn:	0	0	15
Hearings	2	1	0
Counter Notice issued by the authority preventing the event due to exceeded allowances	33	60	21

Late Temporary Event Notices:	2021	2022	2023
Total Number Received:	336	551	594
Accepted:	336 (100%)	551 (100%)	579 (97%)

Licence Transfers, Designated Premises Supervisor Changes and Personal Licences

A premises licence, once granted, lasts in perpetuity, but the licence holder or designated premises supervisor may change from time to time. A transfer process allows the licence to be transferred to another person, for a fee of £23, rather than requiring a new licence to be applied for. Only the Police may object to a transfer.

A designated premises supervisor is generally the person in day to day responsibility for the premises and may be different to the premises licence holder. This person can change often, and again a simple application and a fee of £23 allows this change to be made to the licence without the need for a full variation.

A designated premises supervisor must hold a personal licence, but a premises may choose to train several staff members as personal licence holders.

	2021	2022	2023
Licence Transfers	127	159	200
Variation of Designated Premises Supervisor	516	555	551
Personal Licences	364	425	445

Gambling Act 2005

Large Casino

Following a bid to HM Government, Leeds City Council was awarded the right to issue a large casino licence, being one of the 8 licensing authorities in the country able to do so. The large casino licence is held by GGV (Leeds) Ltd, for their site at Victoria Gate. A legal agreement between the council and GGV Ltd sets out 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. A wide range of projects have been supported through the Social Inclusion Fund including Healthy Holiday Initiatives, projects to support Food Aid providers and initiatives run through Leeds Credit Union. In addition, the fund has helped support the work to address gambling related harm in the city.

Research commissioned in 2017 by Leeds City Council and undertaken by Leeds Beckett University into the prevalence of problem gambling in the city has highlighted that there are approximately 10,000 problem gamblers in Leeds (1.8% of the adult population) and a further 30,000 people (5/6% adult population) who may be at risk. In addition, one of the main conclusions was that there was a gap in support services. In response the Leeds Problem Gambling Project Group was established with the aim to increase awareness of gambling related harm and lobby for additional support services in the city.

In November 2018 Gamble Aware announced funding for the establishment of a Leeds based Northern NHS clinic led by Leeds and York Partnership Foundation Trust, and a Leeds Community Gambling

Service led by GamCare. Both clinics were impacted by the pandemic but have now returned to face to face counselling and community engagement.

Gambling Harms Update

As part of scrutiny into the Council's approach to gambling harms, a commitment was made to update Licensing Committee on this Council wide work as part of the Licensing Annual Report.

Regular meetings take place with local treatment services to understand any challenges and to join up working. Discussions are underway to collectively deliver inputs around gambling at the upcoming Mindful Employer Conference in May 2024. The Northern Gambling Service are updating their promotional materials, which the Cross-Council team will help to promote once ready.

The next Leeds Gambling Harms Group will meet on Tuesday 27th February and will include a lived experience guest speaker as well as updates on key projects across the city. The group is well attended by a range of partners including treatment services, money advice services, universities, and others.

After a prioritisation exercise in 2023, the group's priorities are:

- Building the evidence base
- Improving identification and recognition of gambling-related harm
- Reducing exposure of vulnerable people to gambling products
- Protecting children and young people from gambling-related harm

Analysis of the gambling questions from the 2022/23 My Health, My School Survey is underway, and a gambling data dashboard is being developed using the PowerBI platform. This will provide a simpler way of delivering more in-depth analysis of this local data source to help inform workstreams with children and young people and to understand trends.

In response to findings from the data in the previous school year, Public Health and Financial Inclusion have worked with the charity Gambling with Lives to develop an education package for secondary schools to equip staff with the knowledge they need to support children and young people around gambling. The first session was successful, and a further session is planned for March 2024 to develop this further.

Leeds has been supporting the delivery of the regional 'Gambling Understood' marketing campaign. The campaign aimed to challenge stigmatising narratives, such as those focusing on individual responsibility and personal control, without acknowledging the influence that the gambling industry can have. The campaign has included social media promotion, TV adverts, Spotify and YouTube adverts and the evaluation is underway to understand its success.

Leeds is an active member of the Yorkshire & Humber regional group, which sits under the Association of the Directors of Public Health Gambling-Related Harm Programme. Recent work has included sharing best practice around addressing gambling-related debt, licensing hearings and common myth-busting.

The Cross-Council team, led by Licensing, have collectively responded to all relevant gambling act review consultations so far.

Gambling Commission Enforcement Activity

In addition to a gambling premises licence granted by the authority, an operating licence is required from the Gambling Commission. Operators must comply with Licence Conditions and Codes of Practice including social responsibility codes, and the Gambling Commission is the enforcement body of such. In 2023 the Gambling Commission continued to investigate failings regarding social responsibility and anti-money laundering processes. Three land based operators with branches in Leeds were investigated:

- William Hill Group paid £19.2 million for social responsibility and anti-money laundering failures.
- PPB (Paddy Power and Betfair) is to pay £490,000 for sending push notifications to devices linked to customers who has self-excluded.
- Done Bros (Cash Betting) Limited, trading as Betfred, will pay £3.25 million for social responsibility and anti-money laundering failures.

More information can be found on the Gambling Commission website: [Enforcement news \(gamblingcommission.gov.uk\)](https://www.gamblingcommission.gov.uk/enforcement-news)

Gambling Act Licence Processing

In 2023 the Section dealt with 1 application for a new betting shop, which was Boyles Sport in Morley. The application attracted a representation from the Financial Inclusion team, but as this service is not a statutory responsible authority the representation had to be disregarded and consequently the licence was issued. Boyle Sport have committed to working with the Council to mitigate the concerns expressed in the representation.

Entertainment Licensing maintains a regular inspections schedule with gambling premises and works in close liaison with Public Health and Financial Inclusion to reduce the harmful effects of gambling.

Sex Establishments

The council has a statement of licensing policy for the licensing of sex establishments which includes adult shops, adult cinemas, and lap dancing venues. There is one licensed adult shop in the city centre, with one further shop at LS12. In addition to the shops, there are three sexual entertainment venues (lap dancing clubs) in the City Centre.

In 2023 the standard conditions attached to sex establishment licences were reviewed, and after consultation with the industry, the updated conditions were applied to two of the three sexual entertainment venues on renewal. The third will be addressed at their annual renewal in April.

Outdoor and Large Events

Premises Licences are required for most outdoor events held throughout the Leeds district, ranging from large capacity commercial events to small charity and community events, some of which are held under Temporary Event Notices.

The council's Resilience and Emergency Team coordinate the Safety Advisory Group and populate a calendar of events with a risk scoring matrix. This ensures that all agencies have a full picture of events, both licensed and unlicensed taking place and have an opportunity to feed into the planning and debrief processes. This also informs event attendance by the Entertainment Licensing Liaison & Enforcement Team. Large events made a confident return in 2022, including Leeds Festival, and this continued into 2023.

Following Leeds Festival 2023, the Licensing Committee have received a debrief report involving all partners of the Safety Advisor Group. Taking away the improvements identified for 2024, the licence holder is now in liaison with the respective agencies and sub-group and multi-agency meetings are already underway.

The Mint Festival held in September 2023 at Newsam Green Farm resulted in many noise nuisance complaints, unusually quite some distance from the event site. The 2024 Mint Festival is scheduled to be held on the 4th and 5th May. The licence holder is in dialogue with the Councillors of the affected wards and in the process of producing their draft noise management plan to address noise mitigation measures and include detail of a live reporting and response plan.

Looking ahead to 2024, event organisers are now making their plans and we are already seeing a busy summer event season ahead.

Enforcement and Liaison

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

The Enforcement Team operate under an Enforcement Protocol which was developed 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.

The council has adopted the principles of the Hampton Report (on effective inspection and enforcement, published in 2005) 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 enforcement Team has regard to the Regulators' Code when setting standards or giving guidance, which includes basing regulatory activities on risk.

Multi-agency Liaison

Some officer partnership group meetings have moved to virtual settings, and in certain cases these have increased in frequency.

Pub Watch forums - Entertainment Licensing and West Yorkshire Police support 16 business-led forums across Leeds attending all meetings, often sharing topical information and guidance. Also, relevant information is shared by both agencies with the chairs of each forum for disseminating to local PubWatch members.

Licensing Bulletin - Entertainment Licensing produce a short licensing bulletin sharing key information, web links and support for businesses. This bulletin was developed during the COVID pandemic to keep licensed premises apprised of the latest developments and has around 1,000 subscribers.

Leeds BID Steering Group—Leeds BID is the organisation that collects and manages the Business Improvement District in Leeds.

Business Against Crime in Leeds (BACIL) - 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. A radio communication link is maintained between BACIL, businesses, and West Yorkshire Police. Entertainment Licensing is an active partner on the steering group in supporting its aims and objectives.

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.

Nightsafe – This is a regular operation held in the City Centre, bringing together a host of agencies and voluntary organisations to engage with visitors and businesses.

City Centre Community Safety Partnership – 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.

Violence Against Women and Girls – this multi-agency working group was established to reduce the violence experienced by women and girls in Leeds. Chaired by Safer Leeds, the group has representatives from the Police, groups that represent the interests of women, the Universities as well as Entertainment Licensing.

Leeds Safety Advisory Group (for events) (SAG) - 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 SAG acts as a conduit for organisers to share their event plans and to receive agency feedback from SAG partners.

LGA Policy Forum - Leeds City Council represents 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 and has been able to provide a local authority view in several key legislative changes.

Institute of Licensing – The professional body for licensing matters has been instrumental in providing access to case law and legislation updates, training, and information sharing. This has been through their website, mailing lists and quarterly regional meetings.

Clear Hold Build

The Clear, Hold, Build approach represents a protracted strategy that involves actively engaging and empowering the local community. This ensures that the concerns most pertinent to their daily lives dictate the focus of collaborative efforts. By combining targeted enforcement with community-centric initiatives, this approach enables law enforcement and partner agencies to eliminate organised criminal activity from an area, maintain control to prevent its re-emergence and fortify the region to make it less susceptible to criminal elements.

Under the 'CommUnity Harehills' project officers from the Leeds East Neighbourhood Policing Team have been joined by staff from West Yorkshire Trading Standards, Leeds Anti-Social Behaviour Team, Licensing, HM Revenue & Customs, Serious Environmental Crime Team, the Department for Work and Pensions, Immigration Enforcement, and the Driver and Vehicle Standards Agency at several Action Days where commercial premises are inspected.

Since March 2023, under Operation Bakegreen, officers from the Leeds East Neighbourhood Policing Team have been carrying out a widespread proactive campaign to disrupt and dismantle the organised supply of drugs in the area to lay firm foundations in the 'clear' phase.

With support from a range of resources, including specialist officers from Programme Precision which targets serious and organised crime and Leeds District Neighbourhood Impact Team, a total of 32 drugs warrants have been executed with more than 40 arrests made. More than 1,000 cannabis plants have been seized along with other drugs worth about £150,000. Officers have also recovered more than £50,000 in cash and seized thousands of pounds worth of jewellery, designer clothing and vehicles under the Proceeds of Crime Act.

In September 2023 Leeds East Neighbourhood Policing, in collaboration with personnel from Leeds Anti-Social Behaviour Team, Licensing, West Yorkshire Trading Standards, HM Revenue & Customs, the Department for Work and Pensions, Immigration Enforcement, and the Driver and Vehicle Standards Agency, undertook a visit to 14 commercial establishments in Harehills. This led to a series of enforcement measures and substantial seizures.

Over the course of two days, five individuals were apprehended, nine vehicles were confiscated, and 25 closure warning notices were delivered to licensed premises. Additionally, three Community Protection Notice warnings were issued. A Misuse of Drugs Act warrant, carried out as an emergency measure, led to the discovery of a cannabis farm, and an offensive weapon was confiscated. Immigration officers executed two arrests, and fines potentially amounting to £20,000 were imposed on the implicated businesses. The operation also resulted in the recovery of a total of 3,129 cans of beer, 428 bottles of wine, 255 bottles of spirits, 2,230 vapes, and roughly 150,000 cigarettes.

Because of these days of action, West Yorkshire Police have submitted twelve reviews of premises licences of those businesses involved in these days of action. The reviews, supported by West Yorkshire Trading Standards, HMRC, local Ward Members and Public Health and with additional evidence of non-compliance from Licensing Enforcement, are still in process, with the final outcomes to be decided.

However, under the Licensing Act it is a relatively simple process for the current licence holder to transfer the premises licence to an unconnected individual, and to weaken the impact of the licence review.

Fuller detail of the premises subject to review applications can be found below.

Inspector Alastair Nicholls, who heads the Leeds East Neighbourhood Policing Team, said:

“The CommUnity Harehills initiative is about working collaboratively with partners to tackle organised criminality across the communities we serve, in line with concerns raised by the local community.

“These days of action demonstrate how police and partners will ruthlessly pursue and disrupt all forms of criminality which cause harm in the local community. The police will continue to work with partners to target and disrupt organised criminality to keep communities safe and feeling safe.”

Linda Davis, Trading Standards Manager, said:

“Illicit tobacco products hook young people into tobacco experimentation and use because they are more affordable. Members of the public should recognise the adverse health, economic and social impacts of the illicit trade of tobacco products, including the linkages with human trafficking and organised crime.

“We want to see health improvement in this county and with poor and disadvantaged communities and young people often the target of this cheap tobacco, it does not encourage people to quit. Offenders need to know that they will face consequences if they choose to deal in these illegal products.”

Complaint handling

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

In 2023, 247 complaints have been reported to the Section requiring investigation by the Enforcement Team. Complaints have included illegal drinking dens, excessive noise, unauthorised provision of late night refreshment, ‘lock-ins’ (alcohol served beyond permitted hours of licence), and other matters.

The pandemic has had a lasting impact on the enforcement service due to the relaxation to off sales and outdoor drinking. Following a period of closures, noise from licensed premises is less tolerable, several premises sprung up without having the relevant licence permission and experienced operators have left the industry.

The following table sets out the number of complaints received and resolved negating the need for formal prosecution.

Category	2021	2022	2023
Charity Collection - Unlicensed Activity	3	1	4
Equality Issues	5	6	3

GA05 - Conditions Breach	0	2	1
GA05 - Unlicensed Activity	0	5	3
LA03 - Conditions Breach	23	15	26
LA03 - Unlicensed Activity	38	62	25
LA03 Breach of Condition and Noise	54	118	110
LA03 Unlicensed Activity and Noise	10	3	21
Noise/ASB	40	73	48
SEVs - Conditions Breach	0	0	2
SEVs - Unlicensed Activity	1	1	2
Scrap Metal - Conditions Breach	3	0	1
Scrap Metal - Unlicensed Activity	5	2	1
Uncategorised	1	3	0
Total	183	291	247

Early engagement and positive liaison taken by the Entertainment Licensing Enforcement Team (and partners) with businesses found not complying with licensing regulations obviated the need for formal prosecution action and/or premises licence reviews to be taken.

Reviews of Licences

The Licensing Act 2003 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.

As part of the Clear, Hold, Build strategy there have been 12 reviews lodged with the licensing authority and have been brought before the Licensing Committee in 2023 and 2024:

- **HGS-UK Ltd, Harehills** – counterfeit and smuggled tobacco products stored in a vehicle outside the premises, breach of licence conditions. Licensing sub-committee determined that there was no documented connection between the vehicle and shop as it was unlicensed, unregistered, and uninsured. As such it was only able to impose additional conditions on the licence.
- **Gusto Market, Harehills** – non-duty paid alcohol, illegal disposable vapes, cigarettes and rolling tobacco, failed test purchases in relation to illicit tobacco and underage sales. Licensing sub-committee had already granted a transfer of the licence, and there was no documented evidence of a connection with the previous premises licence holder. As such the Committee chose to impose additional conditions rather than revoke the licence.
- **M&S 24/7 Off Licence, Harehills** – nitrous oxide and balloons found on the premises and breach of licence conditions. Licensing sub-committee resolved to revoke the licence. The premises licence holder has appealed the decision to the Magistrates Court.
- **Baba Jaga, Harehills** – non-duty paid alcohol, illegal cigarettes, numerous failed test purchases in relation to illicit tobacco. Licensing sub-committee resolved to revoke the licence.

- **Potravy Danko, Harehills** – non-duty paid alcohol, illicit tobacco hidden within a wall cavity. Test purchase failures for tobacco as well as historical seizures of illicit tobacco in 2017 and 2018. Test purchase failures for underage sales. Breach of licence conditions. Licensing sub-committee resolved to revoke the licence.
- **Bucharest Off Licence, Harehills** – non-duty paid alcohol and cigarettes. Breach of licence conditions. Licensing sub-committee resolved to revoke the licence.
- **Krakus, Harehills** – non-duty paid alcohol and cigarettes. Breach of licence conditions. Licensing sub-committee resolved to revoke the licence.
- **N A News, Harehills** – non-duty paid alcohol and cigarettes. Breach of licence conditions. Licensing sub-committee resolved to revoke the licence.

Reviews to be determined early 2024:

- **Mama Rose Food and Wine, Harehills** – non-duty paid alcohol and illicit cigarettes. Test purchase failures for tobacco. A further seizure of illicit cigarettes and tobacco concealed in a chimney breast. Breach of licence conditions. Applications received and granted to transfer the premises licence to a new company and to specify a new individual as the Designated Premises Supervisor.
- **Booze 4 U, Harehills** - non-duty paid alcohol and cigarettes. Breach of licence conditions.
- **Gold Classic, Harehills** - non-duty paid alcohol and cigarettes. Breach of licence conditions.
- **Biedronka, Harehills** - non-duty paid alcohol and cigarettes. Breach of licence conditions.

In addition West Yorkshire Police brought a summary review of a premises licence for a large event venue in the south of Leeds following a violent incident. The licensing sub-committee initially suspended the licence pending the full review hearing. Negotiations were undertaken between the premises licence holder and West Yorkshire Police and additional conditions and measures were agreed. As such the licensing sub-committee imposed those conditions at the substantive review hearing in January 2024.

Future Projects

Online Applications & Mobile Working Solution

The Government Digital Service have announced a removal of online applications from GOV.UK, which has prompted Leeds City Council to develop an alternative in-house solution that will work with the backend databases to find efficiencies and aid the continuation of remote working. This work is now at an advanced stage with the phase 1 processes (temporary event notice, transfer and change of DPS) going live within the first few months of 2023.

Entertainment Licensing are also engaging with the council's Digital Improvement Services to identify a mobile working solution for the Enforcement Team. Officers will be provided with handheld devices so

they may access licence records and complete relevant documents whilst conducting visits and inspections.

Prepare and Protect Duty

Following the Manchester Arena terrorist attack and the development of Martyn's Law, all business settings will have a duty to protect the public. It is anticipated that the 'Protect Duty' will be implemented in the next 12 to 24 months. Entertainment Licensing will be working with partner agencies and engaging with licensed businesses throughout this process.

Film Classification Policy

Work is underway to formalise and update the current process for classifying films. This includes proposals for making charges, but also a simplification and modernisation of the way the licensing sub-committee award classification.

Taxi and Private Hire Licensing

Introduction

The Taxi and Private Hire Licensing service (TPHL) is responsible for the licensing and regulation of Leeds' taxi and private hire vehicle trade to ensure a safe and reliable service for the city and surrounding areas. We do this by implementing statute law and local policies ensuring that licence holders are 'fit and proper', and vehicles are safe, accessible, and meet environmental standards.

We licence all the Leeds taxi (hackney carriage) drivers and vehicles, private hire operators, drivers, and vehicles. We work closely with the taxi and private hire trades, the West Yorkshire Police, neighbouring licensing authorities, and the British Transport Police to ensure the safety of passengers.

The council's Licensing Committee sets the local requirements, byelaws, and conditions for licensing the trade, which the service applies.

Legislation places a duty on the council for the licensing of Hackney Carriages ('taxis') and private hire vehicles, drivers of those vehicles and operators of those vehicles. The council understands the importance and responsibility it has, to ensure that licensed vehicles in the district are safe, comfortable, properly insured, and available where and when required, and that those involved in the trade are "fit and proper" to undertake the role.

The staff at the Taxi and Private Hire Licensing (TPHL) service continue to work closely with the licensing committee to ensure that members of public travelling in taxi and private hire vehicles are protected. This last year we have improved our communication and engagement with the trade and other stakeholders through regular trade meetings and with trade's representatives. The use of GovDelivery, an email platform, has allowed us to circulate our regular Bulletin to update the trade on many changes that had a direct impact on them.

In response to concerns raised by the trade on affordability and consistency with DFT guidance, the Council introduced 2 temporary/pilot schemes which have been well received by the trade.

In June 2023, schemes to allow tinted windows and a change to the Vehicle Age Criteria were introduced. Under these pilots we allowed vehicles to be licensed with their original manufacturer's tinted windows, extended the age at first licensed for all vehicles to 10 years and extended the maximum age of vehicle licensing life to 15 years.

In August 2023 a temporary/pilot scheme allowing Dual Operator status was introduced in response to long standing concerns from the private hire trade about inconsistency with DFT guidance and the impact of the cost of living crisis. The pilot has been very well received to date with 1081 applications (20% of private hire drivers).

These temporary pilots have been working well with no issues in terms of customer complaints or a requirement for enforcement/compliance and we will continue to closely monitor them.

In November 2023, The Department for Transport issued “Taxi and Private Hire vehicle licensing best practice for licensing authority in England” and this year we will continue to engage with the trade and other stakeholders to implement relevant recommendations from this guidance. Most of the objectives set within the guidance have been implemented over the years by the Licensing Committee and a few major changes from this guidance will be addressed as part of our ongoing vehicle conditions review.

We are pursuing our aspirations for a digital transformation of services, and we have worked hard with our colleagues from DIS to develop online forms and in December 2023 we introduced the online driver renewal form, and we are pleased to announce the launch of the online vehicle renewal in March 2024.

Vehicle Data

Despite the removal of the need for the Leeds Clean Air Zone the trade continues to support the council’s aspiration to respond to the climate emergency through licensing low emission vehicles (petrol hybrid, LPG and electric).

The long term trend has continued away from diesel and towards low emission vehicles with 77% of the fleet being low emission vehicles.

Fuel Type	2021	2022	2023
Petrol Hybrid	2622	2940	3349
Diesel	1576	1212	998
LPG	105	103	106
Petrol	85	46	40
Full Electric	45	26	36
Diesel Hybrid	5	7	9
Total	4438	4334	4538

Vehicle Inspections

In our garage, vehicle examiners conducted over 4000 inspections during 2023.

Inspection Type	2021	2022	2023
Age extension	1093	1737	1156
New vehicle applications	456	447	825
Retests	1025	755	2006
Accidents	145	114	228
Other (complaints, transfers)	26	48	65
Total	2745	3646	4287

Of the 4287 inspections there were only 2 vehicles which failed to meet the minimum standard set out in the current vehicle conditions, this amounts to 0.04% of the total number of inspections. The TPHL team received notification of 655 accidents to licensed vehicles, of which 228 required an inspection.

Enforcement and Compliance

The council's licensing policies require enforcement and compliance checks to make sure that the rules are being properly followed. Vehicles which carry fare paying customers are legally required to be safe, comfortable, and fit for purpose, and driven by licensed drivers. The TPHL team recognise that many licensed vehicles are driven on the road for approaching 24 hours a day, and often by different licensed drivers who are not necessarily the owners. These vehicles require first class maintenance and regular attention.

Our enforcement and compliance work has involved checks of drivers, vehicles, and operators. Taxi and private hire drivers are subject to interim checks – medical, DBS and DVLA checks – between the issue of the 3 year licence. New regulations came into force, requiring the council to record the HMRC tax code. Vehicles are subject to both compliance checks on street and pre-booked inspections in the team's garage. Operators are subject to site visits and checks (especially of complaints) between the issue of the 5 year licence.

Enforcement officers and Vehicle Examiners have also worked alongside West Yorkshire Police officers, other neighbouring authorities, and agencies (DVSA) undertaking 31 joint operations resulting in 1642 roadside inspections. These operations investigated compliance for a range of licensing and associated risks: plying for hire, child sexual exploitation, offences under the equality act and school transport. Whilst most licensed taxi and private hire vehicles during these checks were found to be in good order, several were seen to fall short of requirements and 207 were immediately suspended from service for being in a dangerous condition or licence breaches/public safety concerns.

In 2023, officers inspected 1225 Leeds licensed vehicles which resulted in:

- 173 Suspensions at the roadside
- 54 Rectification (deferred suspension) notices
- 31 Pass and advise notices
- 967 Satisfactory vehicle checks

Our officers also checked 417 vehicles licensed by neighbouring authorities, often in a joint operation with West Yorkshire Police. The results of those checks are shown below:

- 34 Suspensions at the roadside
- 2 Rectification (deferred suspension) notices
- 11 Pass and advise notices
- 370 Satisfactory vehicle checks

Policy Development and Communications

In November 2022, an amendment to the minor motoring convictions section of the convictions and suitability policy was introduced. Under this policy, revocations for minor motoring convictions are referred to a Licensing Sub Committee. It also requires all taxi and private hire drivers attaining 9 or more penalty points on their driving licence to attend additional development training.

In 2023, there were 39 taxi and private hire drivers who attained 9 or more penalty points for minor motoring convictions. These drivers received warnings and or they undertook additional development training. There have been no referrals to the licensing subcommittee since the introduction of this policy.

The principal area of policy development and consultation in 2023 was a review of the various taxi and private hire vehicle policies and conditions following Draft Best Practice Guidance from The Department for Transport in 2022. The final Best Practice Guidance for vehicles was issued on 17 November 2023.

The Vehicle Condition Review is currently underway with finalisation and new policy planned for summer 2024. As part of our fact finding there has been positive engagement work undertaken which started in June 2023, engagement with elected members, trade unions, the trade, user groups and stakeholders continued throughout the summer and autumn months.

Events, visits to user groups and trade meetings resulted in positive and well attended driver drop-in sessions in Harehills, Beeston and Armley. An on-line consultation survey was completed by 1756 people with positive engagement on questions regarding key areas for potential change.

Quarterly Trade Forums recommenced in July 2023 with good attendance and representation enabling a joint problem solving approach with Highways colleagues on city-centre related issues which are affecting the taxi and private hire trade.

Licensing Statistics

Leeds currently has the following number of licences in place.

	2020	2021	2022	2023
Hackney Carriage Drivers	835	800	797	806
Hackney Carriage Vehicles	534	517	524	529
Private Hire Drivers	5356	5246	5239	5376
Private Hire Vehicles	4129	3808	3811	3923
Private Hire Operators	57	56	50	52

Although the number of licences in Leeds are below the pre-COVID pandemic, there is a clear indication that those numbers are increasing slowly but steadily especially following the implementation of the 2 pilot policies mentioned earlier in the report.

Decisions Taken

The application, refusal, suspension, and revocation of driver licence figures for 1 January to 31 December 2023 are set out in the table below.

When considering the information below 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, which may span different years.

Year	Applications	Refusals	Revocations	Suspensions
2020	160	2	16	116
2021	48	2	13	63
2022	329	1	26	76
2023	407	1	31	89

Refusal and Revocation Decisions

The refusal and revocation of licence figures for 1 January to 31 December 2023 are set out in the table below.

Reason	2020		2021		2022		2023	
	Refusal	Revocation	Refusal	Revocation	Refusal	Revocation	Refusal	Revocation
Dishonesty	1	1	0	0	0	2	1	4
Drugs	0	1	0	1	0	1	0	1
Violence	1	1	1	0	0	4	0	3
Sexual offences	0	1	0	0	0	0	0	0
Safeguarding concerns	0	0	0	0	0	0	0	0
Motoring offence	0	3	0	7	1	10	0	13
Driving disqualification	0	0	1	0	0	0	0	0
Plying for hire	0	2	0	5	0	2	0	10
Fail to comply with conditions	0	0	0	0	0	0	0	0
Disability offences	0	0	0	0	0	0	0	0
Inappropriate behaviour	0	6	0	1	0	8	0	0
No right to work in UK	0	0	0	0	0	0	0	0
Medical reason	0	0	0	0	0	0	0	0
DVLA licence expired	0	0	0	0	0	0	0	0
Non-completion of DBS	0	0	0	0	0	0	0	0
Unable to pass seminar	0	0	0	0	0	0	0	0
Firearms	0	0	0	0	0	0	0	0
TOTAL	2	15	2	13	1	26	1	31

2023 saw an increase in the number of revocations for motoring offences, a breakdown of which is below:

- 9 x Use of phone whilst driving (increase +7 from 2022)
- 1 x Driving unfit through drugs
- 1 x Drive without due care and attention
- 2 x Unlicensed driver/vehicle

Suspensions

In relation to suspensions, 89 licence holders were suspended between 1 January and 31 December 2023. This is a rise from 63 licence holders suspended in 2021, and 76 in 2022.

The largest category of suspensions in 2023 relate to a medical reason (accounting for over half of all licences suspended), often for a temporary medical reason, and often at the licence holder's request.

Reason/Allegation	2021	2022	2023
Dishonesty	2	3	0
Drugs	5	2	3
Violence	7	4	6
Sexual offences	3	11	11
Safeguarding concerns	2	1	3
Motoring offences	8	3	0
Driving disqualification	1	5	3
Plying for hire	1	6	7
Fail to comply with conditions	1	4	0
Disability offences	0	0	0
Inappropriate behaviour	6	5	4
No right to work in the UK	1	0	0
Medical reason	22	31	51
DVLA licence expired	0	0	0
Non completion of DBS	4	1	0
Unable to pass seminar	0	0	0
Firearms	0	0	1
Total	63	76	89

Complaints Received

In total, 772 complaints were made to the council about the taxi and private hire trade in 2023.

The largest number of complaints reported to the council in 2023 relate to driver conduct, driving standards and licence breaches which includes private hire drivers parking on hackney carriage ranks. In most of the cases, licensed drivers are given verbal or written warnings, a record of which is placed on their licensing file.

If a driver continues to receive complaints, they may be referred for additional training. Each complaint is dealt with on its own merits. Many complaints relate to the key aspect of the licensing scheme, namely the safety and comfort of the travelling public. Many relate to whether the driver is honest, reliable, and trustworthy i.e. 'fit and proper' to hold a licence. Complaints regarding racial, sexual and disability discrimination relate directly to Equality law.

Category of Complaint	2020	2021	2022	2023
Criminal Complaint	28	24	14	19
Defective Vehicle	1	13	4	2
Driver Behaviour - Disability Complaint	10	16	20	35
Driver Behaviour - Driver Conduct	229	259	219	193
Driver Behaviour - Driving Standard	93	94	81	105
Driver Behaviour - Drugs Allegation	5	14	5	8
Driver Behaviour - Overcharging	18	30	15	28
Driver Behaviour - Property	0	4	5	1
Driver Behaviour - Race Discrimination	11	6	6	28
Driver Behaviour - Refusal to Carry	5	9	2	5
Driver Behaviour - Rudeness	15	10	11	17
Driver Behaviour - Sex Discrimination	2	2	2	10
Driver Behaviour – Sexual (see below)	7	11	15	35
Driver Behaviour - Smoking	7	5	5	9
Environmental - Noise Nuisance	0	0	0	0
Environmental - Parking Nuisance	51	73	25	83
Licence breach	59	151	95	108
Complaint against Operator	21	27	34	18
Ply for Hire - Ply for Hire	6	17	8	12
Ply for Hire - Unlicensed Driver	5	14	3	6
Uncategorised	9	0	0	0
Total	582	794	579	722

Driver Conduct – Sexual Complaints

In 2023 the Taxi and Private Hire Licencing Service received 35 complaints involving allegations of inappropriate sexual behaviour relating Licensed Drivers.

24 complaints related to allegations of inappropriate sexual conversations/comments:

- 1 complainant reported the incident to the Police.
- 15 of the complainants were uncontactable following making the initial complaint.
- 4 drivers were suspended and remain suspended whilst the investigations are ongoing.
- 4 drivers have received Warnings in relation to their conduct.
- 12 drivers received words of advice following the conclusion of the investigation.
- 4 cases resulted in no further action following the conclusion of the investigation.

11 complaints related to allegations of inappropriate sexual contact/assault:

- 3 complainants reported the incident to the Police.
- 6 of the complainants were uncontactable following making the initial complaint.
- 3 drivers were suspended and remain suspended whilst the investigations are ongoing.
- 4 drivers have received Warnings in relation to their conduct.
- 2 drivers received words of advice following the conclusion of the investigation.
- 2 cases resulted in no further action following the conclusion of the investigation.

Appeals Received

In total, 9 appeals were heard against the council's licensing decisions in 2023.

Reasons for appeals and outcomes are set out below:

2021	Number	Court	Result
Against refusal to grant	2	Kirklees Magistrates Court Leeds Crown Court	1 Dismissed 1 Withdrawn
Against Revocation	2	Kirklees Magistrates Court	1 Withdrawn 1 Dismissed

2022	Number	Court	Result
Against refusal to grant	2	Kirklees Magistrates Court Leeds Magistrates Court	1 Dismissed 1 Dismissed
Against refusal to renew	1	Kirklees Magistrates Court	1 Withdrawn
Against revocation	4	Kirklees Magistrates Court Leeds Magistrates Court	3 Dismissed 1 Dismissed

2023	Number	Court	Result
Against revocation	9	Kirklees Magistrates Court	4 Dismissed 2 Withdrawn 1 Upheld*
		Leeds Crown Court	2 Dismissed

* This decision is being appealed

Corporate Considerations

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 sections 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, Diversity, 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 Best Council Plan

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 deciding the council will have regard to that policy.

The licensing regime contributes to Best City Priorities 2020/2025 (see the [latest version of the Best Council Plan](#)):

- Culture
- Safe, Strong communities
- Inclusive Growth

Resources, Procurement, and Value for Money

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