



NOTICE OF MEETING

Licensing and Safety Committee

Thursday 1 July 2010, 7.30 pm

Council Chamber, Fourth Floor, Easthampstead House, Bracknell

To: Licensing and Safety Committee

Councillor Brunel-Walker (Chairman), Councillor Mrs Ryder (Vice-Chairman), Councillors Mrs Angell, Baily, Mrs Barnard, Beadsley, Brossard, Burrows, Finch, Leake, Osborne, Phillips, Thompson, Virgo and Ms Wilson

ALISON SANDERS
Director of Corporate Services

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- 4 Do not re-enter the building until told to do so.

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Published: 23 June 2010



Licensing and Safety Committee
Thursday 1 July 2010, 7.30 pm
Council Chamber, Fourth Floor, Easthampstead House,
Bracknell

AGENDA

Page No

1. **Apologies for Absence**
To receive apologies for absence and to note the attendance of any substitute members.
2. **Declarations of Interest**
Members are required to declare any personal or prejudicial interests and the nature of that interest, in respect of any matter to be considered at this meeting.
3. **Minutes**
To approve as a correct record the minutes of the meetings held on 29 April 2010 and 12 May 2010. 1 - 8
4. **Urgent Items of Business**
Any other items which, pursuant to Section 100B(4)(b) of the Local Government Act 1972, the Chairman decides are urgent.
5. **Amendment to Penalty Points Enforcement**
To receive a report on amendments to the Penalty Points Enforcement Scheme. 9 - 14
6. **Health and Safety Law Enforcement Plan 2010/11**
To seek approval to the Health and Safety Law Enforcement Plan. 15 - 36
7. **Recommendations from the Unmet Demand survey**
To update members on progress made in respect of the recommendations within the TPI Unmet Demand survey report as received by the committee in October 2009. 37 - 40
8. **Taxis in Bus Links**
To note a report concerning the issues surrounding the potential use of bus links and gates by taxis. 41 - 46
9. **Bracknell Forest Licensed Taxi Forum**
To receive the minutes of the Bracknell Forest Licensed Taxi Forum meeting held on 21 May 2010 47 - 50

10. **Date of next meeting**

The next meeting of the Licensing and Safety Committee will take place on 14 October 2010.

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LICENSING AND SAFETY COMMITTEE
29 APRIL 2010
7.30 - 9.10 PM



Present:

Councillors Mrs Ryder (Vice-Chairman), Mrs Angell, Baily, Beadsley, Brossard, Burrows, Finch, Leake, Osborne, Phillips, Thompson and Virgo

Apologies for absence were received from:

Councillors Brunel-Walker and Mrs Barnard

31. Declarations of Interest

There were no declarations of interest.

32. Minutes

RESOLVED that the minutes of the meeting of the Committee held on 08 February 2010 be approved and signed by the Chairman.

Arising on minute 25, a full report on amendments to the Penalty Points Enforcement Scheme would be brought to the Committee on 1 July 2010.

33. Public Speaking at Licensing and Safety Committee

The Head of Trading Standards and Licensing, introduced a report on continuation of the present public speaking arrangements for the Committee which had been agreed in April 2009. The Committee had agreed to review the decision after a trial period of 1 year.

It was agreed that 'licensing officer', in Question 3 part i), of the Speaking to Reports at Licensing and Safety Committee Meetings document, would be amended to read 'officer', as reports would not always be presented by a licensing officer.

The Committee also agreed that written notification of requests to speak at the Committee should be defined as 2 days prior to the meeting rather than on the Tuesday prior to the meeting, as Committee meetings may not always be held on Thursday evenings.

RESOLVED that public speaking be permitted to continue at the Licensing and Safety Committee in line with the requirements set out within the Public Speaking at Licensing and Safety Committee document.

34. Annual Report and Service Plan

The Head of Trading Standards and Licensing, introduced a report which detailed activities carried out by the Licensing Section during the period 1 April 2009 and 31 March 2010 and referred to the 2009/10 work plan brought to the Committee for comment in April 2009.

Changes to licences during the year showed that the number of Hackney Carriage Vehicle licences had decreased by 5 and the number of driver licences had increased. It was suggested that this could be an indication that drivers were sharing vehicles.

It was reported that the majority of tasks in the work plan had been completed. The Committee also considered the Trading Standards and Licensing Work Plan 2010/11. It was noted that the target length of time to issue licence applications had been set at 3 clear working days on 95% of applications.

The Chairman congratulated the section on their hard work, good service provision and high level of achievement in 2009/10. The Committee hoped to see further success in 2010/11 and noted that careful monitoring of those who did not comply with their licence agreements would provide a message to licence holders that maintenance was important.

RESOLVED that the work carried out by the Licensing Section in 2009/10 and the proposed work plan for 2010/11 be noted.

35. **Age of Vehicle Policy**

The Head of Trading Standards and Licensing, introduced a report on the Age of Vehicle Policy. The Committee had requested officers to undertake a period of consultation with the taxi trade upon proposals to introduce guidelines to define what was meant by the terms 'exceptional condition' and 'abnormally low mileage' contained within in the Council's Age of Vehicle Licence condition.

A vehicle would not be regarded as in 'exceptional condition' except where evidence had been presented to the Council that the vehicle had been regularly serviced and maintained in line with the manufacturer's servicing schedule.

The Council would not normally regard the vehicle as having travelled an abnormally low millage in the following circumstances:

- 1 A vehicle intended for normal private use – a mileage in excess of 200,000 miles; or,
- 2 A vehicle purpose built for use as a licensed vehicle with a millage in excess of 300,00 miles; or,
- 3 A 'prestige car' with a millage in excess of 300,000 miles.

The definitions had been carefully considered by officers as they did not wish to place unnecessary burden on the trade.

The Chairman invited John Yexley, Chairman of the Bracknell Licensed Taxi Forum, to speak to the meeting. Mr Yexley expressed concern that the millage level was low and that a more generous allowance should be allowed for private saloon vehicles. Mr Yexley informed the Committee that few local authorities in Southern England had a mileage policy. Mr Yexley suggested that a sub-committee be established to look at the issue of abnormally low mileage.

The Chairman thanked Mr Yexley and asked the Committee if there were any points of clarity they may wish to ask Mr Yexley. There was none.

It was noted by the Committee that the Council had agreed to have an Age of Vehicle Policy, which had now been in place for a number of years. The decision to have a policy in place was a local decision with some local authorities choosing to have a policy and some not to do so.

Arising from the subsequent discussion the Committee noted the following points:

- The average annual millage of a private car was 15,000 miles and the average annual millage of a hackney Carriage vehicle in Bracknell Forest was 33,000 miles a year.
- Keeping a clear service history for vehicles was important as well as regular MOT checks as vehicle services included safety checks which were not covered by an MOT.
- Concern was expressed by some members of the Committee that the millage limit for vehicles had been set at too low a level.
- Other provisions were in place for private hire vintage vehicles such as those used for weddings and special events.
- The public perception of the safety of the vehicles being used as taxis in Bracknell Forest was important.
- The guidelines produced to define 'exceptional condition' and 'abnormally low mileage' were not absolute and existed to provide officers with guidance on the process, judgements would be made on a case by case basis.

It was important that the two terms were accurately defined to provide clarity to aspects of the Age of Vehicle Policy. The set level of millage was a separate issue which would require a change of Council Policy.

RESOLVED

- 1 That the guidance set out in Annex 2 of the Director's report be adopted to interpret the terms 'exceptional condition' and 'abnormally low mileage'.
- 2 That the guidance come into effect on 1 May 2010.

NB: Councillor Leake asked to be recorded as abstaining from voting.

36. Review of Statement of Licensing Policy

The Committee considered a report advising it of the arrangements for the review of the Bracknell Forest Statement of Licensing Policy which needed to be re-published on 7 January 2011.

RESOLVED that the proposed timetable for review of the Bracknell Forest Statement of Licensing Policy be noted.

37. Bracknell Licensed Taxi Forum Update

The Licensing Team Leader introduced the minutes from the Bracknell Licensed Taxi Forum meetings that had been held on 18 February and 6 April 2010.

The Committee noted the minutes and, in particular, that taxi drivers were not being given access to the train station toilets. It was agreed that this issue would be raised with South West Trains.

38. Recommendations from Unmet Demand survey

The Head of Trading Standards and Licensing, introduced a report which gave an update on progress made in respect of the recommendations within the TPI Unmet Demand Survey report presented to the Committee in October 2009.

Recommendation 6 within the survey was for training for drivers in the care of disabled people. A sufficient number of responses had now been received from drivers to create guidance which would be included as part of a guide to accessible taxis. Officers were currently working with the Council's training department to look at provision of training for taxi drivers and operators.

The Chairman invited John Yexley, the Chairman of Bracknell Licensed Taxi Forum, to speak to the meeting. Mr Yexley reported that there were now 20 wheelchair accessible vehicles registered in Bracknell Forest and that the Forum did not condone drivers refusing to take a customer who was in a wheelchair.

The Chairman thanked Mr Yexley and asked if there were any points of clarity on the question, but there were none.

Arising from the subsequent discussion the following points were noted:

- Training for taxi drivers and operators in the care of disabled people could be run in conjunction with neighbouring authorities to reduce cost.
- There had been a number of actions in the TPI that had taken longer to complete than anticipated. It was likely that the report would be completed by October 2010.
- It was reported that taxi access through newly installed bus gates would be considered in the LTP3 which was currently out for consultation as clarity was needed on whether allowing use by taxis would be beneficial. It was agreed that officers from the transport policy development section would be invited to attend a future meeting of the Committee to explain the issues fully.

RESOLVED:

- 1 That the progress made be noted;
- 2 That the decision to limit the number of hackney carriage licences whilst work was carried out in respect of the TPI recommendations be reaffirmed; and,
- 3 That a further report be presented to the next meeting.

39. Neighbourhood Notification Scheme

The Committee noted an information report on a review recently carried out of the Neighbour Notification Scheme, which had been introduced in April 2007.

The Licensing Team Leader reported that it was currently felt that the period of notification for residents was correctly balanced.

40. **Licensing of sexual entertainment venues**

The Licensing Team Leader introduced a report which detailed a change in legislation and introduced a new category of sex establishment called 'sexual entertainment venues', which would allow local authorities to regulate lap dancing clubs and similar venues under schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982.

The Committee noted that there was currently one sexual entertainment venue in Bracknell Forest.

RESOLVED that Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by section 27 of the Policing and Crime Act 2009 be adopted.

41. **Urgent Items of Business**

There were no urgent items of business.

42. **Date of next meeting**

The next meeting of the Committee was to take place on Thursday 1 July 2010 at 7.30pm.

CHAIRMAN

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**LICENSING AND SAFETY COMMITTEE
12 MAY 2010
8.56 - 8.58 PM**



Present:

Councillors Mrs Ryder (Vice-Chairman), Mrs Angell, Baily, Mrs Barnard, Beadsley, Brossard, Finch, Leake, Osborne, Thompson, Virgo and Ms Wilson

Apologies for absence were received from:

Councillors Brunel-Walker, Burrows and Phillips

1. ELECTION OF CHAIRMAN

RESOLVED that Councillor Brunel-Walker be elected Chairman of the Licensing and Safety Committee for the Municipal Year 2010/11.

COUNCILLOR BRUNEL-WALKER IN THE CHAIR

2. APPOINTMENT OF VICE-CHAIRMAN

RESOLVED that Councillor Mrs Ryder be appointed Vice-Chairman of the Licensing and Safety Committee for the Municipal Year 2010/11.

3. APPOINTMENT OF LICENSING PANEL

RESOLVED that:

- (a) The Appointment of the Licensing Panel Chairmen be deferred to the next meeting of the Licensing and Safety Committee.

CHAIRMAN

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LICENSING AND SAFETY COMMITTEE 1 JULY 2010

AMENDMENT TO PENALTY POINTS ENFORCEMENT SCHEME Chief Officer: Environment and Public Protection

1 PURPOSE OF DECISION

- 1.1 At the meeting of the Licensing and Safety Committee on the 8 February 2010 the Bracknell Licensed Taxi Forum (BLTF) commented that the Council were wasting resources by sending out reminder letters to their members. They suggested that these letters were unnecessary and that the Council could save money by stopping such letters.
- 1.2 The Chief Officer agreed that the matters raised would be looked at and where appropriate such letters would be stopped. This report looks at the type of letters sent and makes recommendations as to what letters will be withdrawn. It also highlights what actions will be taken in the event that licence holders fail to renew licences within the prescribed period or fail to produce documents such as insurance, MOT, or vehicle inspection report.

2 RECOMMENDATIONS

- 2.1 **That the relevant procedures be amended so that should a licence holder fail to produce insurance, vehicle inspection report or MOT documents by the due date, the licence will be suspended until production of the document and the licence holder will be issued 4 points in line with the Council penalty points enforcement scheme.**

3 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 3.1 The Borough Solicitor has no further comments to add to the report.

Borough Treasurer

- 3.2 There are no significant financial implications arising from the recommendation in this report.

Equalities Impact Assessment

- 3.3 There are no equality impacts identified within this report.

Strategic Risk Management Issues

- 3.4 No strategic risks have been identified at this time.

4 SUPPORTING INFORMATION

- 4.1 Officers currently send reminders together with application forms to renew licences as well as reminders that certain documents need to be produced to the Council by a specific date to ensure that conditions on a licence are met.
- 4.2 Discussions with members of the BLTF following the meeting on the 8 February indicated that they found it very helpful to receive a reminder that a licence was due to expire together with the appropriate application form. They wish to continue receiving these reminders as they felt that it enabled them to complete the renewal form at home and make a single visit to Time Square to process the renewal.
- 4.3 The area of debate was in respect of letters sent to remind members that they had to have a vehicle inspection. The trade took the view that this information was available to them on the licence and that it was part of their normal business process. Reminders were therefore unnecessary.
- 4.4 It is a condition of the vehicle licence that it should have a current MOT, vehicle inspection report and vehicle insurance in place. Failure to have such documents is a breach of the licence conditions. The Council takes any breach of these conditions very seriously because of the risk to public safety and has already agreed that it will suspend a licence unless evidence of compliance is produced to officers.
- 4.5 Checks have been made and it has been established that despite reminder letters being sent to vehicle owners in February thirteen failed to produce a current vehicle inspection/MOT by the due date in March. It is therefore not unreasonable to conclude that these reminders are not effective and the trade are right that they are a waste of resource.
- 4.6 Accordingly it is proposed that we change the practice but at the same time introduce a sanction. Having considered the implications it is suggested that failure to produce proof of insurance, MOT or vehicle inspection should warrant a similar penalty as failing to notify the council of matters such as a change of details or a conviction i.e. 4 points. This would send a strong message to vehicle owners that if they consistently ignore their responsibility they risk facing a suspension of their driver licence. To use a vehicle without current insurance, MOT or vehicle inspection report presently carries a 12 point penalty under the scheme and can result in an immediate referral to the Licensing Panel for consideration.
- 4.7 In making this suggestion if agreed it may be that compliance levels will drop in the short term.

Background Papers

None

Contact for further information

Steve Loudoun

Chief Officer: Environment and Public Protection

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steve.loudoun@bracknell-forest.gov.uk

Doc Ref

CO/Cttes&Gps/L&S/2010/AmendmenttoPenaltyPointsEnforcementScheme29-4-10 (b)

Equality Impact Assessment Record

EIA Guidance

Please ensure that you have read the Council's EIA Guidance booklet, available on Boris, before starting work on your EIA, it should be read in conjunction with this form. If anything is unclear please contact your departmental equality representative listed below. This form is designed to summarise the findings of your EIA. **Please also keep a record of your other discussions in producing the impact assessment.**

Drafting your EIA

The boxes in this form are designed to expand please ensure that you add data, consultation results and other information to back up any assertions that you make. A draft of this record form must be sent to the Councils Equality Officer Abby Thomas and your departmental equality representative(s) (listed below) who will send you comments on it before it is finalised and signed off by your Chief Officer. This step is important to check the quality and consistency of EIAs across the Council.

Departmental Equality Representatives

ECC	Jane Eaton	SCL	Graham Symonds and Ilona Cowe
CS	Abby Thomas	CXO	Stephanie Boodhna

Publishing

The Council is legally required to publish this EIA record form on the Councils website. Please send a copy of the final version of the EIA record form to the Councils Equality Officer Abby Thomas to publish.

Date of EIA	16 April 2010	EIA Guidance Page Ref.
Directorate	Environment Culture and Communities	
Part One - Initial Screening Record		
1. Activity to be assessed	Amendment to penalty points	See Pages 9 - 10
2. What is the activity?	Policy/strategy <input checked="" type="checkbox"/> Function/procedure <input type="checkbox"/> Project <input type="checkbox"/> Review Service <input type="checkbox"/> Organisational change	
3. Is it a new or existing activity?	<input type="checkbox"/> New <input checked="" type="checkbox"/> Existing	
4. Who are the members of the EIA team?	Robert Sexton	
5. Initial screening assessment. If the answer to either of these questions is 'yes' then it is necessary to go ahead with a full Equality Impact Assessment.	1. Does the activity have the potential to cause adverse impact or discriminate against different groups in the Councils workforce or the community? No. No the points would be applied regardless groups 2. Does the activity make a positive contribution to equalities? No.	
6. Did Part 1: Initial Screening indicate that a full EIA was necessary?	<input type="checkbox"/> Yes – full EIA completed and recorded below. <input checked="" type="checkbox"/> No – full EIA not completed record ends here, please ensure this record is signed by the Chief Officer in box 19 overleaf and then email to abby.thomas@bracknell-forest.gov.uk	

Part Two - Full EIA Record		
7. Why is a full EIA being completed on the activity? Double click on boxes to check all that apply.	<p>The activity has the potential to have an adverse impact/discriminate against different groups in the community. <input type="checkbox"/></p> <p>The activity makes a positive contribution to equalities <input type="checkbox"/></p>	See Pages 9 - 10
8. Who is the activity designed to benefit/target?	<p>The purpose of the activity is to: Overwrite with details</p> <p>The activity is designed for: Overwrite with details</p>	See Page 11
9. Summarise the information gathered for this EIA including research and consultation to establish what impact the activity has on different equality groups.	<p>Overwrite with the data, information, consultation results or research that was gathered as part of the EIA to establish what impact the activity has on different equality groups.</p> <p>Where relevant include data such as take up, profile of users and satisfaction levels with the service/function, size of consultation responses and any issues raised by equality groups/equality issues in consultations.</p>	See Pages 12-13
10. A) With regard to the equalities themes, which groups does the activity impact upon? B) Might any of these groups be adversely impacted? If you have not got sufficient information to make a judgement, go to box 17 and list the actions that you will take to collect further information.	A) Groups Impacted <input type="checkbox"/> Race and ethnicity <input type="checkbox"/> Disability <input type="checkbox"/> Gender <input type="checkbox"/> Age <input type="checkbox"/> Sexual Orientation <input type="checkbox"/> Religion or belief <input type="checkbox"/> Other - please specify <input type="checkbox"/> Other - please specify <input type="checkbox"/> Other - please specify <input type="checkbox"/> Other - please specify	B) Groups impacted adversely <input type="checkbox"/> Race and ethnicity <input type="checkbox"/> Disability <input type="checkbox"/> Gender <input type="checkbox"/> Age <input type="checkbox"/> Sexual Orientation <input type="checkbox"/> Religion or belief <input type="checkbox"/> Other - please specify <input type="checkbox"/> Other - please specify <input type="checkbox"/> Other - please specify <input type="checkbox"/> Other - please specify
11. What evidence is there to suggest an impact/adverse	A) Evidence of Impact. Overwrite with the data, information or research that was used in the EIA. Include any evidence if relevant of a positive impact on equalities.	

impact?	B) Evidence of adverse impact. Overwrite with the data, information or research that was used in the EIA	
12. On what grounds can impact or adverse impact be justified?		See Pages 14 -15
13. Have any examples of good practice been identified as part of the EIA?		See Pages 14 -15
14. What actions are you currently undertaking to address issues for any of the groups impacted/adversely impacted?		
15. What actions will you take to reduce or remove any differential/adverse impact? Please also list any other actions you will take to maximise positive impacts.	List the actions that you have planned as a result of the EIA. The action plan should include references to any additional monitoring or research that was identified in the information-gathering part of the process. It should also include references to any information that is still required or was not retrievable at the point of assessment.	See page 16
16. Into which action plan/s will these actions be incorporated?		
17. Who is responsible for the action plan?		
18. Chief Officers signature.	Name Signature.....	
19. Which PMR will this EIA be reported in?	All completed EIA's must be reported in your departments PMR. Note here the service department and relevant quarter/date of PMR i.e the quarter in which the EIA will be published.	

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LICENSING AND SAFETY COMMITTEE 1 JULY 2010

HEALTH AND SAFETY LAW ENFORCEMENT PLAN 2010-2011 Director of Environment, Culture and Communities

1 INTRODUCTION

- 1.1 The Council is required by Section 18 of the Health and Safety at Work etc Act 1974 to ensure that national priorities and standards are delivered effectively and consistently at a local level.
- 1.2 A Health and Safety Law Enforcement Plan for 2010-2011 reflects this requirement and identifies where and how resources are to be deployed in the current year. Also included, as part of the Plan, is last year's outturn report.
- 1.3 The Committee is asked to consider the Plan attached as Appendix A in the document. Members will recall commenting on the draft Enforcement Plan at the Committee Meeting of 2 February 2010. The purpose of this report is to finalise the plan prior to adoption.

2 RECOMMENDATIONS

That the Committee:

- (a) **notes the performance outturn report as set out in Appendix A, and**
- (b) **agrees the adoption of the Health and Safety Law Enforcement Plan for 2010-2011 as set out in Appendix B, noting the particular focus on topic inspections and the inspection strategies for high risk businesses to ensure our resources are appropriately targeted.**

3 REASONS FOR RECOMMENDATION

- 3.1 The Plan sets out how the Council will seek to work with business as they seek to comply with health and safety requirements, in line with direction from the Health and Safety Commission. Appendix B sets out the proposed work plan for 2010 - 2011.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 The production of an annual plan is a legal requirement.

5 SUPPORTING INFORMATION

- 5.1 Matters relating to overall management and delivery of health and safety management at a national level fall to the Health and Safety Executive. There are effectively two main delivery/regulatory arms; namely the Health and Safety Executive and the Local Authorities. Within Bracknell Forest, enforcement with premises is predominately a function of Environmental Health. Trading Standards have a small role in relation to workplace product safety matters and the licensing officers have authority to do some inspection work in low risk premises.

- 5.2 There are currently 1350 local businesses where that Council has the statutory responsibility for Health and Safety at Work matters. The number of businesses registered with the Council fluctuates as business open and close and tracking such movement is problematic. Premises are visited according to a national risk rating system. Many of the businesses are low risk because of the nature of their activity and therefore are not subject to routine inspection. In such cases alternative strategies are used such as the use of self-assessment questionnaires, newsletters, mail shots and seminars. Such information enables the businesses to self regulate and call on guidance as and when required. The remaining premises are subject to a formal programme of inspection. Appendix 2 shows the breakdown for the current year based on the risk assessment.
- 5.3 The Council has signed a Statement of Intent with the Health and Safety Executive committing to working in closer partnership so as to further national, regional and local priorities. The intention is to ease the burden of regulation on business and to revitalise health and safety in the Borough. The Plan reflects that arrangement which is in line with national priorities. As a consequence a portfolio of joint working has been agreed with the HSE based around national priority areas. This programme of targeted health and safety activity is detailed in Appendix A and involves partnership working with the health and Safety Executive and local businesses to create "added value."
- 5.4 The Enforcement Plan once approved is made public and feedback is invited. Any feedback received is then used to inform the plan for next year. The plan is published on the Borough's website and copies are sent to key locations in the Borough including the Council's libraries and town and parish Council offices. No representations were made in relation to the previous plan during 2010-2011, or on the drafted plan made public in January.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 6.1 The Borough Solicitor is satisfied that the relevant legal provisions are contained within the body of the report.

Borough Treasurer

- 6.2 The Borough Treasurer is satisfied that no significant financial implications arise from this report.

Equalities Impact Assessment

- 6.3 The plan targets premises based on the history of risk and identified need. Where issues of equality may arise, then special provision is made to help as may be necessary. An initial equalities impact assessment is attached in Appendix C. The activity is regulatory and the equality impact assessment was covered by the overarching document entitled Enforcement Policy 2008 which was reported to the Executive on 18 November 2008.

Strategic Risk Management Issues

- 6.4 The Council is liable to inspection to ensure compliance with section 18 of the Health and Safety at Work Act etc 1974. This Plan sets out how the Council intends to comply with those obligations and in so doing so mitigate against the risk of an adverse inspection report followed by possible intervention and surcharge.

7 CONSULTATION

Principal Groups Consulted

- 7.1 The nature of the Plan is such that we have consultation with stakeholders after its adoption. All feedback is taken into account and helps inform the Plans future development.

Method of Consultation

- 7.2 The plan will be published on the council's website and issued to key locations in the borough, including all the Councils libraries and Town and Parish council offices.

Representations Received

- 7.3 None

Background Papers

- 1 A Strategy for Workplace Health and Safety in Great Britain to 2010 and Beyond (Securing Health Together – SH"), (HSE 2004)
- 2 Health and Safety in Local Authority Enforced Sectors, Section 18. HSC Guidance to Local Authorities (09/01)
- 3 HELA Circular Number 67/2. Advice/guidance to Local Authorities on priority plans (03/2010)
- 4 Health and Safety Law Enforcement Plan 2009-2010
- 5 National enforcement for priorities for local authority services (Peter Rogers 2007)
- 6 Reducing administrative burdens: effective inspection and enforcement (Philip Hampton, March 2005)

Contact for further information

David Steeds, Head of Environment Health – 01344 352530

david.steeds@bracknell-forest.gov.uk

Doc Ref

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**HEALTH AND SAFETY ENFORCEMENT
PLAN 2010-2011**

(inc 2009 – 2010 OUTTURN)

**Environment, Culture and Communities Department
Bracknell Forest Council
Time Square
Market Street
Bracknell
RG12 9JD**

Tel: 01344 352000

Fax: 01344 351141

Email: environmental.health@bracknell-forest.gov.uk

PART 1 - INTRODUCTION TO THE PLAN

This Plan sets out details of:

- the work we have completed in the previous year as this influences the way forward
- what we plan to do this year and
- how we intend to do it

Our key priorities when it comes to workplace safety are to work with business to:

- protect people from unsafe working conditions and practices
- work with and support local businesses to help them improve their business
- work towards reducing the incidents of accidents and work-related ill health
- encourage awareness of health and safety issues within business generally
- provide a quality service

The Council is responsible for ensuring through enforcement of legislation for the health and safety of those employed locally and the public who may as a result of business activity be harmed. The duty and powers of the Council are set out in the Health & Safety at Work etc Act 1974 and associated Regulations; this plan is produced as part of our responsibilities under Section 18 of the Act.

The Local Authority Unit (LAU) of the Health and Safety Executive has given guidance on the interpretation and implementation of Section 18 of the Health and Safety at Work etc Act 1974. Section 18 details what the Local Authority should have in place to ensure local compliance with health and safety in the Borough. The standard details areas such as service planning, the officer capacity required to enforce in the Borough and the competency of those officers. Compliance is tested through annual self-assessment to the LAU and peer review every 3 years leading where needed to an improvement plan to be overseen by County groups, Regional group and HELA (HSE and LA Liaison Group). Such assessments have yet to commence. Possible risks to compliance with expectation are resource related. Staff numbers and officer skill shortages are hard to mitigate for in the current climate. Where needed resources are redeployed with the overall service to ensure continued priority is given to greatest need. Staff performance and training needs are constantly evaluated.

The Council has responsibilities in respect of **1350** premises in the Borough including offices, shops, warehouses, builders' merchants and services such as hairdressers as shown in the table below:

Type of Premises	Number of Premises
Retail shops	282
Wholesale shops, warehouses and fuel storage depots	36
Offices	410
Catering, restaurants and bars	219
Hotels, camp sites and other short stay accommodation	15
Residential care homes	49
Leisure and cultural services	92
Consumer services	238
Other premises	9
Total	1350

National Picture for health and safety

The 2005 'Hampton report' sought to reduce the burden on business through unnecessary regulation and to work towards improving the vision of a regulatory system that is based around risk and proportionality. In 2007, a national review of priorities included the need for improving health in the workplace.

The Regulatory Enforcement and Sanctions Act 2008 is an important step forward in delivering this vision. The Act introduced the Primary Authority Principle, placing a particular responsibility upon local authorities to provide information, advice and support to local businesses that operate in more than one local authority area. We provide for such help but as yet we have not set up any formal arrangements. We explored doing so with one National business as part of the pilot but both parties agreed that such an arrangement was in itself a needless layer of bureaucracy. This might not be so with all businesses.

The Better Regulation Executive (BRE) is part of the Department for Business, Enterprise and Regulatory Reform (BERR) and leads on regulatory reform agenda. Working with and through others, their aims are:

- to work with departments and regulators to simplify and modernise existing regulations, and
- to work with regulators (including local authorities) and departments to change attitudes and approaches to regulation to become more risk-based.

The inspection of businesses in Bracknell Forest is already based upon risk as we carry out inspections in line with the national targets set by HSE.

Work will be carried out throughout the year to ensure that the team is complying with the Regulatory Enforcement & Sanctions Act 2008 and the Better Regulation Executive requirements.

Roles

Officers within the environmental health function deal with the main aspects of workplace safety related matters and undertake programmed risk based inspections, reactive inspections, investigating reports of accidents/ill-health under RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations). They also provide educational and promotional materials and information to raise the public profile of workplace health and safety, and coordination of enforcement activities within the Berkshire area. The team has responsibility for enforcement of the smoke-free legislation brought in by the Health Act 2006 and food safety legislation. Licensing officers undertake some premises inspections according to their skill set in low risk premises. Trading Standards staff have a limited role related mainly to matters of the safety of new work-related equipment.

All officers are authorised to carry out work according to qualification and competence. The aim is to focus resources on the areas where research suggests we will have the greatest impact in terms of reducing work-related injury and ill health.

Across the Environment and Public Protection Division on average approximately 2.4 FTE's time is spent on health and safety matters a year.

Sensible Risk Management

As part of our ongoing health and safety work we propose to support a national campaign called 'principles of sensible risk management.' It is being run by the Health and Safety Executive to tackle the problem of health and safety myths which are undermining important health and safety messages. Often such myths results in an unnecessary burden on business in the mistaken believe that "it's what is required."

Our work is varied, for example during 2009/10 we:

- inspected **134** businesses and carried out **121** other related visits
- responded to **236** complaints and enquiries
- investigated **167** accidents notifications
- issued formal notifications on how businesses can comply to **62** businesses

This is further detailed in Appendix A.

From 2006/07, following advice from the HSE, the emphasis changed from full inspections of premises on a risk based inspection programme to participation in national campaigns (Fit 3 project work). We have restricted full inspections to those representing the highest risk (as determined by officers following national guidance after inspection) and in accordance with the Hampton Review, i.e. targeting those premises who represent the highest risk. Therefore regular full inspections are carried out only of our A and B1 category premises.

The original Fit 3 project has been renamed as "National Priority Areas" and its aim remains to deliver a joint portfolio of national priorities between HSE and Local Authorities. This programme identifies areas of work where intelligence suggests that interventions are required to achieve a reduction in working days lost, fatal and major injuries and work related ill health. Based on statistics for injury data 2009/10 for Berkshire, there were 2 fatal injuries, 111 major injuries, 317 over 3 day injuries to employees and 399 injuries to members of the public. These 829 accidents in Berkshire can be detailed by type:

Workplace transport	8
Slips and trips	316
Falls from height	117
Workplace violence	20

In 2010/11 we plan to:

- inspect all high-risk businesses
- focus our work on priority topics identified by the HSE and carry out **208** topic-based inspections
- organise one major seminar to support businesses
- publish and distribute one specialist health and safety newsletter
- develop further our partnership working with the Health & Safety Executive with joint warranting.

We will base this work on:

- inspecting premises on the basis of risk and priority topic
- respond to all enquiries and accident notifications within 2 days and in serious cases respond on the same day
- providing specialist advice, information and training to businesses
- consulting our customers and seeking feedback on the quality of our service.

Table 1 shows targeted or programmed inspections for the higher risk premises: A, B1 and B2. All new premises will be subject to “alternative intervention strategies” rather than inspections. This will include postal questionnaires, seminars and the issue of specific publicity material.

	A	B1/B2	B3/B4
Targeted 2006/2007	7	45	51
Targeted 2007/2008	5	48	58
Targeted 2008/2009	9	44	108
			Fit3
Targeted 2009/2010	6	27	161
Targeted 2010/2011	3	28	208

Where the premises are to be visited for other statutory inspection purposes, both visits will if possible be combined.

A further **208** topic led inspections will be made to premises based on the suitability of project intervention. These include industrial premises in respect of manual handling and workplace transport initiatives; leisure premises for controls of legionella and reductions in slipping and falling related injuries; and disease reduction at hairdressers, florists, nail bars, and sun bed providers. Details of these are attached in Appendix B. In a typical year some low risk premises are likely to be brought back into the formal inspection process following complaints and accident investigations.

In addition there remain approximately 1,000 C-rated or unrated premises in the area. Although these are of insufficient risk to be included in the inspection cycle, they have previously been targeted with questionnaires to check their status and awareness in relation to health and safety and will continue to be approached in that manner. All new premises will be brought into the inspection cycle based on the risks presented by their activities.

PART 2 – DELIVERING THE PLAN

Our Vision

The Health and Safety Enforcement Plan is designed to work within the Bracknell Forest Community Plan to help deliver the Council’s priorities. The Council’s vision is:

“To make Bracknell Forest a place where people can thrive: living, learning and working in a clean, safe and healthy environment”

The Medium Term Objectives 2010 -2011 adopted by Bracknell Forest Borough Council that encompasses our health and safety work is contained within Priority Five: Value for money MTO10 to be accountable and provide excellent value for money.

The Plan aims to ensure a graduated approach based on risk. It reaffirms our commitment to carry out our duties in an open, fair and consistent manner that promotes economic development.

We recognise that most businesses want to comply with the law; therefore we want to support and enable businesses to meet their legal duties without unnecessary expense. However, firm action, including prosecution, will be taken where appropriate. We aim to ensure that employers minimise the risks of accident, injury and ill health to their employees and customers, and address employee welfare issues. This is achieved by monitoring employers' health and safety management arrangements through risk-based inspections and topic campaigns along with appropriate and timely action in response to non-compliance with relevant legislation, and through liaison and awareness campaigns with employers and employees to provide advice in relation to good practice and legal compliance. Such practices will help to facilitate businesses with an equal opportunity in the market place and an opportunity for fair trading.

This Health and Safety Law Enforcement Plan sets out the actions we are taking to promote health and safety for the benefit of residents, employees and businesses that operate in our Borough.

STRIVING FOR EXCELLENCE

Areas for Development

We are always striving to move the service forward. In order to achieve this, we set targets and identify areas for development during the coming year. Appendix B details targets from our Action Plan for 2010-2011 along with proposed timescales.

Customer Feedback and Quality Monitoring

Procedures are in place to scrutinise all the work that is undertaken by the officers. Our quality monitoring includes detailed practice notes, checks on data entry and officer consistency. We have also been evaluating our performance by asking our customers to complete a "Business Satisfaction Survey" following inspections.

We have begun to roll out an in-house competency assessment for Officers in accordance with the criteria set out in the **Section 18 Guidance** issued by the **HSE Local Authority Enforcement Liaison Committee (HELA)**. Section 18 of the Health and Safety at Work Act 1974 makes it mandatory for the Council to employ competent Health and Safety Enforcement Officers and to ensure that these officers are trained and this training is maintained. A new Section 18 standard has been developed which all Councils have to comply with by 2010. Part of this standard is a review of training needs of officers which takes the form of a web based assessment of training and the production of a personal development plan.

Benchmarking

An inter-authority audit of the health and safety enforcement service is planned to take place by March 2011 to demonstrate compliance with Section 18 Standard. Currently we are utilising tool kits developed to ensure the Local Authority can demonstrate compliance by the required deadline.

Staff Development

The council aims to make full use of the skills that exist in the Sections and to develop those skills through updates, shadowed working and internal and external training. A record of continuous development is maintained for all officers. All staff are subject to a formal appraisal each year with interim review meetings. Part of this appraisal process is the development of a training needs analysis for staff. Once identified a matrix of the training needs of the team of compiled. 'Continuing Professional Development' (CPD) training is provided for all staff that need it to maintain their level of competence. A list of training received by officers in the previous year is set out in the outturn report.

Working in Partnership with Others

1 Health and Safety Executive

The Council has signed a 'Statement of Intent' as part of the Local Authorities and HSE Working Together Strategic Programme confirming the Council's commitment to working in closer partnership with the HSE to tackle national, regional and local priorities in a more effective and focused manner. The Council has also signed a flexible warranting scheme with the HSE which broadens the authorisation of both HSE and Local Authority officers.

Our activities for 2010/2011 (detailed in Appendix B) are planned around the HSE's delivery portfolio which follows on from 'Revitalising Health and Safety'. The portfolio is a series of targeted interventions based on analysis of injury and ill health generated from known hazards at work. It aims to reduce injury and days lost from ill health and accidents.

The Shattered Lives campaign targets those most at risk of a slip, trip or fall at work with the aim to raise awareness of the risk and help those involved to take simple action that will prevent slips, trips and falls.

2 Smoke Free Bracknell Forest Partnership

A comprehensive ban on smoking in all enclosed public places and workplaces, including vehicles, came into effect on 1 July 2007.

Through the Smokefree Berkshire partnership we have continued to work with NHS Berkshire East, Slough Borough Council and the Royal Borough of Windsor and Maidenhead to raise awareness of smokefree legislation and smoking cessation services to companies in East Berkshire.

PART 3 – FURTHER INFORMATION

If you would like further information about the service that the Environment and Public Protection Division does in relation to Health and Safety or would like to speak to an officer for advice, please contact us:

Environment, Culture & Communities Department
Bracknell Forest Council
Time Square
Market Street
Bracknell
RG12 1JD

Tel: 01344 352000

Fax: 01344 351141

Email: customer.services@bracknell-forest.gov.uk

Or look on our website at: www.bracknell-forest.gov.uk/environment.htm

Availability of Officers

Officers can be contacted through our Customer Service Centre which is open from 8.30am to 5.00pm Monday to Friday

USEFUL CONTACTS AND WEBSITES

www.hse.gov.uk - The Health and Safety Executive website, which has an enormous amount of invaluable information on health and safety. The local HSE office is at:

Priestley House
Priestley Road
Basingstoke
RG24 9NW
Tel: 01256 404000
Fax: 01256 404100

The HSE also has an 'Infoline' on 0845 345 0055.

www.hse.gov.uk/lau - The Health and Safety Executive/Local Authority Enforcement Liaison Committee (HELA) ensures that the health and safety legislation is enforced consistently.

www.riddor.gov.uk - for a full list of reportable major injuries, diseases and dangerous occurrences and when and how they must be reported.

www.berkshirehealthandsafety.co.uk - useful fact sheets on health and safety maintained by the Berkshire Health & Safety Liaison Group.

www.workplacehealthconnect.co.uk - free practical advice on workplace health and safety designed to help SMEs, that is Small and Medium Enterprises.

Advice line: 0845 609 6006

APPENDIX A

HEALTH & SAFETY ENFORCEMENT OUTTURN 2009/10

HOW DID WE PERFORM?

Our Health & Safety Law Enforcement Plan is reviewed on an annual basis. This process provides the opportunity to record achievements and identify the key areas for improvement over the forthcoming year.

Inspections and other interventions

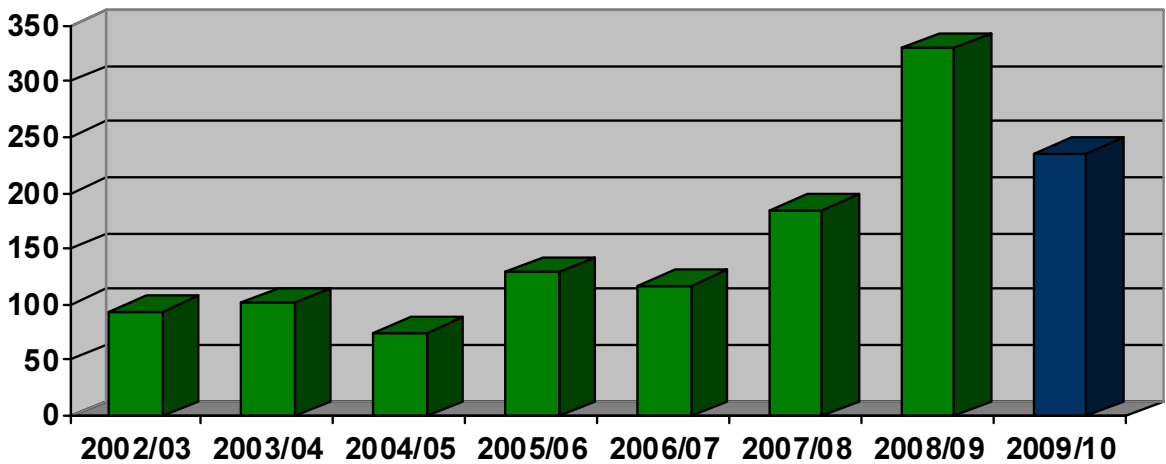
In 2009/10 officers carried out a total of 255 health and safety inspections and visits:

- 35 of these were programmed inspections and 99 of these were topic-focused
- 18 were advisory visits
- 25 were revisits to follow up on issues of non-compliance
- The remaining 51 visits were made in response to complaints from members of the public

Health and Safety Complaints and Enquiries

During the year there were 236 complaints as shown below, regarding working conditions and practices. We aim to respond to all such enquiries within 2 working days, but if it is judged that the situation is serious then our response will be the same day. Some examples of the complaints we have dealt with are:

- Poor working conditions including lighting, seating, temperature
- Working practices
- Employment of young persons
- Fork lift truck operation
- Trip/slip hazards



Accident Investigation

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 place a legal duty on employers, the self-employed and those in control of premises to notify and report some work-related accidents, diseases and dangerous occurrences. Most notifications are reported to the national Incident Contact Centre (ICC) operated by the HSE. Notifications are then passed on to the relevant enforcement authority. Full details of what should be reported and the procedure are available on the ICC website at: www.riddor.gov.uk.

Our policy is to review all accident notifications and to investigate as appropriate. Our aims in undertaking independent investigations of accident notifications are:

- To prevent a recurrence of the accident by securing improvements in health and safety standards, including practices and procedures, the assessment of the effectiveness of existing controls
- The identification of potential hazards and associated risks
- Provision of advice and information
- Appropriate enforcement action (proportionate to risk) to secure compliance with health and safety legislation where necessary

During 2009/10 the officers investigated 167 notified accidents and dangerous occurrences. The majority of the accidents occurring in Bracknell were related to poor manual handling and slips and trips. However:

- 53 accidents resulted in a member of the public being taken to hospital.
- 48 accidents resulted in injuries to an employee requiring an absence from work of more than 3 days.

Smokefree Bracknell Forest

Officers continued to monitor and advise business on compliance with smokefree legislation at all inspections.



A total of 8 complaints and 5 enquiries were received relating to smoking. All complaints were resolved informally without the need for enforcement action. There is extensive advice and information about the smokefree requirements on the Council's website at:

<http://www.bracknell-forest.gov.uk/smokefree>

Compliance has remained high throughout the year with low levels of complaints, largely due to public demands and acceptance.



Asbestos

More people die from asbestos-related disease per year than are killed on the roads. Asbestos is raised as a matter of concern at every inspection. Employers are assessed on how they are complying with their duty of managing asbestos in buildings and advice is given on how to achieve compliance.



Statistics from the HSE show deaths from mesothelioma for 2005-07 to be at 73 for males and 11 for females.

Slips Trips and Manual Handling

71 visits were carried out to raise awareness and improve compliance in preventing slips and trips.

7 visits were carried out to premises where manual handling injuries had been high. Premises were found to be relatively compliant and willing to comply where required.

Enforcement Action

We have adopted a broad and comprehensive set of measures to protect consumers and promote health and safety, and we actively work with local business to achieve a balanced approach.

Any enforcement action taken by the officers is proportionate and in accordance with the Council's Enforcement Policy. A full copy of the policy can be found on our website: www.bracknell-forest.gov.uk.

The enforcement action taken in relation to health and safety for 2009/10 and the two previous years is shown below:

ENFORCEMENT ACTION	2006/07	2007/08	2008/09	2009/10
Informal improvement notices	68	47	60	59
Formal notices	5	4	4	2
Prosecutions	0	0	0	0
Immediate Prohibition Notices	0	0	2	1
TOTAL	73	51	66	62

Variations from the Plan

Departures from the Health & Safety Enforcement Plan will be exceptional, capable of justification and be fully considered by the head of service before varying action is taken. Reasons for any departure will be fully documented. Monitoring procedures are in place to assist in evaluating the effectiveness of the services as a whole. Performance reports are presented as key performance indicators monthly and quarterly with comments where performance exceeds or fails to meet targets. This information will then be fed back into the development of other service plans.

Staff Development 2009-2010

Each officer is responsible for keeping a record of training undertaken and maintaining their own CPD records. However following the appraisal process the following courses were attended during 2009-10:

- Commercial Catering Gas Safety Awareness
- Flexible Warranting
- Legionella
- Loading and Unloading
- Accident Investigation
- Work Related Death Investigation

APPENDIX B

HEALTH & SAFETY ENFORCEMENT PLAN 2010-11

Protecting Consumers			
Task	Outcome	Resource	By when
To seek to improve the health and safety standards of workplaces in Bracknell Forest through effective enforcement methods.	Inspection 45 high risk businesses in Bracknell Forest where we are the enforcing authority for health and safety in accordance with risk aiming to complete 100% of identified high-risk premises and using targeted interventions for other business, where appropriate.	45 x 4 hours Total 180 hours 116 hours re-visits 98 hours Notices 103 hours Prosecutions Total 497 hours	50% - October 2010 Complete March 2011
To develop, implement and maintain a Health and Safety Plan	Provide encouragement, direction and support to local businesses in achieving higher levels of compliance and standards to enhance the wellbeing of Bracknell Forest residents and visitors. Plan to be achieved within existing resources.	Incorporated into other tasks	March 2011
Respond to and investigate workplace accidents and reports of poor working practices and conditions	To ensure that effective investigations are carried out for 100% notifications and to take prompt action to improve conditions and reduce likelihood of injury recurring. Examine local trends in accidents reports.	Total approx time 160 hours	March 2011
In partnership with the Health & Safety Executive work towards reducing the number of accidents and ill health that occurs within Bracknell Forest by focusing on priority areas identified local, regional and national level.	Adapting existing project plans that have been developed by the HSE for campaigns to: <ul style="list-style-type: none"> • Free up officer time for developing 11 campaigns and allow more contact time with businesses • Low cost publicity and support material by use of nationally produced resources and publicity • Impact on the health of the community and the strength of the local economy by targeting areas of identified significant risk. 	600 hours	March 2011

APPENDIX B

HEALTH & SAFETY ENFORCEMENT PLAN 2010-11

Project Working – Focussing Resources			
National Topics jointly with HSE	Comments and Outcome	Resource	By when
LPG Inspection Campaign	Joint Berkshire Project	20 premises x 4 hours 10 hours database 10 hours research Total 100 hours	March 2011
Countywide Topics	Comments and Outcome	Resource	By when
Motor Vehicle Repair	Joint Berkshire Project Clarify Enforcing authority for these premises and update database. Carry out inspections in 10 premises to get a representation of compliance.	10 visits x 5 hours 10 hours database 10 hours research Total 70 hours	April to October 2010
Sunbeds	Joint Berkshire Project May to August : carry out inspections of tanning salons to secure compliance. Gather intelligence regarding supervision status of the premises and under 18 to feed into Sunbeds (Regulation) Bill.	8 premises x 4 hours 10 hours database 10 hours research Total 52 hours	May to August 2010
Nail Bars	Joint Berkshire Project September to November : carry out inspections of nail bars to secure compliance.	10 inspections x 5 hours 10 hours research Total 60 hours	September to November 2010
Slips and trips in Catering	Joint Berkshire Project Reducing slips and trips in food premises. Carried out at time of inspection.	60 visits x 30 mins Total 30 hours	

**APPENDIX B
HEALTH & SAFETY ENFORCEMENT PLAN 2010-11**

Local Topics	Comments and Outcome	Resource	By when
Slips and Trips at leisure centres	5 visits to leisure centres; the aim is to ensure legal compliance and adopting best practice.	5 visits x 5 hours 5 hours research Total 30 hours	50% - October 2010 Complete March 2011
Legionella	Identify high risk sources and raise awareness with 10 duty holders at leisure centres, garden sales premises, spa venues, golf clubs. Aim is to adopt best practice.	10 visits x 5 hours 5 hours research Total 55 hours	50% - October 2010 Complete March 2011
Disease Reduction – Dermatitis	Aimed at industries where skin hazards are high risk. Following up successful seminars held in 08/09: visits to raise awareness and implement simple controls to 20 hairdressing premises and further seminar for those in flower industry followed by 10 flower sales premises. Dermatitis among KP staff in 15 catering premises where main duties involve wet work.	45 visits x 1.5 hours 5 hours research Total 72.5 hours	50% -October 2010 Complete March 2011
Special Treatments	Continue to provide specialist advice for the Licensing section and for businesses on 100% new applications and renewals.	Previously counted	March 2011
Smokefree	Continue to monitor for compliance at all premise visits and respond to 100% complaints and enquiries.	50 Visits x 2 hours Total 100 hours	March 2011
Asbestos – Duty to Manage	Raise at all relevant visits. Likely to result in some enforcement to secure improvement.	40 visits x 30 mins Total 20 hours	March 2011
Caravan Sites	Conduct full inspection of one caravan site to check compliance, health and safety aspects of model standards and licence conditions.	Total 40 hours	March 2011
Fireworks	To inspect 40 licensed premises to check compliance with storage and safe provisions.	40 visits x 2 hours Total 80 hours	November 2010
Riding Establishments	To inspect 4 premises for compliance with health and safety legislation and animal welfare provision	Total 28 hours	March 2011
Taxi Inspections	To conduct at least one joint enforcement agency inspection involving VOSA, Social Security, Customs and Excise and Thames Valley Police to check safety of licensed vehicles.	Total 24 hours	March 2011
Petroleum	To inspect through risk assessment premises licensed for the storage and sale of petroleum products to ensure compliance with legislation and safer working practices.	16 visits x 4.5 hours	March 2011
Animal Establishments	Inspections of premises	12 x 3 hours Total 36 hours	March 2011

**APPENDIX B
HEALTH & SAFETY ENFORCEMENT PLAN 2010-11**

Support for Local Businesses			
Task	Outcome	Resource	By when
To facilitate the delivery of health and safety promotional events and material to reflect local needs and national priorities	Organise one major workshop during the year Produce one H&S Newsletter for distribution to all Bracknell Forest businesses Prepare 2 H&S press releases Ensure that the full range of information and guidance is available on priority areas	20 hours 5 hours 3 hours 10 hours Total 38 hours	March 2011
To provide support and advice to local businesses to help them improve their health and safety compliance	Respond to requests for advice within 2 working days and provide full advice within 14 days	192 hours	March 2011
To maintain up-to-date health and safety pages on the Council's website	Provision of relevant accessible information and links to other key sites including Berkshire Health and Safety Website.	30 hours	March 2011 Ongoing
To provide training in Risk Assessment (CIEH Accredited course)	One low cost course aimed at small businesses in Risk Assessment (CIEH Accredited)	15 hours	March 2011

Local Partnerships			
Task	Outcome	Resource	By when
To support and participate in a joint warranting project with the HSE	Work effectively together on agreed regional projects to provide a consistent and improved service	Previously counted	March 2011
Develop links with local businesses to support local priority topics	To form partnerships with a variety of organisations to help support the service aims particularly focussing on raising awareness during European Health and Safety Week. 2 major partnerships (Panasonic and one other)	2 x 30 hours research Total 60 hours	March 2011

**APPENDIX B
HEALTH & SAFETY ENFORCEMENT PLAN 2010-11**

Performance Management			
Task	Outcome	Resource	By when
To respond within agreed timetables for national performance data for HSE	Full reports annually and in year returns submitted within time frames	10 hours	May2010
To maintain a quality service in accordance with Section 18 HSC	Implementation of the agreed work plan, ensuring consistency of approach and maximised resources Continue to implement an in-house competency system for appointed officers Identification of staff training needs during appraisals, including: RDNA – Regulators Development Needs Analysis tool GRIP – Guidance for Regulators Information Point. Reviewed and up-to-date internal procedures	20 hours	March 2011
Complete Monthly Performance Assessments	Report on quality and consistency of the Commercial Team's work and review as necessary	12 hours	March 2011
To undertake benchmarking with the other Berkshire Authorities via the Berkshire Health & Safety Liaison Group and Berkshire EH Managers Group	Application of best practice, enabling the service to continually improve and identify areas suitable for collaborative working	10 hours	Ongoing
To periodically consult with stakeholders	To seek Business satisfaction levels by annual ongoing consultation and to use the information to improve the service and to further identify local needs.	10 hours	Ongoing
		Total Resource 2,456 hours	

APPENDIX C

Equality Impact Assessment Record

Date of EIA 1 July 2010
 Directorate Environment Culture & Communities

		Step
Initial Screening Record		1/2
Activity to be assessed	Health and Safety Law Enforcement Plan 2010-11	
What is the activity?	<input type="checkbox"/> Policy/strategy <input checked="" type="checkbox"/> <input type="checkbox"/> Function/procedure <input type="checkbox"/> project <input type="checkbox"/> Review <input type="checkbox"/> Service <input type="checkbox"/> Organisational change	
Is it a new or existing activity?	<input type="checkbox"/> New <input checked="" type="checkbox"/> Existing	
Aim / objective / purpose of the activity – who is the activity designed to benefit/target?	<p>The Council is required by section 18 of the Health and Safety at Work etc Act 1974, to ensure that national priorities and standards are delivered effectively and consistently at a local level.</p> <p>The plan sets out how the Council intends to comply with those obligations and in so doing mitigate against the risk of an adverse inspection report from the external monitoring body the Health and Safety Executive followed by possible intervention and surcharge.</p> <p>The activity is regulatory and the Equality Impact Assessment in relation to the plan was covered by the overarching document Enforcement Policy 2008 which was reported to the Executive on the 18 November 2008. The purpose of the enforcement policy is to set a framework for enforcement action in the Environment and Public Protection Division which includes the Health and Safety Law Enforcement Plan.</p>	
Who is responsible for the activity?	The person/section/team responsible for this policy/function is: Overwrite with name of individual, section or team	
Did Step 1: Initial Screening indicate that a full EIA was necessary?	<input type="checkbox"/> Yes – full EIA completed and recorded below. <input checked="" type="checkbox"/> No – full EIA not completed therefore record ends here.	
Full EIA Record		
Who are the members of the EIA team?	Overwrite with names of individuals, section or team	
What evidence has been found to indicate that the activity might need to be amended? (Include any consultation undertaken)		
With regard to the equalities themes, which groups might be impacted by the activity? Might any of these groups be impacted adversely ?	Groups Impacted	Groups impacted adversely
	Race and ethnicity <input type="checkbox"/> Disability <input type="checkbox"/> Gender <input type="checkbox"/> Age <input type="checkbox"/> Sexual Orientation <input type="checkbox"/> Religion or belief	<input type="checkbox"/> Race and ethnicity <input type="checkbox"/> Disability <input type="checkbox"/> Gender <input type="checkbox"/> Age <input type="checkbox"/> Sexual Orientation <input type="checkbox"/> Religion or belief
What evidence is there to suggest an impact/adverse impact?		

On what grounds can impact or adverse impact be justified?		5
Is there any current action that addresses issues for any of the groups impacted/adversely impacted?		
What changes will you make to the activity reduce or remove any differential/adverse impact?		
Into which action plan/s will these actions be incorporated?		
Who is responsible for the action plan?		
Have any examples of good practise been identified as part of the EIA?		
Has the EIA been published on the Council website?		6
Who is the relevant Chief Officer and have they signed off the EIA?	Name Signature	
Which PMR will this EIA be reported in?		

LICENSING AND SAFETY COMMITTEE 1 JULY 2010

RECOMMENDATIONS FROM UNMET DEMAND SURVEY Chief Officer: Environment and Public Protection

1 PURPOSE OF DECISION

- 1.1 In October last year and following due consideration of an independent review and the comments of the trade the Committee agreed an interim freeze on any new hackney carriage licences. The limit was introduced so that the trade and officers could progress a number of matters raised in the TPI unmet demand survey and further consider the impact of such a limitation. This report apprises the Committee of progress and recommends a way forward.

2 RECOMMENDATIONS

- 2.1 **That the Committee agree to the withdrawal of the limit on the number of hackney carriage licences issued as local conditions within Bracknell Forest do not demonstrate a strong justification that removal of numerical restrictions would lead to a significant consumer detriment**

3 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 3.1 The relevant legal provisions are contained within the main body of the report

Borough Treasurer

- 3.2 There are no significant financial implications arising from the recommendation in this report.

Equalities Impact Assessment

- 3.3 Recommendations from the TPI report may have an impact on equalities and present policy. At this time exploratory work is being carried out and therefore no equalities impact has been identified.

Strategic Risk Management Issues

- 3.4 No strategic risks have been identified at this time.

4 SUPPORTING INFORMATION

4.1 At its meeting in October 2009, the Committee received a detailed report and presentation from specialist consultants employed to consider whether or not the introduction of a limit on the number of licenses that are issued can be justified. The Committee resolved *“to introduce an immediate interim freeze on any new hackney carriage licenses to allow the trade and officers to work further together around the issues raised in relation to the trade; and that a further report be brought to the next meeting of this committee. This proposal was considered to be in the best interests of the trade and the public.”*

4.2 In the period since officers have been working to address a number of recommendations and the following are those that have yet to be fully resolved;

Recommendation 4:

To address service accessibility, service quality and standards of customer care issues identified, consideration should be given to:

in the short term:

- 4(i) **Encouraging drivers to seek training in understanding the market opportunities offered by disabled people, passenger handling, disability awareness, customer care, knowledge and where appropriate language skills.**
- 4(ii) **providing information on the difference between Hackneys and PHVs and promoting the use of legitimate vehicles.**
- 4(iii) **ongoing monitoring of the outcomes of the above through customer surveys and random use of mystery passengers.**

in the longer term:

- 4(iv) **consideration of a more comprehensive quality taxi partnership (QTP) approach to increase liaison between licensing authority, police, other stakeholders and operators, provide a framework for bringing about mutually beneficial improvements across the taxi sector and a quality mark to participating operators, as has been found to be effective in other authorities.**
- 4(v) **the framework provided by a QTP could also be useful for facilitating discussion on how best to optimise supply to address peaks in demand, delays, congestion issues at ranks, environmental issues, markets available and the formation of standard frameworks for taxi commissioning, etc.**

Comment

- 4(i) Officers have consulted with the BLTF in respect of training needs and options. Officers favour a training programme that covers both disability awareness and the physical elements of safe transportation, whilst the BLTF are of the view that only training in the physical loading and unloading of passengers is required to improve driver confidence and passenger satisfaction.

- 4(ii) The draft text for information cards has been drawn up and sent to the Graphic Design unit for proofs to be created. These cards will be distributed to users of taxis and private hire vehicles. There will also be a consultation with private hire operators and vehicle owners in respect of placing notices on the doors of private hire vehicles stating something to the effect "No booking = No ride".
- 4(iii) TPI have been unable to provide full results from the mystery shopper exercise and therefore this process will be re-started to ensure validity of the data to be collected. Officers attended the Access Advisory Panel on the 9 June to advise them on progress of the introduction of accessible taxis and to seek their assistance in a mystery shopper programme. We will use this exercise to measure standards of performance within the taxi trade when providing a service for those with disabilities.

Recommendation 6

The licensing authority should seek to collate information in which operators and drivers operate wheelchair accessible vehicle/s, using drivers trained in the care of disabled people and are responsive to their needs and publish this as part of a guide to accessible taxis.

Comment

Letters were sent to all private hire operators and hackney carriage vehicle owners in early February 2010, seeking a response from all those interested in being included in the guide. At the date of the last meeting only 5 returns had been received. In the period since 22 returns in total have been received and these are included within the guide to accessible taxis.

Recommendation 8:

The licensing authority should consider the request of Hackney operators and drivers for access to bus gates, especially the Great Hollands bus gate.

Comment

Members requested a report from officers within Planning and Transportation to bring a report to this meeting on the possible issues impacting upon a decision to open bus only routes. A report is on the agenda.

- 4.3 Mindful of the passage of time progress is slower than perhaps was envisaged by Committee. The original recommendation to the Committee was that there was insufficient evidence to conclude that the introduction of a limiting Policy would be in the best interests of the consumer. The officer view was that the report confirmed that the trade needed to be helped and the officers committed to work with the trade to that end. That view has not changed.
- 4.4 In the meantime Government guidance and comment remains that "Numerical restrictions should only be imposed where those restrictions deliver clear benefits to the consumer" and "Restrictions should only remain if there is a strong justification that removal would lead to significant consumer detriment as a result of local conditions". The continued imposition of the restriction cannot be justified having regard to this advice no matter how well intentioned the Committee have been.

- 4.5 There is no evidence presented within the TPI report or which has subsequently become evident that removal of a restriction would lead to “significant consumer detriment as a result of local conditions”. Within Bracknell Forest we have a fleet which is modern and generally in very good condition. We have sufficient numbers to meet normal demand with opportunities for additional demand to be met at peak times, night times and through better engagement with the disabled community.
- 4.6 It is an interesting fact that since the temporary ban was introduced we have been operating under the limit. The decline in demand for licences has not halted and the ban has done nothing to help ensure the provision and maintenance of a quality fleet if that was the Committees expectation. Whilst no one wants to see a decline in the fleet, market forces are considered the best way to ensure that the needs of the customers come first. It is the needs of the consumer that the Council must have regard to when making such decisions.

Background Papers

Taxi and Private Vehicle Licensing – Best Practice Guide DOT March 2010
TPI Unmet Demand Taxi Survey August 2009
Licensing and Safety Committee - 1 October 2009
Minutes of meetings with Bracknell Licensed Taxi Forum

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CO/Ctees&Gps/L&S/2010/RecommendationsFromUnmet DemandSurvey1-7-10 (b)

LICENSING AND SAFETY COMMITTEE 1 JULY 2010

USE OF BUS LINKS AND GATES BY TAXIS Director of Environment, Culture and Communities

1 INTRODUCTION

- 1.1 To inform Licensing and Standards Committee of the issues surrounding the potential use of bus links and gates by taxis.

2 SUPPORTING INFORMATION

Background

- 2.1 The highway network in Bracknell town has a number of bus links and gates. These were predominantly built during the development of Bracknell as a new town, to enable effective and commercial bus routes whilst protecting residential areas from general traffic. 'Bus gates' provide short cuts from which other motor vehicles are legally excluded by a Traffic Regulation Order. As such, Taxis are not currently permitted to use bus gates. Bracknell Forest currently has one 'bus-lane' (Bagshot Road, Northbound) which hackney carriages are empowered to use.
- 2.2 Over the years, these bus priority facilities have had an increasing importance in helping to deliver on the Council's formally adopted targets for bus patronage. Priority measures assist in making bus travel more attractive and help bolster the viability of bus services - in turn delivering on objectives such as accessibility, congestion reduction and older people's goals. The benefits offered by bus priority are key elements within Bus Quality Partnerships and Bus Punctuality Improvement Partnerships.
- 2.3 The Council's current adopted transport strategy on taxis is set against the backdrop of an environment where the Town Centre is being regenerated. It proposes that consideration be given to allowing hackney carriage use of bus lanes, subject to overall considerations of capacity and safety in each case. From a practical perspective, hackney carriages would also need to be easily distinguishable from ordinary motor vehicles to enable enforcement by the Police of the Traffic Regulation Order banning other vehicles.
- 2.4 Prior to commencement of the Council's third Local Transport Plan (LTP3), which will set out transport strategies for the period 2011-2026, a review of the existing transport strategy on taxis will be undertaken. Consultation with stakeholders and interested parties will take place prior to submission of the plan to Government in late 2010. It is anticipated that a planned progression towards taxi access to existing and future bus priority measures, where appropriate, will feature amongst the passenger transport objectives of the new plan.

Downshire Way Bus Link

- 2.5 The taxi trade (through their trade organisation, the BLTF) has asked for increased access to the bus priority network. However, in discussions with Transport Officers (followed up by a BLTF report received in June 2009) trade representatives have explained that general taxi access to all bus priority measures is not their immediate objective. Instead, they wished to gain access across the A322 at the Downshire

Way signalised bus gate - in order to shorten north/south journey times during the peak periods.

- 2.6 The A322 Downshire Way currently carries around 33,000 vehicles during a weekday 24 hour period. An average weekday peak hour carries 2600 vehicles and this is expected to rise by approximately 13% by 2016. It is a crucial link in the Bracknell Forest highway network, forming part of the south-east / north-west (A322/A329) route across the Borough and is a recognised link between the M3 and M4.
- 2.7 A significant study of the whole A322 route is currently in progress, in order establish a long-term strategy for dealing with traffic flow, congestion and air quality impacts. This study will plan the improvements needed to deal with expected traffic growth on the route, and is being developed in conjunction with the LTP3.
- 2.8 Key objectives of the A322 route study include the reduction of current congestion levels and an improvement in journey times. Whilst the action of the bus gate is itself a component part of the study, a logical outcome would be that increased operation of the bus gate for individual taxi journeys would act against these important objectives if considered in isolation. Although the concerns of the trade regarding the current peak hour delays in crossing the A322 are understandable, it is likely that any future options to target this issue (through prioritised access) will be reliant on the initial introduction of broader measures aimed at tackling congestion on this corridor. This route study work is continuing.

Other Bus Links and Gates

- 2.9 There have been suggestions by some in the trade, that taxis might be allowed more general use of bus links and gates. Part of the reasoning for this relates to the potential for a reduction in journey times and fares that would be of benefit to taxi users. This could indeed be the case, in some instances, but there are also bus priority measures within the Borough which BLTF representatives have previously stated would provide little (if any) advantage if accessible by the trade. In these cases, existing bus gates or links will be predominantly focussed towards the practical routing of scheduled bus services and present little benefit to individual taxi journeys.
- 2.10 Equally, not all existing bus priority measures (in their current form) would be physically accessible by vehicles other than buses as they contain established physical restrictions to ensure reduced traffic flow and/or increased safety, such as the bus gates at Oarborough and Holly Spring Lane. In addition to these locations, it was necessary for the Council to install sump traps on Ringmead recently, at the A3095 Crowthorne Road bus link, address the serious injury-accident record resulting from its illegal use by private vehicles. In such cases, opening up access to taxis (often mistaken as private cars by general motorists) would increase the likelihood of illegal use and compromise road safety. In any case, BLTF representatives had previously cited the Crowthorne Road bus link as providing little benefit if accessible by the trade.
- 2.11 The introduction of camera enforcement for moving traffic offences may in the future allow physical means of enforcement to be removed from these bus gates and links. However, there are a number of practical and financial issues around the introduction of camera enforcement which will inform the questions of 'if' and 'when' it is introduced.
- 2.12 So, at the current time, there are only three bus links which could (subject to modification) be considered for use by taxis:-

- The link between Ringmead (Gt. Hollands) and the Southern Business Area;
- The link between Wildridings Road and the Southern Business Area;
- The link between Ringmead (Hanworth) and South Hill Road.

2.13 Each of these bus links would require physical changes to enable their shared use by buses and hackney carriages, whilst eliminating the risk of delaying registered bus services. In addition, a formal public consultation on changes to the associated Traffic Regulation Order would be necessary. There is increasingly limited funding for transport work and these three schemes would be in competition alongside others on the basis of their benefit and contribution towards the Council's transport goals - unless they were subject to separate Borough capital funding.

2.14 It remains the case that the use of bus priority facilities by taxis will be considered when looking at the changes and improvements to Bracknell Town Centre's highway network as part its regeneration.

2.15 The status and location of all exiting bus gates and links are shown in Table 1 and the location plan (below).

Table 1: Status of existing bus gates/links (see attached location plan)

No.	Location	System	Scope for Taxi access
1.	A3095 Bagshot Rd (approach to Station Rbt)	On-carriageway bus lane	Existing access for Taxi's (hackney carriages)
2.	A3095 Bagshot Rd (Link to Crowthorne Road North)	On-carriageway right-turn bus lane	Further investigation in the medium term (alongside A322 route study)
3.	& A322 Downshire Way (Link between Crowthorne Roads North and South)	Dedicated traffic light bus link	
4.	Ringmead (Gt. Hollands) (link to Southern Business Area)	Dedicated single carriageway bus lane	Achievable in the short-term (<u>subject to funding</u>)
5.	Wildridings Road (link to Southern Business Area)	Dedicated single carriageway bus lane	Achievable in the short-term (<u>subject to funding</u>)
6.	Ringmead (Hanworth) (link to South Hill Road)	Dedicated single carriageway bus lane	Achievable in the short-term (<u>subject to funding</u>)
7.	Beehive Road (link to Cain Road)	Bus gateway with rising bollard	Closed (Bollard equipment inactive)
8.	Holly Spring Lane	Bus gateway with sump trap	Consideration in the long term (subject to alternative enforcement measures)
9.	Oarborough	Dedicated single carriageway bus lane with sump trap	Consideration in the long term (subject to alternative enforcement measures)
10.	A3095 Crowthorne Road (link between Ringmead - Hanworth and Gt. Hollands)	Dedicated traffic light bus link with sump traps	Consideration in the long term (subject to alternative enforcement measures)

3 COMMENTS FROM OTHER OFFICERS

Borough Solicitor

- 3.1 The relevant legal provisions are contained within the main body of the report.

Borough Treasurer

- 3.2 Any costs of modifying bus links would need to be considered within the Integrated Transport Capital Programme or put forward as a scheme in the Council's budgeting process.

Head of Trading Standards and Licensing

- 3.2 Access to bus priority routes can provide improved taxi services within an integrated transport structure. There are issues to be addressed to enable this to be delivered which are outside the remit of the Licensing section and these are identified within the report

4 EQUALITIES IMPACT ASSESSEMENT

Not required at this time.

5 STRATEGIC RISK MANAGEMENT ISSUES

None.

Background Papers

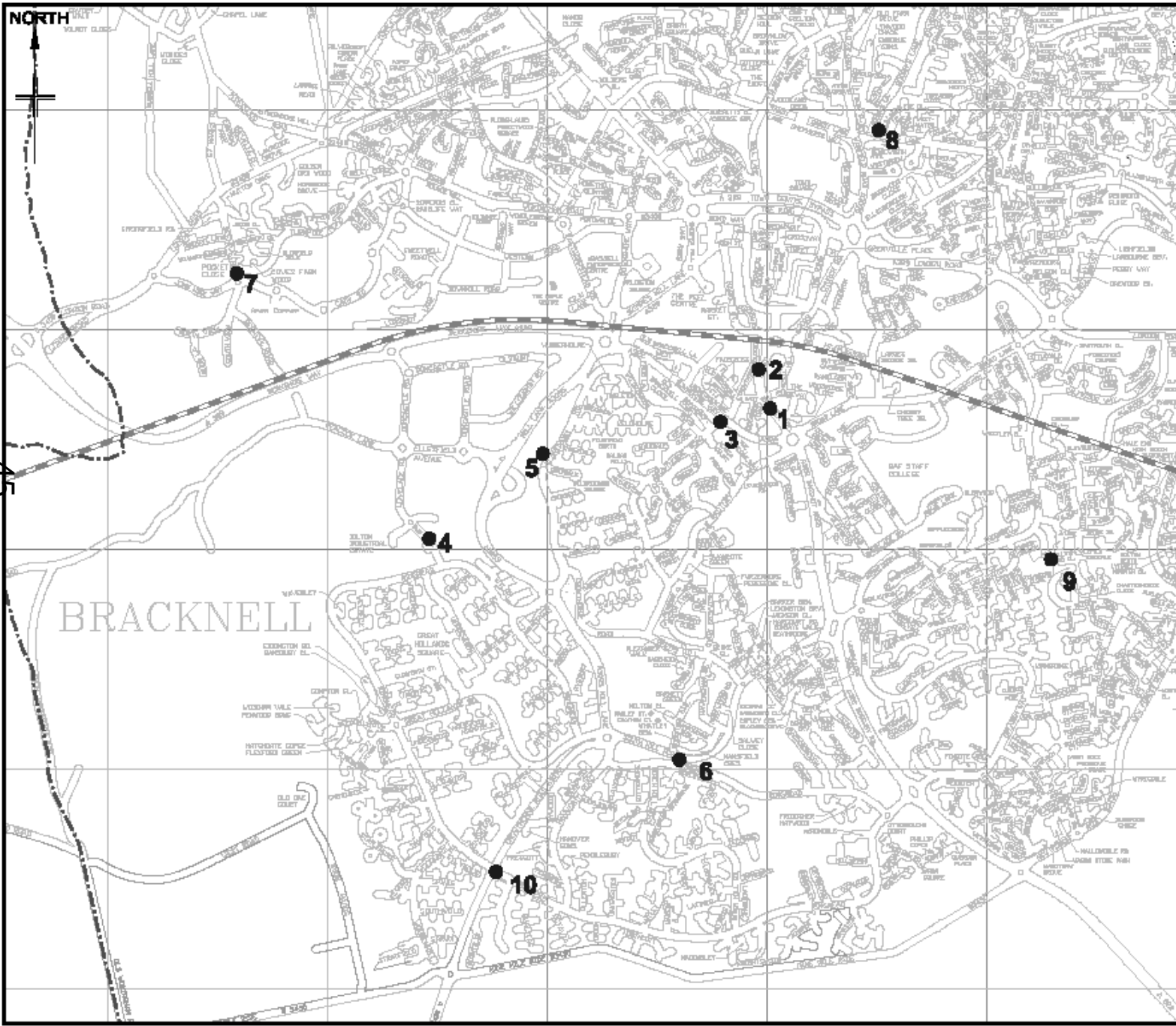
None

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Doc. Ref



KEY

- LOCATION OF BUS PRIORITY MEASURES
- 1. A3096 Megbet Road (approach to Station Rd)
- 2. A3096 Ringbet Road (Link to Crowthorne Road North)
- 3. A322 Downshire Way (Link between Crowthorne Roads North and South)
- 4. Ringwood (Great Hollands) (Link to Southern Business Area)
- 5. Wildridge Road (Link to Southern Business Area)
- 6. Ringwood (Harworth) (Link to South Hill Road)
- 7. Beehive Road (Link to Cain Road)
- 8. Holly Spring Lane
- 9. Darborough
- 10. A3096 Crowthorne Road (Link between Ringwood Harworth and Great Hollands)

Amendment	Date	Initials



ENVIRONMENT, CULTURE & COMMUNITIES
Traffic & Safety Group

Project title
BUS PRIORITY MEASURES

Drawing title
LOCATION PLAN

Prepared by	AMT	Checked by	NM
Scale	NTS	Date	MAY 2010

Project Number	Drawing Number	Amend Letter	Print Suffix
	INFORMATION ONLY		

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**LICENSING AND SAFETY COMMITTEE
1 JULY 2010**

**BRACKNELL LICENSED TAXI FORUM
Chief Officer: Environment and Public Protection**

1 INTRODUCTION

- 1.1 Since the last meeting of the Licensing and Safety Committee on 29 April 2010, there has been one meeting with representatives of the Bracknell Licensed Taxi Forum (BLTF), on 21 May 2010. The next meeting is due to be held on 8 July 2010.

2 SUPPORTING INFORMATION

- 2.1 The minutes of the meeting held are attached as Appendix A.

3 IMPACT ASSESSMENT

- 3.1 There are no implications arising from this report.

4 STRATEGIC RISK MANAGEMENT ISSUES

- 4.1 There are no strategic risk management implications arising from this report.

Background Papers

Minutes of meeting held 21 May

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Doc Ref

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MINUTES

MEETING NAME: Bracknell Licensed Taxi Forum

MEETING DATE AND TIME: 11.00 hours Friday 21 May 2010

PRESENT: Laura Driscoll (LD) Andy Watson (AW)
 Niamh Kelly (NK) John Yexley (JY)
 Cllr Tony Virgo

1.	<p>Apologies Cllr Jacqui Ryder Robert Sexton (RS) Mick Hildreth (MH)</p>	
2.	<p>Actions from minutes of last meeting LD advised that we would continue to monitor the area adjacent to the bus station rank and there will be another operation at a different time. AW suggested that the exercise should take place when there are no hackney carriages on the rank and it was agreed this would be done if possible. With regard to any suspected plying for hire incidents it was advised that drivers do not challenge the persons involved at the time but take details and submit these to the Licensing team, otherwise it is likely to hamper the investigation.</p> <p>NK raised the issue of when to start a meter when transporting disabled persons with other Berkshire authorities at the officer's forum and they confirmed that the fare starts when vehicle moves. LD to forward details of EHRC response to Alan Woodward at Westminster Insurance in Oxford.</p> <p>BLTF believe there are other local authorities with the same extra charge when more than four passengers are carried. LD has chased Brighton and Hove but no response received. MH has sent through some information from Brighton but does not confirm how this is managed by the meters. To be carried forward to next meeting as MH not present.</p> <p>MH to pursue access to station toilets through his contact at South West Trains in Elmbridge. To be discussed at next meeting when MH present.</p> <p>CCTV in vehicles to be discussed at next meeting when MH present.</p> <p>BLTF to suggest some members to attend Time Square to see how a renewal is done from start to finish in order for the trade to understand the procedures and processes that must be followed. No takers yet in respect of this process.</p> <p>NK to check with A1 that signage on vehicles compliant in respect of 'Advance Bookings Only'.</p>	<p>NK</p> <p>LD</p> <p>MH</p> <p>MH</p> <p>MH</p> <p>NK</p>
	<p>Recommendations from survey report: Progress <u>Disability Awareness Training</u> NK awaiting response from Corporate Training team.</p>	<p>NK</p>

	<p><u>Publicity re Safe Taxi Use</u> RS to consult private hire trade on having signage on the sides of private hire vehicles stating 'Advance Bookings Only' or 'No Booking - No Ride'.</p> <p>LD showed first draft of mini-leaflet, will forward by email to JY and AW for comment. LD is hoping TVP will contribute towards printing costs.</p> <p>NK contacted Clare Sharp & Gemma Tizzard re using Community TV to promote the hackney carriage trade. The current contract is up for review in September so it may be possible to include an article then.</p> <p><u>Guide to Accessible Taxis</u> JY confirmed all responses now in. LD will go ahead and create guide and hopes to have draft available at next meeting.</p> <p>LD advised that she and NK did some vehicle checks at the Legion Rank following concerns that drivers were unable to use ramps and found that 2 of the 10 vehicles checked were not capable of carrying wheelchair users. LD advised that this was not acceptable. BLTF agreed and would advise members on use and carriage of correct equipment.</p>	<p>RS</p> <p>LD</p> <p>NK</p> <p>LD</p> <p>BLTF</p>
3.	<p>Fare Structure JY suggested that following discussions with the trade it had been requested that the tariffs change in respect of public holidays. NK to bring copies of other Berkshire tariffs to next meeting for a fuller discussion.</p>	NK
4.	<p>How the Licensing team works LD explained the Licensing Duty Officer system which is in place as some drivers were confused as to why they were contacted by LD and SW and not NK. LD explained that the duty officer on a particular day will deal with any complaints or issues arising on that day, including taxi-related queries. It is not practical for one single officer to deal with every taxi-related issue as all officers need to maintain knowledge of all areas of licensing.</p>	
5.	<p>Non-wheelchair accessible vehicle In respect of the one remaining non-wheelchair accessible vehicle, NK did an inspection on 17 May and a letter has been sent in respect of the officer decision. The vehicle owner can lodge appeal to the Panel within 21 days from receipt of the letter.</p>	
6.	<p>Signage at railway station JY and AW requested that the rank be marked out with yellow lines so that the public are aware it is a rank. Signage is also required. NK to follow this up with Ken Wherrell.</p>	NK
7.	<p>Parking enforcement JY and AW raised concerns that drivers should not receive a monetary fine from the Civil Enforcement Officers as well as receiving points on their Council licence for illegal parking on the ranks. LD to raise this with RJS.</p>	LD
8.	<p>Forthcoming driver panel meeting LD asked whether the BLTF were aware of a forthcoming panel meeting in respect of a driver, JY confirmed that he was a member of the union and would have a representative attending with him.</p>	

<p>9.</p>	<p>Any other business</p> <p>JY & AW requested that the last couple of bays on the bus station rank be used as a rest area for drivers. LD said that the preferable alternative would be to use the parking bays alongside the bus station rank.</p> <p>NK advised that All Serv were no longer an authorised garage.</p> <p>NK to contact a BLTF member to see if he would like to become the BLTF representative at the Bracknell Forest Equality & Cohesion Forum.</p> <p>JY voiced concerns over plates and badges not being returned to the Council when expired. JY alleged that some private hire vehicles are not securing plates on the rear and some are not displaying them at all. JY suggested that officers should be responsible for fixing all plates so they are secure on the vehicle. LD explained that this would not be practical as it would delay the issue of licences as officers are not available to fix plates every day of the week, so it would not be an improvement to the service. LD will consider some alternative options, such as handing in the old plate when collecting the new plate.</p> <p>JY also mentioned that when badges are renewed the photograph should be updated. LD confirmed that this was agreed some time ago with the Customer Service Centre but that it will not be implemented until after the forthcoming refurbishment of the reception area. Every time a driver makes a new or renewal application their photograph will be taken by a Customer Service Advisor.</p>	<p>NK</p> <p>LD</p>
<p>10.</p>	<p>Date of Next Meeting 11.00am Thursday 8 July</p>	