

**LICENSING AND SAFETY COMMITTEE
5 JANUARY 2017
7.30 - 8.30 PM**



Present:

Councillors Allen (Chairman), Mrs Angell, Dr Barnard, Brossard, Brunel-Walker, Finch, Ms Gaw, Leake, Mrs McKenzie, Ms Miller, Porter and Tullett

Apologies for Absence were received from:

Councillors Thompson, G Birch and Finnie

24. Declarations of Interest

There were no declarations of interest.

25. Minutes

RESOLVED that the minutes of the meeting of the Committee held on 6 October 2016 be approved as a correct record and signed by the Chairman.

26. Urgent Items of Business

The Chairman reported that this was the last Committee meeting that Rob Sexton, Head of Regulatory Services would be attending as he was due to retire. The Chairman thanked Rob for all his work during the 19 years that he worked for the local authority on behalf of the Committee and wished him well for the future.

The Chairman also reported that the new arrangements for shared regulatory services were due to commence on 9 January 2017.

27. Notice of Public Speaking

The Chairman reported that he had been notified of a registered speaker for Item 28: CSE Training for Taxi Drivers, but that the registered speaker had not turned up.

28. Child Sexual Exploitation (CSE) Training for Taxi Drivers

It was reported that the Committee had agreed at their meeting on 7 January 2016 to introduce a licence condition requiring mandatory training for drivers and operators. This was to be introduced once a suitable training package was in place to deliver this requirement.

A training provider had now been identified and training would be delivered across West Berkshire, Wokingham and Bracknell Forest to achieve economies of scale. Officers had been working closely with the provider to ensure a satisfactory package was delivered.

Drivers and operators would be expected to achieve a minimum of a 80% pass rate to the questionnaire that would be given to them to complete at the end of the training. This would assure a sound level of understanding amongst drivers and operators of the issues and subject area.

Drivers and operators would then be expecting to refresh their training every three years.

The Taxi trade had been consulted on the provision of this training and two responses had been received as detailed in the agenda papers. In relation to some of the points raised in the submission from the taxi trade, the Head of Regulatory Services made the following points:

- Since the reports around CSE were issued in 2014 in Rotherham and 2015 in Oxford, national policy had been developed and Bracknell Forest responded to this by bringing a report to the Committee in January 2016, there had been no time lag.
- Within the last five years two licences had been revoked as a result of inappropriate behaviour of drivers. Virtually every local authority was going through the process of training drivers in this area as a result of national policy in this area.
- The training was designed to protect drivers as well as raise knowledge and awareness of the issues around CSE so that they felt comfortable and able to raise concerns with the appropriate bodies.
- Three year refresher courses was seen as best practice, this would refresh learning for drivers as well as introduce any new elements that may have arisen during the last three years.
- It was possible to offer the training course in the evening if there was enough demand for this.
- The fee for the training to drivers was designed to cover the cost of training and would be kept under review.

In response to queries from the Committee, the following points were made:

- New applicants for licences would be expected to complete this training before a licence could be issued to them. It was intended and hoped that there would be at least one course per week available for them to choose from.
- Officers agreed to consider further how they would tackle drivers that did not achieve a 80% pass rate of the questionnaire and whether drivers could be advised of which areas of the questionnaire they had got wrong and given further guidance. It was confirmed that there was no limit to how many times the questionnaire could be completed in order to achieve a 80% pass rate.
- Members suggested that the submission from the Bracknell Licenced Taxi Forum may be a useful document to share with the training provider, to enable them to see the perception of this training from a driver perspective and attempt to overcome some of the issues. It was key that trainers were very clear that they wanted to work with drivers.
- It was confirmed that that there would be a bank of questions to draw from and those detailed in the agenda were just a sample.
- Members stated that there had been a cultural aspect in some of the issues raised in other local authorities and expressed that it was important that drivers understand the cultural environment in which they operated and that this should be explicit in the training.

- It was confirmed that drivers or operator licences that expire shortly after the introduction date of the 1 April 2017 would be given a reasonable period of time, two to three months within which to book, attend the training and pass the test before any action would be taken to suspend or revoke their licence for not meeting the new condition.

RESOLVED that the Committee agreed that:

- Mandatory safeguarding training for all new and existing drivers and operators be implemented from 1 April 2017
- That all existing drivers and operators must complete the training prior to the next renewal of their licence
- All new applicants must complete the training prior to the issue of a licence
- That the course, once passed, must be retaken by licensed drivers and operators and passed within a 3 year period
- That Supplier C be appointed as the selected training provider for a period of 3 years
- That the fee to be charged will be based upon cost recovery, initially set at £20 and reviewed annually as part of the Council's fees and charges
- The taxi trade be consulted further on the proposed course content prior to the 1 April 2017.

29. **Review of Guidance Notes and Conditions**

The Committee considered a report that detailed the results of the recent consultation on the proposed amendments to the Council's Guidance Notes and Conditions document.

In response to the Committee's queries, the following points were made:

- If a contravention by a driver which related to Child Sexual Exploitation was identified, officers would consult with professionals and a decision on what action was to be taken would be based on advice from professionals. It was possible that the issue would be put to a Licensing Panel to consider and if the driver had passed the CSE safeguarding training, this would be taken into account.

It was reported that once the town centre was fully opened in September 2017, it was inevitable that there would be an increased level of complaints based on the increased volume of work for the taxi trade. It was reassuring that the Council had a robust set of conditions to tackle any issues that arose.

RESOLVED that the Committee:

- Noted the results of the consultation as set out at Annex B of the agenda papers,
- Approved the amendments and additions to the Guidance Notes and Conditions document as set at Annex C of the agenda papers with immediate effect and
- Approved the additional amendment as set out at 5.2 of the report in the agenda papers.

30. **Practical Driving Assessments for Licensed Drivers**

The Committee noted the information report.

CHAIRMAN