



LICENSING AND ENFORCEMENT COMMITTEE

MEETING : Tuesday, 21st March 2017

PRESENT : Cllrs. H. Norman (Chair), Patel (Vice-Chair), Gravells, Tracey, Lugg, Hanman, Williams, D. Brown, Hansdot, Pullen, Pearsall, Brazil and J. Brown

Officers in Attendance

Gill Ragon, Head of Public Protection

Vikki Fennell, Solicitor - One Legal

Lisa Jones, Food, Licensing and Markets Manager

Darren Mountford, Senior Licensing and Markets Officer

Rhys Howell, Democratic Services Officer

Tony Wisdom, Democratic Services Officer

APOLOGIES : None.

33. DECLARATIONS OF INTEREST

Councillor Williams declared a personal interest in agenda item 7 (Safeguarding training) as Gloucestershire County Council Cabinet Lead for Safeguarding.

34. MINUTES

The minutes of the meeting held on 13th December 2016 were confirmed and signed by the Chair as a correct record.

35. MINUTES OF LICENSING SUB-COMMITTEES

The minutes of the Licensing Sub-Committee meetings held on 29th November 2016 and 24th January 2017 were received.

36. PUBLIC QUESTION TIME

There were no questions from members of the public.

37. PETITIONS AND DEPUTATIONS

There were no petitions or deputations.

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38. TO ATTACH AS A CONDITION SAFEGUARDING AWARENESS TRAINING FOR ALL EXISTING AND NEW HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS

Councillor Williams had declared a personal interest in this item as Gloucestershire County Council Cabinet Lead for Safeguarding.

The Senior Licensing and Markets Officer presented his report which invited the Committee to consider a proposal to attach, as a mandatory condition, that all existing and new Hackney Carriage and Private Hire drivers undertake safeguarding awareness training.

He noted that Members may be aware that safeguarding awareness had become an issue with the Government following high profile cases such as those in Rotherham and Derby. He anticipated that the Government may require local authorities to undertake safeguarding awareness training.

He advised that Cheltenham Borough and Stroud District Councils had recently introduced conditions requiring all of their licensed drivers to undertake safeguarding awareness training and the other local authorities in the County were also taking steps to deliver training.

He noted that training was available free of charge from Gloucestershire Safeguarding Board and Gloucester Constabulary until 31st December 2017 and was expected to last no more than three hours.

Should the Committee decide to proceed with the proposal, the Council will consult Hackney Carriage and Private Hire drivers and operators for a period of six weeks.

Council Lugg was advised that it was anticipated that all licensed drivers could receive the training before the end of December and it would be delivered to groups of forty or fifty and each session was expected to take 2½ to 3 hours.

Councillor Tracey suggested that Officers should ensure that the drivers were told that the training would help them to safeguard themselves.

Councillor Pullen asked if any discussions had taken place with the Trade. The Senior Licensing and Markets Officer advised that the two Trade members he had spoken to were in favour and the other Districts in Gloucestershire were considering introducing a similar requirement.

The Chair questioned the period of validity of the training and was advised that the Secretary of State may provide guidance.

The Vice-Chair questioned the training requirements for those drivers who undertook school contracts for the County Council and he was advised that the training envisaged was in greater depth than the County Council's current requirement.

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RESOLVED that the proposal to attach a mandatory condition that all existing and new Hackney Carriage and Private Hire drivers undertake safeguarding training be approved for consultation for a six week period.

39. TO SET UP A NEW LICENSING AND ENFORCEMENT SUB-COMMITTEE

The Solicitor suggested that the determination of reports on individual vehicles that are outside the Council's agreed policy criteria be delegated to the Licensing Enforcement Sub-Committee.

RESOLVED that the Licensing Enforcement Sub-Committee be authorised to determine all matters relating to individual vehicles with the exception of types of vehicle to be licensed as hackney carriages.

40. MEMBERS QUARTERLY UPDATE

THE Food, Licensing and Markets Manager presented the report which detailed key licensing activities carried out in the last quarter (October – December 2016), including applications and service requests received, details of enforcement work, progress updates on the work plan and changes in licensing law.

She referred to paragraph 6.2, Late Night Levy and advised that this matter had been deferred to Council on 24th July 2017 when the outcome of the ballot on a potential Business Improvement District would be known. She noted that the Late Night Levy in Cheltenham would cease from 1st April 2017 in favour of the town's business improvement district.

She advised that the Police and Crime 2017 had received Royal Assent.

She noted that the implementation of Sections 165 and 167 of the Equalities Act 2010 may require amendments to the Council's Hackney Carriage and Private Hire policies.

Councillor Pullen referred to paragraph 3.1 and asked if that level of staffing would be maintained following the introduction of the Together Gloucester initiative.

The Head of Public Protection advised that Officers would not have specific designations but there would be a larger pool of Officers to react to Council priorities at any particular time. She anticipated there would be 7 or 8 Officers available for the City Centre and a similar number working the other communities.

Councillor Pullen observed that some things would no longer be done and other things would be done differently. The Head of Public Protection responded that Managers and Team Leaders would be tasked with working with elected Members to achieve this.

Councillor Toleman referred to radio and television reports that the City Council Licensing Team had been helping Cheltenham colleagues during the Cheltenham Festival race meeting and asked if this was a reciprocal arrangement.

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The Senior Licensing and Markets Officer confirmed that the arrangement had operated for at least the last three years. County colleagues had assisted with test purchase and plying for hire initiatives. He explained that drivers could recognise Officers of the City Licensing Team but would not recognise Enforcement Officers from other districts.

The Chair asked about outstanding taxi and private hire driving assessment and was advised that 25 hackney carriage drivers and 40 private hire drivers out of a total of around 400 had received suspension notices.

Councillor Gravells thanked Officers for the enforcement work undertaken in the vicinity of the Quays and he noted that some years ago Enforcement Officers from Liverpool had been deployed successfully.

The Senior Licensing and Markets Officer confirmed that Officers and Police Officers on joint operations wore plain clothes with the exception of Police Officers pulling over vehicles who were required to wear high visibility jackets.

Councillor Gravells asked if Uber were operating in Gloucester. The Food, Licensing and Markets Manager advised that they were operating in South Gloucestershire but no application had been received for operations in the City.

The Chair noted that Uber had been running a recruitment drive on local radio.

Councillor Brown asked if there had been any convictions under the scrap metal dealers legislation. He was advised that responsibility fell between Licensing and Environmental Protection and that there had been some joint activity with the Police.

RESOLVED that the report be noted.

41. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED that the press and public be excluded from the meeting during the following items of business on the grounds that it is likely, in view of the nature of the proceedings, that if members of the press and public are present during consideration of this item there will be disclosure to them of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended.

42. EXEMPT MINUTES OF THE LICENSING AND ENFORCEMENT SUB-COMMITTEE

The exempt minutes of the Licensing Enforcement Sub-Committee held on 20th December 2016, 12th January and 1st February 2017 were received.

43. `DATE OF NEXT MEETING

Tuesday, 13th June 2017 at 6.30pm.

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Time of commencement: 6.30 pm
Time of conclusion: 7.10 pm

Chair