

Licensing & Regulatory Committee

Minutes of the meeting held on Wednesday 17 February 2016, at the Town Hall, Royal Leamington Spa at 2.30pm.

Present: Councillor Illingworth (Chairman); Councillors Cain, Mrs Cain, Davies, Mrs Falp, Gifford, Gill, Miss Grainger, Mrs Knight, Mann, Mrs Redford, Mrs Stevens and Weed.

24. **Apologies and Substitutes**

- (a) Apologies for absence were received from Councillors Ashford and Murphy; and
- (b) Councillor Mrs Knight substituted for Councillor Quinney.

25. **Declarations of Interest**

There were no declarations of interest.

26. **Minutes**

The minutes of the meeting held on 9 December 2015 were agreed with the following amendments and signed by the Chairman as a correct record:

Minute Number 18

It was agreed that the inclusion of Councillor Quinney's statement relating to the Renewal of a Sex Establishment Licence for Shade's Gentleman's Club should not be permitted because his comments were made during closed session;

Minute Number 20

Paragraph 8 should read 'this was now null and void'; and

Resolution (3) should have been a recommendation to Council because it was a change to the scheme of delegation and should include the words 'Vice Chair' instead of 'nominated committee representative';

Minute Number 21

Resolutions (1) and (2) should be amended to read 'Recommend to Executive'; and

Resolution (3) should have been a recommendation to Council because it was a change to policy.

27. **Introduction of Mandatory Safeguarding Training**

The Committee received a report from Health & Community Protection which requested agreement to introduce a mandatory course on safeguarding training for all applicants of a Hackney Carriage / Private Hire Drivers Licence.

The report explained that one of the reasons for introducing this training was because a number of high profile recent safeguarding cases around the country

had been publicised in particular relating to Child Sexual Exploitation (CSE), some involving hackney carriage and private hire drivers. The inspection report into Rotherham Metropolitan Borough Council highlighted that local authorities were not doing everything that they could to safeguard the users of hackney carriages and private hire vehicles.

The Regulatory Manager introduced the report and explained that Licensing Officers had been working with the Drivers and Operators Forum to review what could be done to spread the message of the 'Something's Not Right' campaign. In addition, Warwickshire Police and Barnardo's had been working with the team to identify methods and approaches to increase awareness of Child Sexual Exploitation and ensure that all licence holders were helping to protect our vulnerable members of society.

The Council provided six prevention of CSE training events in January 2016, free of charge, with 314 of the 488 licensed drivers attending. This report brought forward a recommendation to ensure that drivers undertake a Prevention of Child Sexual Exploitation (CSE) training course provided by the Warwick District Council's nominated trainer, prior to their licence being renewed or granted.

In addition, all private hire operators and call handlers employed by private hire operators must be trained in safeguarding and a condition to this effect be applied to their licence upon renewal.

The intention would be that if any PH/HC driver refused to undertake, or failed to attend the prevention of CSE training course, they would be required to appear before the Licensing and Regulatory Committee.

Councillor Mrs Falp endorsed the report as one of the Council's Children's Champions but queried the cost of the course and whether the course would cover the life of the licence. The Regulatory Manager advised that the team had been unable to secure funding to cover the cost of delivering the course and this would result in a charge of £15 per head. The intention was to run the course once but officers were establishing best practice with other authorities as to whether or not to run refresher courses.

Members queried the requirement for drivers of school contracts and were advised that because these contracts were owned by Warwickshire County Council, relevant training would be provided by them. Members noted that officers had been advised that the course provided by Warwick District was more detailed and tailored towards taxi drivers. The Regulatory Manager explained that the course provided by Barnardo's had been tailored in conjunction with the Nightwatch Organisation.

Following a query from Councillor Mrs Redford, the Regulatory Manager advised that the course would need to be undertaken before the licence was issued. Officers had been assured by the Charity that a sufficient number of courses would be provided across the District to ensure it did not hinder the application process.

The Democratic Services Manager provided clarification on the recommendations being proposed and explained that 2.1, 2.2 and 2.4 were recommendations to Executive. However, recommendation 2.3 was a recommendation to Council because it was a change to the Scheme of Delegation.

It was therefore unanimously

Recommended that

- (1) the Executive agree that from 1 April 2016 a Hackney Carriage Private Hire Drivers Licence (HCPH DL) will not be renewed or granted unless the driver can demonstrate that they have undertaken a Prevention of Child Sexual Exploitation (CSE) training course provided by the Warwick District Council's nominated trainer;
- (2) the Executive agree that all private hire operators and call handlers employed by those private hire operators must be trained in safeguarding and that a condition to that effect is applied to a Private Hire Operators licenses upon renewal;
- (3) Council agree to delegate to officers the power to refuse the licence of a person who fails to or refuses to attend the prevention of CSE course, in the same manner that officers have delegated powers to refuse the licence of a person who fails to attend the disability awareness course and the Scheme of Delegation be amended accordingly; and
- (4) the Executive acknowledge that current licensed drivers will be sent before the Licensing and Regulatory Committee if they refuse to undertake or fail to attend a prevention of CSE training course with the nominated trainer.

28. **Public and Press**

Resolved that under Section 100A of the Local Government Act 1972 that the Public and Press be excluded from the meeting for the following item by reason of the likely disclosure of exempt information within the paragraphs of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006, as set out below:

Minute No.	Para Nos.	Reason
29	5	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

The full minute for the following item would be set out in the confidential minutes of the meeting.

29. **Operation of the Licensing & Regulatory Committee**

The Committee received a report from the Democratic Services Manager and Deputy Monitoring Officer updating Members on the advice received regarding the structure and status of the Licensing & Regulatory Committee.

Resolved that the report be noted.

(The meeting ended at 3.10 pm)