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MEETING:	Full Council
DATE:	Thursday, 31 March 2016
TIME:	10.30 am
VENUE:	Council Chamber, Barnsley Town Hall

SUPPLEMENTARY AGENDA

15. Planning Regulatory Board - 22nd March, 2016 (*Pages 227 - 228*)
20. Safeguarding Scrutiny Committee - 15th March, 2016 (*Pages 229 - 234*)

A handwritten signature in black ink that reads 'Diana Terris'.

Diana Terris
Chief Executive

Wednesday 30th March, 2016

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MEETING:	Planning Regulatory Board
DATE:	Tuesday, 22 March 2016
TIME:	2.00 pm
VENUE:	Council Chamber, Town Hall, Barnsley

MINUTES

Present Councillors D. Birkinshaw (Chair), G. Carr, Cherryholme, Coates, M. Dyson, Franklin, Gollick, Grundy, Hampson, Higginbottom, Makinson, Richardson, Riggs, Stowe, Unsworth and R. Wraith

In attendance at site visit Councillors D. Birkinshaw, Grundy, Higginbottom and R. Wraith.

50. Declarations of Interest

There were no declarations of Pecuniary/Non-Pecuniary interest in respect of any of the items on the agenda.

51. Minutes

The minutes of the meeting held on 23rd February 2016 were taken as read and signed by the Chair as a correct record.

52. Town and Country Planning Act 1990 - Part III Applications - Speakers/Site Visits

Planning Application 2015/1163 – Erection of 7 bungalows at land adjacent 30 Rotherham Road, Great Houghton, Barnsley S72 0DE

RESOLVED that the application be granted in accordance with the officer recommendation. Members welcomed the additional 2 parking spaces provided on the amended drawing, to be referenced as the approved site plan within condition 2. Members also requested that condition 4 (Construction Method Statement) be amended to ensure that deliveries are taken outside of school opening/closing times.

Planning Application 2015/1407 – Application for approval of reserved matters of outline planning permission 2014/0452 for 2nd phase of development of 141 dwellings (appearance, landscaping, layout and scale) at former North Gawber Colliery, Carr Green Lane, Mapplewell.

Ms Claire Kent addressed the Board and spoke in favour of the officer recommendation to grant the application.

RESOLVED that the application be granted in accordance with the officer recommendation and the addition of a condition removing permitted Development Rights from plots 14,20, 56 and 57 (at the request of the Coal Authority). Members also delegated authority to officers to determine any subsequent application across the North Gawber Site that do not result in significant changes.

Planning Application 2015/1490 – Erection of 40 no. affordable residential dwellings and associated infrastructure at former Foulstone School, Nanny Marr Road, Darfield

RESOLVED that the application be granted in accordance with the officer recommendation subject to conditions to include signing of section 106 agreement and securing Public Open Space compensation in the sum of £90,000 together with arrangements to maintain affordable housing provision.

53. Town and Country Planning Act 1990 - Part III Applications

The Head of Planning and Building Control submitted an update regarding cumulative appeal totals. It was noted that 2 appeals were received in February 2016 . No appeals were withdrawn, 1 was dismissed (2014/1442). A total of 16 appeals have been decided since 1st April 2015. 14 appeals (87.5%) have been dismissed, 2 appeals (12.5%) have been allowed.

Chair

MEETING:	Safeguarding Scrutiny Committee
DATE:	Tuesday, 15 March 2016
TIME:	2.00 pm
VENUE:	Council Chamber, Barnsley Town Hall

MINUTES

Present Councillors Worton (Chair), G. Carr, Frost, Millner, Saunders and C. Wraith MBE

17. Apologies for Absence - Parent Governor Representatives

Apologies for absence were received from K. Morritt, Parent Governor Representative in accordance with Regulation 7 (6) of the Parent Governor Representatives (England) Regulations 2001.

18. Declarations of Pecuniary and Non-Pecuniary Interest

There were declarations of interest from Councillors Frost, Millner, Saunders, Worton as members of the Licensing Board and Councillor Wraith MBE who is the Chair.

19. Minutes of the Previous Meeting

The minutes of the meeting held on 19th January 2016 were approved as a true and accurate record.

20. Licensing and Safeguarding

The Chair welcomed the following experts to the meeting, which included:

- Simon Frow, Head of Regulatory Services, BMBC
- Kate Liddall, Senior Licensing Officer, BMBC
- Phillip Spurr, Service Director of Culture, Housing & Regulation, BMBC
- Mel John-Ross, Service Director of Children's Social Care & Safeguarding, BMBC
- Kerry Tate, Team Leader, CSE Hub & Spoke Service, Sheffield Futures
- Julie Hague, Sheffield Safeguarding Children Board
- Cllr Roy Miller, Cabinet Spokesperson – Place, BMBC

Simon Frow gave an introduction explaining how the Council is responsible for various areas of licensing within the Borough including those for taxis, as well as entertainment premises. In light of both the Jay and Casey reports into Child Sexual Exploitation (CSE) in Rotherham, an internal audit review was undertaken of licensing policies and procedures resulting in additional work being completed to review policies, procedures and practice in this area and work is continuing to develop.

Members proceeded to ask the following questions:

- i) How will you ensure policies and procedures are effective in safeguarding adults and children; also following the recent safeguarding training that has been delivered to relevant stakeholders has there been a successive increase in the number of incidents that are being reported?

The committee were advised the service reviews its policies to ensure they are fit for purpose and will consult stakeholders including the licensed trade regarding this.

Following the publication of both the Jay and Casey reports this has raised public awareness of CSE, resulting in people increasingly reporting any concerns they may have, where previously this may not have been the case. If any concerns are brought to the attention of the service, appropriate action will be taken immediately.

- ii) Can we see figures in relation to the number of incidents recorded and actions taken?

The group were advised since July 2013, there have been 7 taxi driver's licenses that have immediately been revoked following information that has been received. The revoking of their licenses was sanctioned by the Licensing Board Chair and Place Service Director where concerns were acted upon.

- iii) What enforcement operations are undertaken to ensure compliance with licenses such as those for taxis and premises?

Members were advised the service is very proactive with regular enforcement operations being carried out, which are firmly embedded with their partner organisations such as the police and the Driver and Vehicle Standards Agency (DVSA). Although at times, logistically these can be difficult to implement due to the budgetary constraints within the police.

Performance figures regarding legal interventions are reported quarterly. Also, we undertake a programmed inspection of licensed premises where any action that needs to be taken will be carried out on the night of the visit. A recent internal audit review identified a requirement to amend the procedures for the recording of inspections and operations to ensure all aspects of the inspection undertaken is formerly documented, which has now been done.

The service advised they take a risk-based approach to enforcement and do not hesitate to undertake action and revoke a license where they believe it is appropriate. Part of the South Yorkshire strategy is to engage with local businesses and empower communities to look out for suspicious activities.

Mandatory safeguarding training is being delivered to all new drivers and also to existing drivers, prioritising those who provide a home to school transport service. The majority of drivers are in favour of this and welcome inspections.

The Chair of the Licensing Board encouraged Members to go and observe the Licensing Service work when they go and undertake inspections.

- iv) Can vehicles from outside the Borough be inspected as part of these operations?

The committee were advised the Council has the authority to inspect taxis from outside the Borough and reports any concerns that may arise to the Local Authority where the license was issued. The service is currently compiling a prosecution file against a cross border taxi driver following intelligence they have received from the licensed trade.

Whenever there is a subcontracting of taxi services, this leads to an inherent loss of control over existing preventative measures that are in place in relation to safeguarding. Advice has been sought from the Home Office as to the best practice to adopt in these circumstances, a response is being awaited. We believe that information regarding this needs to be in Government Guidance.

- v) How do we ensure best practice is followed for taxi drivers from outside of the area?

The service advised they have contacted the Heads of Service responsible for licensing in our neighbouring authorities to ensure consistency and high quality training is delivered. This sharing of knowledge including from Rotherham who currently have commissioners in and are under a lot of scrutiny, along with undertaking a gap analysis has helped to identify new practises that have been implemented, as well as being able to provide recommendations where appropriate. Safeguarding is at the forefront of everything we do and we have close working relationships with other authorities.

- vi) What can be done to prevent taxis from across the border touting for business within the Barnsley area?

Members were advised this is a prosecutable offence and we would take appropriate action. Our licensed drivers have a planned bi-monthly liaison meeting with the Licensing Service and utilise a 'Taxi Watch' Facebook page to provide the Council with intelligence in relation to such incidents.

- vii) Are our drivers in Barnsley aware of this intelligence sharing?

It was confirmed that drivers are aware of these practices and intelligence sharing, particularly as this is integral to our work and it also takes away from local taxi drivers' trade. The committee were also advised that measures being implemented in South Yorkshire have been recognised as good practice nationally as we're the first region to undertake a corporate approach. This model has also been used elsewhere, such as Oxford. The committee were advised of the proactive approach taken by the service and the important sharing of intelligence which the service was going to continue with moving forwards.

- viii) When will all stakeholders have received their safeguarding training?

The group were advised the training began on 2nd February 2016 for new license applications. For existing licence holders and home to school taxi drivers 8 sessions will be held between 30th March 2016 and the 8th April 2016 for 324 drivers including those not currently licensed by the Council but drive children and vulnerable passengers on our behalf. Between 8th April and 30th September, 302 existing drivers will undertake the mandatory training and anyone who refuses will be brought before a Licensing Panel.

- ix) There is currently not much presence of UBER drivers in the Borough yet, however what is in place for their drivers in relation to safeguarding?

The committee were advised the company have not yet approached Barnsley to be a licensed operator within the Borough. However, if they were to then they would have to meet our standards. The experience in Sheffield has been that when asked for their policies, they had one for not transporting people under 18 year olds alone, however they couldn't answer as to how they would identify the age of a customer. The company asked for a 'wish list' regarding what would be expected of their policies, for which they are considering undertaking a pilot.

- x) What actions could be taken by Members to assist in this work?

Members were advised to continue with their attendance at events/meetings where they have the opportunity to build on and refresh their knowledge in relation to licensing and safeguarding and keeping abreast of any legislative changes. This includes attending any training being delivered, as well as providing their continual support and endorsement for the actions taken and work being done by the Licensing Service. Also, for Members on a Statutory Licensing Sub-Committee to consider making possible amendments to the licenses for premises, for example, there being a requirement for all employees to receive mandatory safeguarding training, such as bar staff.

The committee was advised that it is vital for all Members and the public to be aware of messages in relation to licensing and safeguarding and to report any intelligence or concerns to regulatoryservices@barnsley.gov.uk. It was requested that this is publicised by the Barnsley Chronicle newspaper and that Councillor Miller send an email to all Members to make them aware of this.

- xi) Following the incidents of CSE in Rotherham, how many taxi drivers from Rotherham have since migrated to Barnsley to apply for taxi licenses?

The service advised that they would collate these figures and report them back to the committee. However, the service provided reassurance that any drivers from outside the Borough who apply for taxi licenses are subject to the same application process as those from Barnsley; which involves stringent checks. Also, the entire process is subject to a fully auditable process to ensure consistency thus ensuring the correct procedures are being adhered to.

- xii) Can the service advise the members of the committee of the recent 'Who is taking you home tonight' campaign?

Members were advised Enforcement Officers have been working closely with the trade to educate 14 to 21 year olds of the dangers of using unlicensed taxis who often advertise illegally on social media websites, such as Facebook. Presentations have been given to pupils in secondary schools and academies and colleges within the Borough and signage placed on planters and licensed vehicles regarding 'Who is taking you home tonight?', what checks to undertake and where to report any concerns.

The group were advised that all Members should have received a copy of the presentation that has been used in the campaign and if not, please can this be forwarded.

- xiii) How confident are you that all relevant stakeholders receive the mandatory safeguarding training, particularly those involved with schools?

The committee were advised the service is confident that all home to school drivers and those with licenses have received their training; however if any other drivers have missed their training, this will be identified in the further training sessions being delivered from April to August this year. By September 2016, all licensed taxi drivers operating in Barnsley will have received safeguarding training.

- xiv) The service were commended by a member of the committee who had observed one of their early morning joint operations (undertaken in conjunction with internal audit), to check if the taxi driver is licensed as well as examining the roadworthiness of the vehicle; is this successful working with stakeholders continuing, in particular the timely sharing of intelligence?

Members were advised these operations are effective and if any necessary action is required a decision will be made quickly. The licensed taxi drivers in Barnsley are fully supportive of these inspections and they are now carrying readily replaceable parts such as bulbs, to ensure their vehicle remains legal and they can continue to work.

An information sharing protocol is now in place with a single point of contact, to ensure the timely exchange of information between the Council and South Yorkshire Police. Based on this information we are able to take necessary and proportionate action.

- xv) You have mentioned there is a single point of contact, does this break down if the identified person is not there?

The committee were advised that arrangements are in place for deputies if the named single point of contact is not going to be available. This is the case both within the Council's Safeguarding Team and in South Yorkshire Police to ensure contact can be maintained at all times and intelligence can be shared.

The service stated that the outcome of the Jay and Casey reports is very sad; however we have ensured we have learnt from the findings and this has strengthened our service as well as our relationships with others.

The Chair thanked all the experts for their attendance and helpful contribution.

21. Work Programme 2016/17

Anna Morley, the Scrutiny Officer for the Council provided a verbal update to the members of the committee on the proposed Safeguarding Scrutiny Committee (SSC) Work Programme for 2016/17. There are six forthcoming meetings in the new Municipal Year; the committee's focus is on any topic, but with an emphasis on Safeguarding, apportioned between issues concerning both adults and children.

On an annual basis the Barnsley Safeguarding Adults' Board Annual Report (BSAB) and the Barnsley Safeguarding Children's Board Annual Report (BSCB) have been agreed for consideration.

Provisional additional topics include:

- An update on the Target Operating Model (TOM) in Adult Social Care
- Barnsley Troubled Families Programme
- The transition from Children's Centres to Family Centres; to look at in 2017, following it being implemented
- An update on the 0–19 Healthy Child Programme
- An update on Child and Adolescent Mental Health Services (CAMHS)

A Morley invited members of the committee for any further topics for consideration; Members suggested for an update on the completion of the safeguarding training in relation to licensing.

Action Points

- 1) If possible, Members to go and observe the Licensing Service work when they go and undertake inspections.
- 2) Councillor Miller to email all members to make them aware of Regulatory Services contact details to report any concerns:
regulatoryservices@barnsley.gov.uk
- 3) The service to provide the number of taxi license applications received from operators previously working in the Rotherham area.
- 4) The service to circulate the 'PowerPoint' presentation used in the 'Who is taking you home tonight?' campaign to all Members.
- 5) Members to continue attending any training or refresher training on safeguarding provided by the service.
- 6) SSC Work Programme for 2016/17 to incorporate an update on the training delivered in relation to licensing and safeguarding.