

<b>MEETING:</b>	General Licensing Regulatory Board
<b>DATE:</b>	Wednesday, 25 October 2017
<b>TIME:</b>	2.00 pm
<b>VENUE:</b>	Reception Room, Barnsley Town Hall

## MINUTES

### Present

Councillors C. Wraith MBE (Chair), J. Carr, Cherryholme, Clarke, Dures, Frost, S. Green, Daniel Griffin, W. Johnson, Lamb, Millner, Phillips, Richardson, Saunders, Shepherd, Spence, Tattersall, Williams and Wilson

### 17 Declaration of Interests

There were no declarations of pecuniary and non-pecuniary interest from Members in respect of items on the agenda.

### 18 Minutes

The minutes of the meeting held on the 6<sup>th</sup> September, 2017 were taken as read and signed by the Chair as a correct record.

The Chair reminded Members that this would be the last meeting of the Board at which Members would have paper copies of the agenda. In future they were encouraged to use electronic copies as part of the Councils approach to adopting paperless meetings.

Arising out of the discussion of the minutes, and further to Minute no 16, the Executive Director Core Services reported that following the Council meeting held on the 28<sup>th</sup> September, 2017 a copy of the report on proposed changes to Taxi Legislation recommended by the All Party Parliamentary Group (APPG) for taxis had been forwarded to all four MP's for Barnsley who had been requested to support those proposals when discussed within Parliament.

### 19 Enforcement Update

The Service Director Culture, Housing and Regulation submitted a report providing an overview of the work of Licensing Enforcement Officers undertaken recently.

Licensing Enforcement Officers had proactively embarked on a number of taxi licensing enforcement operations as follows:

- (a) 5<sup>th</sup> July, 2017 – a day time operation involving Licensing Enforcement Officers and Vehicle Examiners from the Smithies Lane Depot focusing on Springwell School. In addition, the Chair of the Licensing Regulatory Board, Councillor C Wraith MBE, was also in attendance.
- Of the 38 vehicles inspected, 33 were found to be compliant and 5 were issued with immediate suspension notices for a variety of reasons including tyres and brake, side and number plate lights

- Some vehicles were given advice in relation to cleanliness, dim side light, bulb positioned the wrong way, plates being ineffectively adhered to vehicles and tyres being close to the limit
- During the same inspection, one driver was also issued with a Written Warning for falsifying the required daily check sheet

(b) 15<sup>th</sup> September, 2017 – a morning operation involving Licensing Enforcement Officers and Vehicle Examiners from the Smithies Lane Depot focusing on smaller operators at the operating premises. Due to the nature of the inspections it was reported that only a small number of vehicles were available for inspection.

- Of the 8 vehicles inspected, 4 were issued with immediate suspension notices for a variety of reasons including lights, tyres and an inoperative wing mirror repeater
- Advice was given in relation to trip hazards
- One driver was issued with a Written Warning for failing to complete the daily vehicle inspection book.

Vehicle compliance continued to be an issue at the forefront of every enforcement operation and with every Vehicle Examiner whilst undertaking vehicle inspections. It was pleasing to note, however, that vehicle compliance was continuing to improve and was a testament to the hard work of the staff involved with enforcement. Vehicle failure rates were still at an unacceptable level and it was important that operators, vehicle proprietors and drivers accepted responsibility for their failures and made a change as to not do so could potentially put the safety of the travelling public at risk.

Proactive enforcement operations would continue to be undertaken on a quarterly basis and officers were in the process of arranging enforcement operations with the Driver and Vehicle Standards Agency, South Yorkshire Police and Customs and Excise.

The report then gave a brief overview of current enforcement activities being undertaken in relation to the Licensing Act 2003 and particular mention was made to the following:

- ARGUS anti-terrorism training at which there had been 34 attendees
- The Reduce the Strength Initiative – aimed at reducing the strength of alcohol on sale
- The Best Bar None Scheme. The scheme was being launched on the 14<sup>th</sup> November and all Members were invited to attend
- Immigration checks in licensed premises – which resulted in one arrest being made

It was noted that whilst these issues fell within the remit of the Statutory Licensing Regulatory Board it was felt important that Members of the Licensing Regulatory Board be given a brief update. The Chair stated that if Members wished to ask detailed questions or wished to receive a full update on issues, a special meeting of the Statutory Licensing Regulatory Board could be arranged.

In the ensuing discussion, and in response to questioning, particular reference was made to the following:

- The Chair stressed that whilst the failure rate was unacceptable, it was, nevertheless, pleasing to note that the number of serious vehicle failures had significantly reduced
- In response to detailed questioning, the Licensing Enforcement Officer briefly outlined the way in which vehicle inspections were undertaken and the elements included within those inspections. Arising out of this reference was made to the role of the Smithies Lane Depot in relation to Council vehicles and to the role of VOSA
- It was reported that all allegations in relation to unlicensed drivers were investigated and arising out of this there was a discussion of the role of Social Media in this respect
- There was a discussion of the perceived increase in the number of 'cross border' drivers. It was noted that the excellent relationship with Operators meant that the Licensing Service were generally informed of and made aware of such drivers so that appropriate checks could be made
- Reference was made to the relationship the Licensing Service had with neighbouring authorities and with the South Yorkshire Police which and to the liaison arrangements in place for the sharing of information in relation to drivers and taxi licensing issues

**RESOLVED:**

- (i) That a special meeting of the Statutory Licensing Regulatory Board be arranged on a date agreed by the Chair in consultation with the Executive Director Core Services to receive an update on Licensing Enforcement activities; and
- (ii) that the Board place on record their thanks and appreciation to the staff within the Licensing Service and Smithies Depot for all their hard work in undertaking enforcement activities and ensuring the continued safety of the travelling public and for the outstanding results currently being achieved.

## **20 Taxi Licensing Update**

The Executive Director Place submitted a report informing the Board of the programme of taxi licensing activity progressed within Regulatory Services particularly in relation to safeguarding children and improving on existing standards with a key priority of ensuring the safety of the paying public.

Following the publication of the Dame Louise Casey review and the more recent Rotherham Update Paper, the Licensing Service was able to confirm that a number of measures introduced by Rotherham MBC were already firmly embedded within Barnsley. It was also important, however, to ensure that existing robust processes and policies were regularly reviewed to continue to ensure public safety.

To this end, the Service had considered a number of improvements implemented by Rotherham MBC that were not already in place in Barnsley as follows:

- The introduction of a Standard Convictions Policy which the Authority was lobbying the Government to introduce
- Retrospective Application of the Convictions Policy to all Existing Drivers – it had been deemed that such an approach was unjustified as there was not enough evidence to support such a move. The Authority was, however, robustly applying its convictions policy to current drivers when any new information or intelligence came to light
- The introduction of a Shared Database – work had started within South Yorkshire and had been picked up nationally by the Institute of Licensing and the National Anti-Fraud Network which had been commissioned to deliver a national database of taxi driver licence refusals and revocations
- The introduction of ‘taxi cameras’ – these had been made mandatory in Rotherham and it was thought similar arrangements within Barnsley would be appropriate. It was proposed, therefore, to seek approval to commence the process of establishing a business case to consider if their introduction could be justified. Whilst there was no evidence to suggest that Barnsley had a Child Sexual Exploitation problem on the same scale as Rotherham, it was thought that the introduction of cameras in taxis would provide reassurance to both drivers and passengers and would help ensure their safety

In the ensuing discussion, the following matters were raised:

- It was noted that as the introduction of cameras in taxis would require a change of policy, any recommendation from this Board would be referred to both Cabinet and Council for formal approval
- In response to specific questioning, a reassurance was given that stringent checks were in place to ensure that those applying for taxi licences (or those renewing licences) were appropriately qualified and were fit an proper persons to hold such a licence
- the Licensing service was confident that there were sufficient staffing resources should any issues arise which required CCTV footage to be examined
- the introduction of a Shared Database of refusals and revocations was very much welcomed
- it was noted that the Service had a good relationship with all Drivers and Operators who appreciated the effort that the Authority was making to ensure the safety of both drivers and passengers

#### **RESOLVED:**

- (i) that the report be received and the progress made to date be noted; and
- (ii) that approval be given for the Licensing Service to put together a business case to introduce taxi cameras in all licensed vehicles and that Cabinet be advised accordingly.

-----  
Chair