

Minutes of Licensing and Public Safety Committee

Meeting date Tuesday, 8 June 2021

Members present: Councillors James Flannery (Chair), Renee Blow (Vice-Chair), Jacky Alty, Julie Buttery, Keith Martin, Jacqui Mort, Peter Mullineaux and Alan Ogilvie

Officers: Tasneem Safdar (Shared Legal Services Team Leader), Chris Ward (Interim Licensing Team Leader) and Ben Storey (Democratic Services Assistant)

62 Apologies for Absence

Apologies for absence were received for Councillor Bell.

63 Declarations of Interest

None.

64 Minutes of meeting Tuesday, 8 December 2020 of Licensing and Public Safety Committee

AGREED: (Unanimously)

That the minutes of the last meeting of the Licensing and Public Safety Committee were an accurate record.

65 Minutes of meeting Tuesday, 9 February 2021 of Licensing Panel

AGREED: (Unanimously)

That the minutes of the last meeting of the Licensing Panel were an accurate record.

66 Statutory Taxi & Private Hire Vehicle Standards

The Interim Licensing Team Leader presented a summary of the report. The Licensing Team sought Member's approval to take the proposed amendments out to consultation with relevant stakeholders before being brought back to the Licensing and Public Safety Committee to consider comments from stakeholders before reaching a decision on the proposed amendments.

As there was several appendices it was decided that the Interim Licensing Team Leader would present each section, open to any questions from the committee and vote on each proposal individually.

The Interim Licensing Team Leader provided an overview of proposed changes to the wording of the whistleblowing policy (appendix 1) which would also be included on the Council website.

Proposed by Councillor Martin and seconded by Councillor Ogilvie and

AGREED: (Unanimously)

That the proposed policy wording changes be taken to consultation and to receive a report on the outcome at a future meeting.

The Interim Licensing Team Leader moved on to discuss changes to the policy around DBS checks every 6 months for taxi drivers (appendix 2). Wording of the currently policy requires updating to match statutory standards and avoid any confusion for drivers in potentially waiting until the 12 monthly declaration instead of notifying the Licensing Team within 48 hours.

Members questioned whether removing the 12 monthly declaration was necessary, in response it was noted that declarations of convictions were required to approve and complete new applications and renewals. It was also mentioned that any concerns could be addressed through the consultation process.

Proposed by Councillor Alty and seconded by Councillor Mort and

AGREED: (Unanimously)

That the proposed policy wording changes be taken to consultation and to receive a report on the outcome at a future meeting.

The Interim Licensing Team Leader presented the next proposal around referrals to the DBS service. Currently there is nothing in the Council's Taxi Licensing Policy and as a new policy would need adopting following consultation. The proposed wording matches statutory guidance.

Members noted it was common sense and were happy to approve.

Proposed by Councillor Mullineaux and seconded by Councillor Buttery and

AGREED: (Unanimously)

That the proposed new policy wording be taken to consultation and to receive a report on the outcome at a future meeting.

The Interim Licensing Team Leader presented the next section on CSE training for taxi drivers (appendix 3). Since the previous online training has been discontinued by Lancashire County Council (LCC), the Licensing Team have put in place a temporary training course of similar standard whilst they reviewed what was on offer elsewhere. The Officer also clarified the meaning of 'County Lines' mentioned in the report.

Members voiced concerns over the discontinuation of the LCC training course and questioned whether training courses that teachers and healthcare professionals still receive could be an alternative for taxi drivers. In response Members were informed

it was thought that these courses were too advanced for the requirements of taxi drivers.

Members questioned how this applied to drivers who are contracted by Lancashire County Council. The Interim Licensing Team Leader confirmed that as licensed by South Ribble they would complete the training but would also be required to do additional training as part of their County Council badge.

Members requested more clarification on the learning package and whether the changes meant that the Council wasn't in line with statutory standards. The Interim Licensing Team Leader advised that the standards mentioned providing some form of training package for drivers and not explicitly online. The Legal Services Team Leader appreciated Members concerns but stated that it that the temporary package which the Licensing Team had compiled did meet standards, though a suitable permanent alternative was being looked into.

Members were minded to set a review date to assess progress in acquiring an external provider.

Proposed by Councillor Alty and seconded by Councillor Ogilvie and

AGREED: (Unanimously)

That the proposed new policy wording be taken to consultation, subject to a three month review of progress towards sourcing an alternative provider.

The Licensing Interim Team Leader presented proposed changes to the conviction policy. Officers have reviewed DfT statutory guidance and seek to align the South Ribble policy with these recommendations. The Chair reminded Members that cases are to be considered on their own merits.

Several Members expressed concerns that the proposed timescales were not sufficient, particularly around possession of weapons, and sought clarity from the Officers. It was noted that drivers would be brought before committee, and each case would be considered on its own merits. It was noted that there is some ambiguity but the proposed changes are an increase on the existing timescales within the policy and match statutory guidance.

Proposed by Councillor Martin and seconded by Councillor Alty and

AGREED: (Unanimously)

That the proposed new policy wording be taken to consultation and to receive a report on the outcome at a future meeting.

The Interim Licensing Team Leader presented the next section on Fit and Proper Persons Tests (appendix 5) and proposed new wording to the policy, in line with the statutory guidance.

Proposed by Councillor Martin and seconded by Councillor Ogilvie and

AGREED: (Unanimously)

That the proposed new policy wording be taken to consultation and to receive a report on the outcome at a future meeting.

The Interim Licensing Team Leader presented the next report on the expedited process of reinstating revoked licenses following a successful appeal at the Magistrates Court.

Members discussed changing the heading to 'Statement of Intent' Officers were open to amending the wording as Members desired. It was agreed to change the wording to 'Expedited Policy Process'

The Legal Services Team Leader clarified a Member query whether driver's whose license had been revoked could resume work immediately after a successful appeal. The expedited policy would speed that process up. Officers also answered a follow up query by confirming that any in date documentation would be valid for the duration of the license.

Proposed by Councillor Ogilvie and seconded by Councillor Buttery and

AGREED: (Unanimously)

That the proposed new policy wording be taken to consultation and to receive a report on the outcome at a future meeting, subject to amending heading to 'Expedited Policy Process.'

The Interim Licensing Team Leader presented the next report on CCTV policy. Officers seek to adopt a draft Taxi CCTV policy (appendix 6) This would clarify who is the data controller and who is the data processor.

Members discussed the benefits CCTV would provide in protecting both drivers and customers, Officers clarified previous discussions around use of CCTV, most recently when the tint policy was reviewed last year.

Members raised a query regarding the Council's involvement in any Subject Access Requests. Further clarification was required on a point over drivers role as data controller, considering that drivers did not have access to the footage. Following a further question around time for disposing of data it was confirmed by the Legal Services Team Leader that this would be disposed of after 31 days.

The Legal Services Team Leader proposed deferring the decision whilst the policy wording was reviewed with a view to take the policy to consultation at a later date.

Proposed by Councillor Martin and seconded by Councillor Mort and

AGREED: (Unanimously)

To defer taking the proposed new policy to consultation until it has been reviewed.

The Interim Licensing Team Leader presented the next report concerning the medical fitness policy (appendix 7). The proposed changes sought to correct a contradiction in the current policy in relation to using any GP with access to a drivers medical records for driver fitness tests.

Members raised a concern over drivers that may 'opt out' of their data being shared, in response the Interim Licensing Team Leader confirmed that GP's undertaking driver medicals were required to sign a declaration stating they had been able to access the drivers' medical records.

Proposed by Councillor Alty and seconded by Councillor Mort and

AGREED: (Unanimously)

That the proposed policy wording changes be taken to consultation and to receive a report on the outcome at a future meeting.

The final document (appendix 8) demonstrated how a record of consultations would be recorded with relevant stakeholders.

To summarise, the Legal Services Team Leader confirmed that the Licensing Team would undertake a consultation with stakeholders over a period of eight weeks on all elements of the report except for the CCTV policy which was deferred. This was unanimously accepted by the Committee.

Chair

Date