

DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

LICENSING COMMITTEE

MINUTES OF THE MEETING HELD ON TUESDAY, 22 SEPTEMBER 2015

Councillors Present: Jeff Beck (Chairman), Paul Bryant, Jeanette Clifford, Billy Drummond, Sheila Ellison, Nick Goodes, Manohar Gopal, Tony Linden and Quentin Webb

Also Present: Catalin Bogos (Performance Research Consultation Manager), Alexander Kirk (Solicitor - Environment), Brian Leahy (Senior Licensing Officer) and Emilia Matheou (Technical Officer),

Apologies for inability to attend the meeting: Councillor Peter Argyle, Councillor Howard Bairstow and Councillor Adrian Edwards

PART I

9. Minutes

The Minutes of the meeting held on 23 June 2015 were approved as a true and correct record and signed by the Chairman, subject to the following alteration:

Councillor Quentin Webb highlighted that the agenda referred to a meeting on the 22 July 2015 but that this should read the 23 June 2015.

10. Declarations of Interest

There were no declarations of interest received.

11. Disability Awareness, Safe Transportation and Child Sexual Exploitation Prevention Mandatory Training

Brian Leahy introduced the item (Agenda Item 4) which sought approval from the Committee for Officers to conduct a consultation exercise with taxi trade groups, the general public and disability lobby groups on the introduction of mandatory training for all taxi drivers on disability awareness, manual handling and child sexual exploitation awareness (the latter topic suggested by the Thames Valley Police who were undertaking a national campaign to raise awareness).

The existing policy had been in place for the last few years and required drivers to undertake disability awareness training before being issued with a new licence. As driver licences were issued for a three year period, this meant that all the drivers would have attended the training within a three year period from the introduction of the condition in March 2010.

The training was provided by the council and included a hands-on demonstration of the correct way to load and secure wheelchair passengers in taxis.

Trade Liaison Group consultation and the presentation made to the Disability Scrutiny Board by Mr Leahy was intended to demonstrate that the council took its responsibilities for training under the Equalities Act seriously and to ensure that the Licensing Authority was not discriminating against any protected group..

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Mr Leahy informed Members that the intention was to formulate proposals after consultation on mandatory training every three years to be provided by two Council Officers and a Police representative. The intention was to make the process more robust by considering the training package completed only after drivers were examined at the end of the course, using questions selected at random regarding disability awareness.

Mr Leahy explained that they were planning to ensure that a venue was identified to allow drivers to be trained using their own vehicles. He added that a newsletter was distributed with answers from a survey regarding disabilities as the intention was to implement suggestions from this survey into the training (but there was a need to consult first if the Council were to incorporate the recommendations).

Mr Leahy reminded Members that all the details on the proposed consultation were included in the report in the agenda pack and that it was proposed to start the consultation immediately, subject to Committee approval.

The Chairman invited comments or questions from the Members of the Committee.

Councillor Linden pointed out that it was very important to implement the suggested measures. He referred to the training sessions that Members had on the similar topic, provided by the Children and Families Service and enquired if the Children and Families Service and Adult Social Care Service Officers had been consulted, including on Child Sexual Exploitation awareness (especially as the Communities Director Rachael Wardell was eager that everyone was involved in this agenda).

Mr Leahy informed that his service had an approach on what the training should include. As part of the training delivery, the plan was to involve the Police as they had Officers that were very well trained in the subject matter and could play the relevant part in the training programme. In addition, the plan was to engage with the Children and Families Service at the same time as the consultation with the taxi trade.

Councillor Linden highlighted that it was important to ensure that the plans on training requirements were made in conjunction with other social services.

Mr Leahy gave assurance that the Children and Families Service were to be consulted to obtain their sign off for the training content delivered by the Police.

Councillor Webb expressed his support for the plans to go out to consultation and enquired why the same level of requirements was not suggested for the training of private hire drivers. Mr Leahy informed Members that the fleet was diverse and especially with regards to private hire only one wheelchair accessible vehicle was available. He questioned if training requirements should be imposed on private hire vehicle drivers whose vehicles were not wheelchair accessible.

Councillor Webb agreed that the level of requirements should be proportionate as long as the expectations for the training on child sexual exploitation awareness were not diluted.

Councillor Clifford asked about the cost to the trade to attend the training and if the Police provided the Child Sexual Exploitation Awareness sessions for free. Mr Leahy responded that he was hoping to provide the training with 'in house' resource but for the disability awareness component a suggested £50 per driver was expected to be an absolute maximum to allow the use of a location where drivers could bring their own vehicles.

Councillor Drummond asked about how many drivers required training at the same time. Mr Leahy stated that previously 12 people could take part in a session due to the location. He had an indication from the council's Access Officer and the council's Transport Officer that between 12 and 15 people per session could be accommodated.

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Councillor Ellison applauded the initiative to include the Child Sexual Exploitation Awareness sessions as part of the mandatory training as it was contributing to keeping children safe but also for the safety of the drivers. She was of the view that better awareness worked both ways as sometimes the drivers themselves could be put in a difficult position by their passengers and the improved knowledge was to result in higher confidence and a better ability to protect themselves.

Councillor Ellison welcomed the plans to identify a venue that would allow drivers to be trained using their own vehicles.

Councillor Webb proposed that the consultation exercise be initiated and Councillor Linden seconded the proposal.

RESOLVED that a consultation should be conducted with all stakeholders on the requirement for mandatory training on disability awareness, safe transportation of wheelchair passengers and child sexual exploitation prevention.

12. **Gambling Act 2005 - Draft Revised Statement of Licensing Policy on Gambling 2015**

Ms. Emilia Matheou presented a report highlighting that under the Gambling Act 2005 the council was required to review and consult upon its Statement of Licensing Policy on Gambling every three years from the date of adoption.

Ms. Matheou highlighted amendments to the policy made following guidance issued by the Gambling Commission's Licensing Conditions and Codes of Practice (LCCP) and the Local Government Association in early 2015. These amendments were shown as tracked changes in the existing document attached as Appendix One.

Ms. Matheou indicated that one of the changes was in relation to requirements for a 'Local Risk Assessment'. This placed a responsibility on licensees to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, to have policies, procedures and control measures to mitigate those risks and to submit the assessment when an application for a licence or variation was required.

Ms. Matheou informed Members that the other change related to a Local Area Profile - an assessment of local risks and concerns recommended to be produced by local authorities in the GLA Special Bulletin April 2005. The production of the profile was not mandatory and as the local authority had not done one, a paragraph was added to the Licensing Policy on Gambling to allow it to be considered in the future.

Mr Leahy informed the Committee that the document was the same policy but with added mandatory changes or changes recommended by the guidance received in 2015. The existing Gambling Policy was approved in 2012 and had stood the test of time. The original policy had been considered by a QC as 'fit for purpose' at the time and the new one just had the additional amendments.

Councillor Webb enquired if the revised policy gave the ability to restrict the amount of gambling establishments on the same street. Ms. Matheou responded that if the policy was not in place the local authority was not able to enforce the requirements and referred to the example of Westminster Council that employed a company to assess and use a complex method to identify where vulnerable pockets of users were located to inform such decisions.

Councillor Webb required clarification on what the triggers were for assessing if the number of gambling establishments on the same street should be restricted. Ms. Matheou stated that the trigger to assess the requirements to restrict the number of establishments was a representation received on an application.

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Mr Leahy added that since the introduction of the policy in 2012 there had been no complaints received about existing gambling in an area.

Councillor Webb noted that on the draft Licensing Policy on Gambling there were other changes marked by red numberings. Ms. Matheou informed that the number of each section had to change as a result of inserting the two new sections into the document.

RESOLVED that Members considered and approved the revised version of the Statement of Licensing Policy on Gambling to be used for statutory consultation.

13. Date of next meeting

The Chairman informed the Committee that the date of the next meeting had been changed from 15 December 2015 to 26 November 2015. This was to enable the statutory public consultation and subsequent discussion at Licensing Committee about the council's Gambling Policy to take place; prior to its submission to Full Council on 10 December 2015.

*(Post meeting note: following discussions with the Chairman, it was agreed that the meeting date would be re-arranged again and would now take place on the **10th November 2015**).*

(The meeting commenced at 6.30pm and closed at 7.00pm)

CHAIRMAN

Date of Signature