

Taunton Deane Borough Council

Licensing Committee – 2 March 2016

Licensing Update report

This matter is the responsibility of Executive Councillor Patrick Berry

Report Author : John Rendell, Licensing Manager

1 Executive Summary

- 1.1 This report provides an update on the activities of the council's licensing service, changes to legislation, current consultations and other general licensing matters.

2 Recommendations

- 2.1 That the report be noted.

3 Risk Assessment

Risk Matrix

Description	Likelihood	Impact	Overall
If the Licensing function were not carried out in an efficient manner, complaints or legal challenges may be brought that could undermine the work being done to support the Council's Corporate Strategy	4	4	16
Demonstrating good governance of the licensing function through presentation of current arrangements and statistics relating to the licensing service.	3	4	12

Risk Scoring Matrix

Likelihood	5	Almost Certain	Low (5)	Medium (10)	High (15)	Very High (20)	Very High (25)
	4	Likely	Low (4)	Medium (8)	Medium (12)	High (16)	Very High (20)
	3	Possible	Low (3)	Low (6)	Medium (9)	Medium (12)	High (15)
	2	Unlikely	Low (2)	Low (4)	Low (6)	Medium (8)	Medium (10)
	1	Rare	Low (1)	Low (2)	Low (3)	Low (4)	Low (5)
			1	2	3	4	5
			Negligible	Minor	Moderate	Major	Catastrophic
Impact							

Likelihood of risk occurring	Indicator	Description (chance of occurrence)
1. Very Unlikely	May occur in exceptional circumstances	< 10%
2. Slight	Is unlikely to, but could occur at some time	10 – 25%
3. Feasible	Fairly likely to occur at same time	25 – 50%
4. Likely	Likely to occur within the next 1-2 years, or occurs occasionally	50 – 75%
5. Very Likely	Regular occurrence (daily / weekly / monthly)	> 75%

4 Background and Full details of the Report

Staffing and work backlog

- 4.1 Since the last meeting of the committee, John Rendell has been appointed as Licensing Manager and Mark Banczyk-Gee as Licensing Officer.
- 4.2 The performance of the Licensing service is measured against the number of applications that are determined within 14 days of receipt. The service target for each quarter is to determine 95% within this timescale. The service did not achieve this target for the third quarter of the financial year (having also failed to reach the target for the first two quarters), determining 71% of applications within the timescale. This did represent an improvement of 11% on the second quarter (60%). The team launched a 'duty assistant/officer' rota in December to look to improve customer service, staff diary management and overall performance of the service and statistics for December show a further improvement, with 80% of applications determined within the timescale. It is the aim to achieve the performance target for the first quarter of the 2016/17 financial year.
- 4.3 Members will recall that failings in the service resulted in the development of a backlog of applications in 2015, which as of September 2015 stood at 420 incomplete activities on the service database. 283 of those activities became an isolated backlog. At the last licensing committee meeting, it was reported that the total number of incomplete

activities stood at 344. The team have reduced this to 136, with 61 left of the original isolated backlog. Although the number of incomplete activities will never realistically reach zero, due to there being regular submissions of applications which cannot be determined right away, the team aim to have cleared the isolated backlog by the beginning of the 2016/17 financial year.

Child sex exploitation

- 4.4 An independent inquiry into a child sexual exploitation (CSE) cases in Rotherham highlighted “significant concerns” that taxi and private hire vehicles had been used to transport victims, with young people being collected from and taken to take-aways, outside schools, bus and train stations, and care homes. Taxi drivers are key to identifying Child Sexual Exploitation as they may come into contact with children or young people who are transported by the perpetrator, by taxi.
- 4.5 To support the work of Somerset Local Safeguarding Children Board CSE Strategic Group and in particular its CSE ‘Prevent’ Sub Group, officers have developed a new guide to help taxi and private hire vehicle drivers identify the signs of CSE and understand how and where to report it. Attached to the report at **Appendix C** is the guide, as it is to appear in the Hackney Carriage and Private Hire Operators, Vehicles and Drivers Handbook policy document. This document is to be introduced to the taxi and private hire trade at a future meeting of the ‘Taxi Forum’ and will also be developed into a more compact, user friend leaflet.

Applications received and licences in force

- 4.6 The numbers of applications received for each of the regimes administered by the Licensing Team between October and December 2015 are shown in comparison with those received for the period in the preceding two years at **Appendix A**. The numbers of licenses in force and notices given as of the 9 February 2016 are shown at **Appendix B**.
- 4.7 Generally, application numbers during this period remain fairly similar in number to that period in the preceding two years, with the exception of taxi and private hire related applications, which has risen considerably since that period in 2013. This can be attributed to applications made by out of area applicants, the majority of whom reside in Bristol. Although interest from out of area drivers has reduced since the implementation of the out of area driver policy in August, there are many out of area applicants still attempting to renew licences. Five licences have been refused during this period on the grounds that the applicants have been unable to provide evidence to support working as a hackney carriage/private hire driver in the Borough.

Service requests

- 4.8 Also shown at **Appendix A** are the numbers of service requests received between October and December 2015, compared with the previous two years.
- 4.9 There are significantly more service requests recorded in 2015 due to a combination of improved record keeping and an increase in complaints against hackney carriage and private hire vehicles and drivers. 35 of the 39 service requests in 2015 relate to complaints against hackney carriage and private hire vehicles and drivers.

5 Links to Corporate Aims / Priorities

- 5.1 The licensing service is committed to helping businesses and individuals to comply with all relevant legislation in order to support new and existing businesses and enabling cultural and leisure activities, thereby supporting the Council's Corporate Aims of 'a vibrant economic environment' and 'a vibrant social, cultural and leisure environment'.

6 Finance / Resource Implications

- 6.1 None identified.

7 Legal Implications (if any)

- 7.1 There are legal implications resulting from this report.

8 Environmental Impact Implications (if any)

- 8.1 The four licensing objectives under the Licensing Act 2003 are:

- Prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

With the addition of securing the welfare of animals, these are the main aims of the Licensing Service. The continued work of the service to achieve and promote these aims, further supports the role of the Council in ensuring environmental and community safety.

9 Safeguarding and/or Community Safety Implications (if any)

- 9.1 As described earlier in this report, the Licensing service is working with multi-agency partners to reduce the risk of harm to vulnerable members of the community and is developing literature for the taxi and private hire trade to help them identify and report signs of child sex exploitation.

10 Equality and Diversity Implications (if any)

- 10.1 No equality and diversity implications were identified.

11 Social Value Implications (if any)

- 11.1 No social value implications have been identified.

12 Partnership Implications (if any)

- 12.1 No partnership implications were identified.

13 Health and Wellbeing Implications (if any)

- 13.1 Through effective regulation, confidence in licensed premises and activities can be maintained, helping communities to thrive.

14 Asset Management Implications (if any)

- 14.1 No asset management implications were identified.

15 Consultation Implications (if any)

15.1 No consultation implications were identified.

16 Scrutiny Comments / Recommendation(s) (if any)

16.1 None.

Democratic Path:

- **Scrutiny / Corporate Governance or Audit Committees – No**
- **Cabinet/Executive – No**
- **Full Council – No**

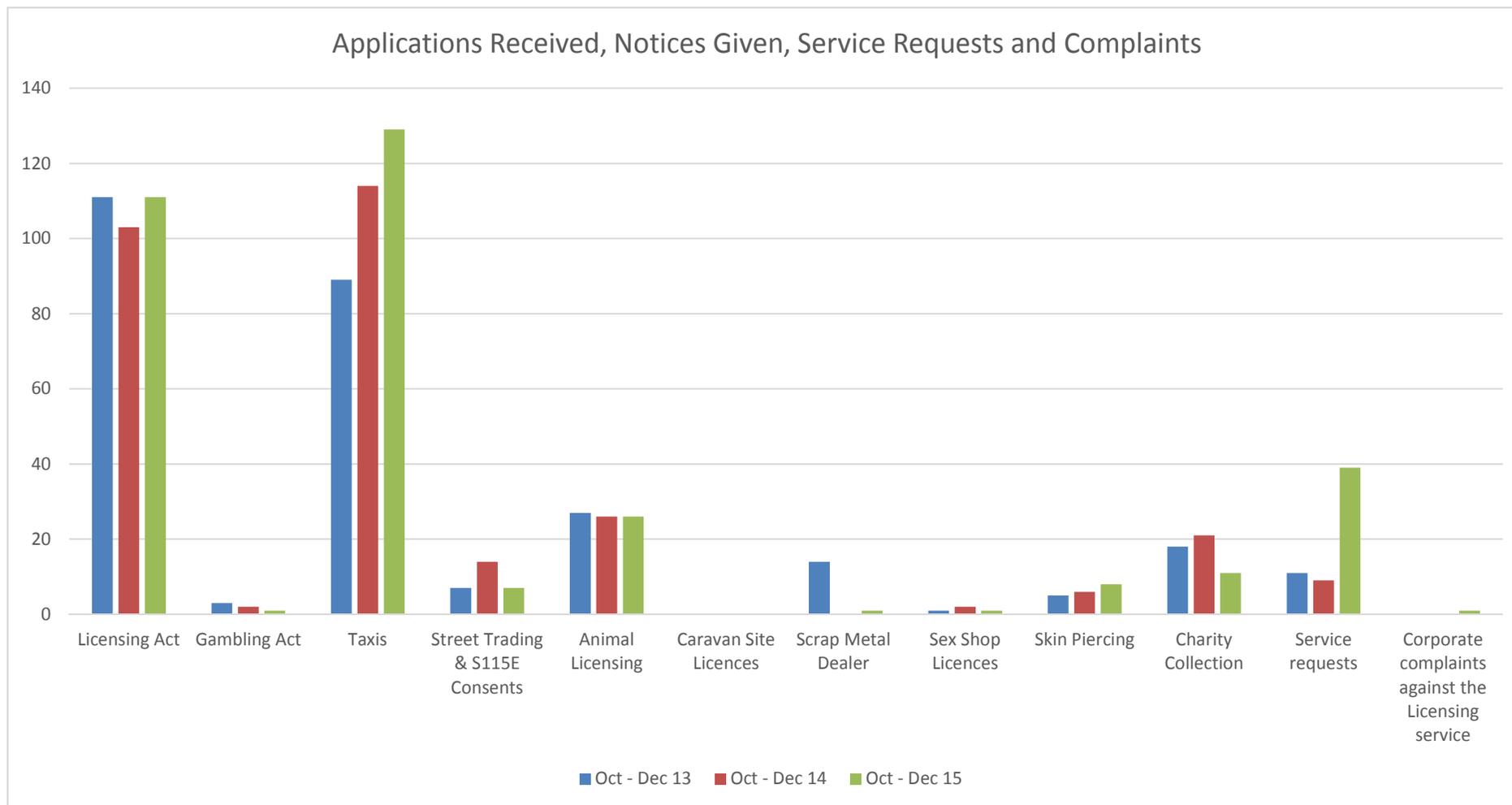
Reporting Frequency : **Once only** **Ad-hoc** **Quarterly**
 Twice-yearly **Annually**

List of Appendices (delete if not applicable)

Appendix A	Applications received, notices given, service requests and complaints
Appendix B	Licences issued and notices given
Appendix C	Child sex exploitation – guide for taxi and private hire vehicle drivers

Contact Officers

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Licences Issued and Notices Given

These figures show the number of licences in force at the 9 February 2016 and the number of notices given since commencement of the relevant legislation

Licensing Act 2003 Premises Licences	406
Licensing Act 2003 Club Premises Certificates	29
Licensing Act 2003 Personal Licences	1316
Licensing Act 2003 Temporary Event Notices	3186
Gambling Act 2005 Club Machine Permit	6
Gambling Act 2005 Licensed Premises Gaming Machine Permits	9
Gambling Act 2005 Occasional Use Notices	38
Gambling Act 2005 Premises Licences	16
Gambling Act 2005 Prize Gaming Permits	0
Gambling Act 2005 Society Lotteries (since 01/09/2007)	98
Gambling Act 2005 Temporary Use Notices	0
Gambling Act 2005 Unlicensed Family Entertainment Centres	4
Gambling Act 2005 Notification of 2 or less Gaming Machines	63
Hackney Carriages	204
Private Hire Vehicles	40
Hackney Carriage & Private Hire Drivers	281
Private Hire Operators	23
Street Trading Consents	20
Section 115E (Pavement Café) Permits	
Zoo Licences	0
Pet Shop Licences	5
Dog Breeding Licence	2
Animal Boarding Licence	11
Riding Establishment Licences	10
Dangerous Wild Animal Licences	0
Caravan Site Licences	42
Scrap Metal Dealer licence	17
Sex Shop Licences	2
Skin Piercing Registrations	237
Street Collection Permits	291
House to House Collection Permit	120

Child Sexual Exploitation – a guide for taxi and private hire vehicle drivers

Whilst going about your job as a taxi/private hire vehicle driver, have you:

- Taken or collected a child or young person (under the age of 18) to or from a hotel, B&B or house parties?
- Picked up a child or young person from other cars?
- Noticed children or young people who are distressed or intimidated?
- Noticed children or young people who are under the influence of alcohol and/or drugs?
- Been aware of young women offering bribes to avoid paying fares or other drivers accepting sexual favours from young women?
- Noticed males regularly requesting taxi rides to and from locations, whilst taking children or young people with them?
- Noticed older people hanging around 'hot spots' (e.g. take-aways, parks) or leaving these hotspots with children or young people.
- Taken a child or young person to A&E, without their parents being present?
- Noticed that a child or young person is displaying inappropriate sexualised behaviours e.g. over familiarity with strangers, dressing in a sexual manner or sending sexualised images by mobile phone?
- Noticed that a child is showing signs of unexplained physical harm such as bruising and cigarette marks?

These are all signs that a child may be the subject of Child Sexual Exploitation.

What is Child Sexual Exploitation?

Child Sexual Exploitation is a major child protection issue across the UK. Hidden from view and going unnoticed, vulnerable young girls and boys are groomed and then abused, leaving them traumatised and scarred for life. Over 70% of adults involved in prostitution were sexually exploited as children or teenagers.

Child Sexual Exploitation is a type of abuse in which children are sexually exploited for money, power or status. A children or young person may be tricked into believing they're in a loving, consensual relationship with an older person or they may be given something (food, accomodation, drugs, alcohol, cigarettes, affection, gifts, money etc.) as a result of them performing a sexual act. The person that has groomed them, may ask for them to perform sexual acts on them or their 'friends'. CSE can also take place through the use of technology; for example a child or young person being persuaded to post sexual images on the internet or send them using their mobile phones.

Grooming of children and young people for Child Sexual Exploitation can take place in all sorts of different locations, such as parks, shopping centres, hostels, bars, pubs, clubs, takeaways, gyms, leisure centres, hotels, and at house parties

It can affect both boys and girls, some as young as eight years old. Children and young people from **all backgrounds** can be targeted but young people who are most likely to be targeted are:

- young people who are vulnerable; homeless, neglected or distant from family or friends, misuse drugs or alcohol, not attending school)
- children in care or leaving care;
- children with disabilities.

Why do I need to know?

An independent inquiry into a Child Sexual Exploitation cases in Rotherham highlighted “significant concerns” that taxi and private hire vehicles had been used to transport victims, young people were collected from take-aways, outside schools, bus and train stations, and care homes.

Taxi drivers are key to identifying Child Sexual Exploitation as they may come into contact with children or young people who are transported by the perpetrator by taxi.

It is therefore vital that the taxi and private hire trade Taunton Deane Borough Council and other agencies work together to report concerns, raise awareness and prevent abuse.

What concern may I have?

- Concerns about young people in your vehicle.
- Concerns about locations/venues you drop young people off at.
- Concerns about adults paying for young peoples’ taxi fares.
- Concerns about young person’s conversation in your vehicle
- Concerns about the actions of another taxi driver

What should I do if I notice something?

If you have seen something that makes you concerned about the safety of a child or young person you must report what you have seen.

If you can, make notes of the following:

- Names of the children or young people;
- Locations and addresses relating to concerns;
- Descriptions of people involved;
- Car registration plates, makes and models of vehicles;
- Description of activity that has caused concern.

Even if you don’t have all this information **you must report what you have seen by calling 101**, which is the Police non-emergency phone line.