

LICENSING COMMITTEE
12 OCTOBER 2017

Minutes of the meeting of the Licensing Committee of Flintshire County Council held at County Hall, Mold on Thursday, 12 October 2017.

PRESENT: Councillor Tony Sharps (Chairman)

Councillors: Glyn Banks, David Cox, Rob Davies, Chris Dolphin, Rosetta Dolphin, Brian Lloyd, Mike Reece, Ralph Small and Martin White

APOLOGIES: Councillor: Ted Palmer

IN ATTENDANCE:

Community and Business Public Protection Manager, Solicitor, Community Protection Team Leader, and Democratic Services Officer

1. MINUTES

The minutes of the meeting held on 27 June 2017 had been circulated with the agenda.

Accuracy

Councillor Rosetta Dolphin said she had been present at the meeting and asked that the minutes be amended to reflect this.

RESOLVED:

That subject to the above, the minutes be approved as a correct record and signed by the Chair.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

**3. MANDATORY SAFEGUARDING AWARENESS TRAINING FOR ALL
LICENSED PRIVATE HIRE/HACKNEY CARRIAGE (JOINT) DRIVERS AND
OPERATORS**

The Community Protection Team Leader introduced a report on the introduction of mandatory safeguarding awareness training for licensed Private Hire/Hackney Carriage (Joint) Drivers and Operators.

The Team Leader provided background information and referred to the independent inquiry into child sexual exploitation in Rotherham (1997-2013) which highlighted significant concerns regarding safeguarding control for Private Hire and Taxi licensing in Rotherham. She advised that the Private Hire and Hackney Carriage trade in Flintshire was responsible for transporting people on a daily basis and some journeys would involve transporting children

and vulnerable persons which would occasionally be as part of a contract with the Authority.

The Team Leader advised that the Licensing Section wanted to strengthen safeguarding practice and raise awareness and standards by providing the Private Hire and Hackney Carriage trade with information and skills to understand its responsibilities and the action to take if there were concerns about the safety or welfare of individuals. She explained that mandatory safeguarding training would raise awareness of safeguarding of children and vulnerable people, minimise risk, and provide drivers and operators with the means to report suspect behaviour. Should the Committee support the scheme then it was proposed that consultation with Drivers and Operators be undertaken and feedback on the responses provided to the Committee for consideration and final determination.

In response to the questions raised the Team Leader advised that North Wales Police would provide the training but invitations and refreshments would be provided by the Authority. She explained that a standard Private Hire /Hackney Carriage (Joint) drivers licence was issued for three years, however, the Authority would encourage drivers to attend safeguarding training within the first 12 months. She reported that in the future it would be conditional that new licence holders would complete the safeguarding course.

Members spoke in support of the proposal and approved the introduction of mandatory safeguarding awareness training for all of Flintshire's licensed Private Hire/Hackney Carriage (Joint) Drivers and Private Hire Operators.

In response to a suggestion from Councillor Glyn Banks that training on safeguarding awareness should also be made available to Members, the Community and Business Protection Manager explained that discussions around safeguarding training had been held in the Corporate Safeguarding Board for Flintshire and she would make enquiries and provide feedback to the Committee on this.

RESOLVED:

- (a) That the introduction of mandatory safeguarding awareness training for all of Flintshire's licensed Private Hire/Hackney Carriage (Joint) Drivers and Private Hire Operators be supported;
- (b) That the amending of the Private Hire Driver and Operator conditions to include the following condition be supported:-

The Driver/Operator must complete a Safeguarding Awareness training course when required to attend by the Licensing Section.

- (c) That the Committee supported the proposal that Private Hire/Hackney Carriage (Joint) Drivers and Private Hire Operators who fail to attend

the mandatory safeguarding training will be reported to the Licensing Sub Committee; and

- (d) That consultation with Private Hire/Hackney Carriage (Joint) Drivers and Private Hire Operators be undertaken and responses provided to the Committee for final determination.

4. INTRODUCTION OF A WHEELCHAIR ACCESSIBLE VEHICLE LIST UNDER THE EQUALITY ACT 2010

The Community Protection Team Leader presented a report to inform of changes introduced by the Equality Act 2010 and to seek approval of a list of designated wheelchair accessible vehicles.

The Team Leader provided background information and advised that the Government had indicated that it expected Council's to introduce and maintain a list of designated vehicles which, in turn, would create offences for breaches of the duties imposed. The Department for Transport had issued formal statutory guidance asking local authorities to introduce those parts of the Equality Act that provided protection for wheelchair users.

The Team Leader reported on the main considerations as detailed in the report around the duties imposed under Section 165 of the Equality Act 2010, mobility assistance, and exemption for drivers with a relevant condition. She explained that vehicles placed on the list would not be required to carry all wheelchairs but must be capable of carrying some. The Licensing Section proposed to contact owners of vehicles which would be included on the list. The Team Leader advised that should the Committee approve the introduction of a published list of wheelchair accessible vehicles it was proposed that the publication of the designated list would take place within six months. Following this date it would become an offence for a driver to fail to give reasonable assistance to a wheelchair passenger.

During discussion the Team Leader responded to the comments made and explained that whilst the service provided by wheelchair accessible vehicles was well known within local communities, the list would make it easier for individuals to identify which operators provided that facility.

RESOLVED:

- (a) That the introduction of a published list of wheelchair accessible vehicles be approved; and
- (a) That the Licensing Team Leader in consultation with the Community and Business Protection Manager, set the implementation date for publication of the designated list of wheelchair accessible vehicles.

5. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were no members of the press or public present.

(The meeting commenced at 10.00 a.m. and ended at 10.30 a.m.)

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Chairman