

## MENDIP DISTRICT COUNCIL

Minutes of the meeting of the Licensing Board held on Wednesday, 10 June 2020 by Live Stream, commencing at 6.30 pm.

**PRESENT:** Councillor Sam Phripp (Chair), Simon Carswell (Vice Chair)  
Councillors Nick Cottle, Michael Dunk, Francis Hayden, Bente Height, Damon Hooton, Garfield Kennedy, Lindsay MacDougall, Lois Rogers, Helen Sprawson-White and Alan Townsend

### OFFICERS

#### PRESENT:

Olivia Denis	Licensing & Business Support Officer
Claire Dicken	Democratic Services Officer
Nicky Fensham	Customer Focus & Performance Supervisor
Marietta Gill	Team Leader – Public Protection
Jack Godley	Senior Licensing & Business Support Officer
Claire Malcolmson	Group Manager – Community Health Services
James North	Democratic Services Officer
Ben Sugg	Democratic Services Officer
Phil Wake	Enforcement Monitoring Officer

Agenda Item	Subject	Actioned by
1	<p><b>Chair's Announcements</b></p> <p>The Chair of the Licensing Board welcomed all to the meeting. The Committee Officer then confirmed that the Live Stream was in progress.</p> <p>The Chair stated that this was the first meeting of the Licensing Board since the COVID-19 pandemic. He asked participants to bear with any technical challenges that the virtual meeting might involve. He reminded participants that this was a public meeting at that they should behave as they would under normal meeting arrangements. He also requested that participants be respectful and compassionate towards one another, as in the current conditions emotions might be higher than usual.</p> <p>The Chair of the Licensing Board asked participants to keep their microphones muted and camera off, unless they wished to speak in which case they should switch both on.</p> <p>The Chair of the Licensing Board then took a roll call of Members of the Licensing Board present at the meeting: all were present apart from those whose apologies had</p>	

	<p>been received. He asked that Members use the chat function on Microsoft Teams to make a request to speak, and to keep the chat function for this purpose alone. He also asked that Members keep their contributions to two minutes.</p> <p>The Chair stated that a roll call would be taken for each item that required a vote; if any Member was unable to hear part of the debate on any item, they should state 'absent' not 'abstain'. He also noted to be quorate each vote required four Members.</p>	
<b>2</b>	<p><b>Apologies for Absence</b></p> <p>Councillors Shannon Brooke, Terry Napper and Barry O'Leary</p>	
<b>3</b>	<p><b>Declarations of Interest</b></p> <p>None</p>	
<b>4</b>	<p><b>Public Participation</b></p> <p>a) Items on the agenda</p> <p>None</p> <p>b) Items not on the agenda</p> <p>None</p>	
<b>5</b>	<p><b>Minutes of the Previous Meeting</b></p> <p>The minutes from the meeting held on 12 February 2020 were agreed.</p> <p>The Senior Licensing &amp; Business Support Officer had two updates on items from the last meeting.</p> <p>Members had suggested that The Loop could be approached about the possibility of providing onsite drug testing at Glastonbury Festival. The Senior Licensing &amp; Business Support Officer had contacted Glastonbury Festival and Avon and Somerset police: both organisations had stated that they were aware of The Loop but had no plans to work with them. Glastonbury Festival had its own drug strategy and was happy with its current arrangements.</p>	<b>James North</b>

	<p>Members had also asked how taxi drivers could be incentivised to use electric vehicles. Since the last meeting of the Licensing Board, one Tesla vehicle had been licensed. The Licensing Team had also received enquiries from other operators and were in contact with the Climate Change Officer to establish what infrastructure would be necessary to enable a wider take up.</p> <p>The Senior Licensing &amp; Business Support Officer also noted that Government funding to support electric vehicle infrastructure was limited to helping cities to reduce urban pollution, so would not be available to a predominately rural area such as Mendip.</p> <p>Members wondered whether it would be possible to adjust our scale of charges to encourage the use of less polluting vehicles. The Senior Licensing &amp; Business Support Officer noted that our current Tesla driver had found he would be saving money by driving an electric vehicle. Members also discussed the possibility of ensuring that any fee changes were cost neutral by offsetting reductions for electric vehicles against increases for other kinds of vehicle.</p> <p>The Chair requested that this issue be discussed at the next review of the licensing fees. The Senior Licensing &amp; Business Support Officer stated that fees were reviewed annually and that this issue could be tabled for the next review.</p>	
<p><b>6 and 7</b></p> <p><b>6</b></p>	<p><b>Amendment to the Taxi Licensing Policy / Presentation of Safeguarding Training</b></p> <p><b>Amendment to the Taxi Licensing Policy</b></p> <p>The Senior Licensing and Business Support Officer presented a report which sought approval for an amendment the Taxi Licensing Policy. The purpose of this amendment was to make safeguarding training for all drivers mandatory.</p> <p>The report noted that, at the Licensing Board meeting on 12 February 2020, the Senior Licensing and Business Support Officer had given an update on the Government’s consultation on Taxi and Private Hire Vehicle Licensing Statutory Guidance for Licensing. The report noted that one of the recommendations in the consultation was to make safeguarding training mandatory for drivers.</p>	<p><b>Jack Godley</b></p>

The report also noted that this training could be delivered in house, with no cost implications to the trade or to the Council. The training would need to be mandatory, with a consequence imposed on drivers for not having completed the training by a certain date. The report also stated that, following the COVID-19 pandemic, it was proposed that this training should be delivered virtually unless individual circumstances dictated otherwise.

The report asked that, if the changes were approved, they should take immediate effect.

The Senior Licensing and Business Support Officer stated that it was proposed that all licensed drivers in Mendip should be required to complete this training within one year of this policy's agreement by the Licensing Board. Failure to comply would result in the driver's licence being suspended until the training had been completed.

During the discussion that followed, Members noted that the paragraphs proposed for deletion in the previous policy contained detailed areas where training and awareness were required. The Senior Licensing and Business Support Officer noted that these had been subsumed under general the term safeguarding because the list was potentially restrictive. Safeguarding went beyond the protection of children and included all the areas previous listed, and others such as dementia awareness.

Members considered that this was potentially confusing as the word safeguarding had been used both in the narrow sense of protecting children and vulnerable adults, and the broader sense of the new policy.

The Senior Licensing and Business Support Officer then invited the Council's Deputy Safeguarding Lead to present the safeguarding training that had been prepared to be delivered to licensed drivers within Mendip. He noted that this training focused on safeguarding in the 'narrow' sense and asked Members to consider whether the training was acceptable.

The Chair then called the Licensing Board to defer the vote on the amendment to the taxi policy until the safeguarding training had been considered.

### **Presentation of Safeguarding Training**

7	<p>The Deputy Safeguarding Lead gave a PowerPoint presentation of the safeguarding training, in the format in which it would be given to drivers. It aimed to give information needed for drivers to see signs of potential abuse, and to know what to do in this occurred.</p> <p>The Deputy Safeguarding Lead stated that safeguarding in this sense meant the protection of children and vulnerable adults from abuse.</p> <p>The Deputy Safeguarding Lead presented different scenarios in which a driver might encounter a safeguarding issue, and made recommendations on who they should contact.</p> <p>The Deputy Safeguarding Lead stressed that drivers should trust their instincts, and ensure their own safety before taking any action.</p> <p>In the discussion that followed, Members asked whether this training could be provided in different languages. The Senior Licensing and Business Support Officer stated that Mendip drivers were required to speak English. However, translation services were available if there proved to be a need.</p> <p>Members suggested that the slides include the Somerset Direct telephone number, which was a service which could take any issues and pass them to the correct authority. This was helpful in the case of people already known to one or more of the agencies, as it ensured continuity of care. The Deputy Safeguarding Lead stated that she would be happy to take this suggestion forward.</p> <p>Members suggested that it would be important to include a slide on racist or homophobic abuse. The Senior Licensing and Business Support Officer stated that this could be included. The Chair supported this suggestion.</p> <p>A Member noted that in previous safeguarding training, he had been told of one high profile case where a number of agencies had been involved, but it had been a taxi driver who had been the whistle-blower. This underlined the potential of drivers to make a difference in bringing safeguarding issues to the attention of the authorities.</p> <p>Returning to the earlier debate about definitions of safeguarding, Members suggested that a comprehensive training presentation would arguably go beyond</p>	
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safeguarding even in a broad sense. The section on dementia could be expanded to include training on other vulnerable groups. In addition, there were new categories of abuse that had not been mentioned, including coercive control and stalking.

The Senior Licensing and Business Support Officer stated that almost all of these suggestions could be incorporated in the training, as the version presented at the meeting had only taken 20 minutes.

Members suggested that an interactive online quiz would be useful to complete the training, as well as an information booklet. The Senior Licensing and Business Support Officer suggested that a credit card sized summary with contact numbers could be helpful. He also stated that, Zoom would be used for this training, as it made giving presentations and streaming videos easier.

Members also asked what mechanism would be used to ensure that the list of topics covered in the presentation remained current, complete and reflected best practice on LGBTQ and other equalities issues.

The Chair requested that he, the Deputy Chair and the Equalities Officer should see the final set of slides before they were presented to taxi drivers. The Senior Licensing and Business Support Officer noted that the policy and the training were 'living documents' as both the legislative framework and people's attitudes evolved.

The Deputy Safeguarding Lead stated that she attended quarterly meetings where different safeguarding topics were highlighted. Members were happy for the Deputy Safeguarding Lead to take responsibility for ensuring the training remained current, passing emerging issues to the Licensing Board and also receiving suggestions from the Board.

Members also suggested that the message should be presented to drivers in a positive way, stating that the Council valued their role as community champions. The Deputy Safeguarding Lead noted this suggestion.

Councillor Damon Hooton proposed that the Taxi and Private Hire Policy be amended as set out in the report. Councillor Garfield Kennedy seconded the proposal.

The proposal was carried by 11 votes to 0 votes.

Councillor Bente Height abstained. She complained that that, as she could not see the meeting and her telephone connection had only allowed her to hear half of the debate, she was not in a position to vote on this item. She wanted the Board to note that she had been in attendance for the whole meeting.

Councillor Alan Townsend left the meeting at 7.45pm.

## **RESOLVED**

To amend the Taxi and Private Hire Policy as follows: --

1. The following paragraphs in the Taxi and Private Hire Policy be deleted:

2.23.1 *Where considered necessary, the Authority may deliver or require training and/or raise awareness on a number of issues to better protect the public. The Authority will provide guidance and advice to drivers to assist them in carrying out their role legally and responsibly. This training may be delivered through online means or face to face or a combination thereof.*

2.23.2 *Knowledge and understanding of the following issues are considered as important, but is not the full extent of issues to be considered in this context:-*

- *Safeguarding of children and vulnerable adults – including sexual exploitation,*
- *‘Prevent’ and advice to spot extremist activities.*
- *Equality Act 2010 – responsibilities to persons in wheelchairs and persons with assistance dogs.*
- *Disability awareness*
- *Modern slavery – ensuring that the trade does not facilitate such crimes.*
- *Human trafficking,*
- *Driver and passenger safety – including lone working.*
- *Working time regulations.*

And insert the following new paragraph -

**2.23.1 All drivers are required to undertake mandatory safeguarding training which will be delivered by the MDC safeguarding lead or by a provider approved by the MDC Licensing Department.**

***The training is aimed to help drivers:***

	<ul style="list-style-type: none"> <li>• <i>provide a safe and suitable service to vulnerable passengers of all ages;</i></li> <li>• <i>recognise what makes a person vulnerable; and</i></li> <li>• <i>understand how to respond, including how to report concerns and where to get advice.</i></li> </ul> <p>2. Insert the following new sub-paragraph at Page 14 of the Taxi and Private Hire Policy – paragraph 2.2.2- Basic requirements for applications,</p> <p><b><i>“i) Completion of safeguarding training.”</i></b></p> <p><b>REASON FOR RECOMMENDATION</b></p> <p>Improve public safety and protect communities.</p>	
8	<p><b>Licensing Update</b></p> <p>The Senior Licensing and Business Support Officer gave a verbal report. He stated that the Licensing Team had been busy as they had continued to provide a service during the COVID-19 pandemic. Relevant work undertaken since the last meeting of the Licensing Board included the following:</p> <ul style="list-style-type: none"> <li>• Officers had continued to create licences, and vehicle plates for drivers: at least one member of the Team had visited the office once a week for this reason.</li> <li>• From 1 April 2020, both vehicle tests and drivers medicals had been extended for 6 months. This was ahead of other Local Authorities in Somerset and Local Government advice.</li> <li>• Licences could now be deferred until they were required. The annual fees for licensed premises could be deferred for up to 6 months, but not waived as they were a statutory requirement.</li> <li>• The notify system of text message updates for drivers had generated substantial cost savings.</li> <li>• Many operators had discussed the possibility of fitting protective screens in their vehicles.</li> </ul>	Jack Godley

	<p>Discussions were ongoing with operators and other Local Authorities to develop a county wide approach.</p> <ul style="list-style-type: none"> <li>• Meetings included a monthly meeting with other Licensing Authorities in Somerset and, internally, a daily Public Protection update video call.</li> <li>• Licensing Officers were monitoring social media, which included ensuring that takeaways were properly licensed.</li> <li>• Other collaborative work included discussions with equine vets about the possibility of carrying out animal inspections, and attending monthly corporate enforcement officers meetings.</li> <li>• A considerable amount of advice had been given to licensed premises wishing to provide off sales – including signposting to Government grants</li> <li>• All summer events had been cancelled apart from the Pilton Party, which was scheduled for September 2020</li> </ul> <p>The Senior Licensing and Business Support Officer noted that a safeguarding concern had been reported by a taxi driver, and passed on by the Licensing Team to the One Team for further investigation.</p> <p>He also stated that the team had also diversified. The Licensing and Business Support Officer was making contact calls on behalf of MDC to those people who were shielding because of COVID-19. The Senior Licensing Senior Business Support officer was acting as the cluster lead for Wells and the Mendip lead for transport with Somerset County Council.</p> <p>Members asked that the Senior Licensing and Business Support Officer convey the Board's thanks to officers and staff, and to the taxi driver who had reported the safeguarding issue.</p> <p>Members also noted that the Council had received enquiries as to whether the annual licence fee could be waived. The Senior Licensing and Business Support Officer stated that the Government had shown no inclination to waive these statutory fees. Some Members stated that it was important to support events such as festivals in view of their community benefit and support</p>	
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	<p>for the creative sector. However, it was also noted that such events generally costed the Council money even if the fees were received.</p> <p>On the whole Members were minded to ask Officers to write to the government to ask if the fees could be waived this year.</p> <p>Councillor Francis Hayden proposed that the Council write to the government to ask that they consider waiving the licensing fee. Councillor Garfield Kennedy seconded the proposal.</p> <p>The proposal was carried 5 votes to 2 votes.</p> <p><b>RESOLVED</b></p> <p>To note the report</p> <p>The Chair to write to the government on behalf of the Board to ask them to consider waiving the licensing fee under the Licensing Act 2003 to assist the hospitality trade.</p>	
<b>9</b>	<p><b>Urgent Business</b></p> <p>None.</p>	<b>Jack Godley</b>

The meeting finished at approximately 8.15 pm.