

**Southend-on-Sea Borough Council**

**Report of Deputy Chief Executive (Place)  
To**

**Licensing Committee**

**On  
26<sup>th</sup> June 2019**

**Agenda  
Item No.**

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Regulatory Services

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**Proposal to Amend Conditions In Relation to the Licensing of Taxi Drivers Including  
Hackney Carriage, Private Hire and Dual Licence Holders.**

**Chair Licensing Committee: Councillor Helen McDonald**

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**A Part 1 Public Agenda item.**

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**1. Purpose of Report**

Members are invited to consider an amendment to the licensing conditions in relation to taxi drivers (including hackney carriage, private hire and dual licence holders) to include new conditions requiring new applicants and existing licence holders undergo safeguarding training.

**2. Recommendation**

That the Licensing Committee make it a requirement that hackney carriage, private hire and dual licence holders undergo public safety awareness training through the adoption of the following licensing conditions.

- 1) The Licensee shall undergo public safety awareness training as required by the Licensing Authority. Such training will be determined by the Licensing Authority and a minimum of 6 weeks' notice of attendance shall be provided to the Licensee.
- 2) All new applicants shall be required to undergo public safety awareness training, determined by the Licensing Authority, before a licence is issued.

**3. Background**

- 3.1 Over the last few years it has become common practice for Local Authorities to ensure that licenced drivers are provided appropriate safeguarding training, especially in regards to Child Sexual Exploitation and County Lines. During the Joint Targeted Area Inspection (JTAI) report into Southend's response to Child Exploitation by 4 inspectorates, it was recommended that taxi drivers training to be undertaken thus:

*"It is not clear how local information, audit and scrutiny have underpinned the strategy, and some elements of the local approach are not as advanced as they could be. For example, work with local taxi drivers remains at an early stage of development."*

- 3.2 The 2015 Local Government Association Councillors' Handbook in relation to Taxi and PHV Licensing refers to the protection of vulnerable people. It states that Councils can help to protect some of their most vulnerable residents through effective licensing regimes, including children at risk of sexual exploitation.
- 3.3 The Institute of Licensing Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades published in April 2018 recommends the adoption of child sexual exploitation and safeguarding training for all licenced drivers.
- 3.4 In February 2019 the Department of Transport published a consultation document in relation to statutory guidance for licensing authorities entitled Taxi and Private Hire Vehicle Licensing: Protecting Users. This proposes that licensing authorities provide safeguarding advice to the trade and that taxi and PHV drivers are required to undertake safeguarding training.
- 3.5 As a result of these local and national recommendations this action forms part of the Local Safeguarding Children Board (LSCB) Child Exploitation Action Plan and as part of the Southend, Essex, and Thurrock Child Sexual Exploitation Action Plan. The provision of training has been further supported by the Chair of the countywide Southend, Essex and Thurrock Exploitation Board.
- 3.6 It is widely acknowledged that taxi drivers are the eyes and ears of all communities and to provide them suitable training to identify and report safeguarding and criminal related activities is an important task for all local authorities.

#### **4. Other Options**

The Council does not adopt this conditions requiring drivers' to undertake training and it be left to individual drivers to undertake the training should they wish to do so.

#### **5. Reasons for Recommendation**

- 5.1 Southend-on-Sea Borough Council's Child Exploitation Action Plan for the LSCB requires the training of licenced drivers.
- 5.2 The adoption of this condition raises the awareness of licensed drivers and the reporting mechanism for them to raise concerns.
- 5.3 The requirement for driver's to undertake this training is likely to become mandatory through the Policing and Crime Act 2017 which enables government to issue statutory guidance to licensing authorities.

## **6. Corporate Implications**

### **6.1 Contribution to the Southend 2050 Road Map**

The condition requiring licenced drivers to undertake safeguarding training to raise their awareness contributes to the Safe and Well outcome. The training enables drivers to recognise potential safeguarding issues and to know where to report those concerns. Drivers are in a unique position being part of the community's eyes and ears and they can assist the local authority on effective enforcement on safeguarding issues in a joined up way.

### **6.2 Financial Implications**

The estimated cost of delivering the training element for all current licence holders is £4,000 which is being fully funded by Regulatory Services, Children's Services and Public Health England. Quarterly training sessions are currently planned to be delivered by Children's Services to train new applicants.

### **6.3 Legal Implications**

The Council is able to impose conditions on licenced drivers through provisions contained in:

Section 46 of the Town Police Clauses Act 1847

Section 57(1) of the Local Government (Miscellaneous) Provisions Act 1976; and  
Section 51 of the Local Government (Miscellaneous) Provisions Act 1976.

### **6.4 People Implications**

None

### **6.5 Property Implications**

None

### **6.6 Consultation**

There is no consultation planned for the adoption of these conditions as the training is required through the Council's action plan. The method of delivery of the training has been determined as a cost effective way of delivering to existing drivers (590 drivers as at 17.05.19). The commissioning of the training by Children's Services, has enabled the Council to scope the training to meet the action plan requirements and satisfy the requirements of the Violence and Vulnerability Board.

### **6.7 Equalities and Diversity Implications**

There are positive implications for age (including looked after children) those with a disability and the sex of individuals through helping licenced drivers to recognise and report safeguarding issues.

## 6.8 Risk Assessment

Licensed drivers operate across the whole of the town and are in a position to improve the intelligence available to the authorities to deal with child sexual exploitation, criminal exploitation and human trafficking. Failure to implement these conditions could adversely affect this intelligence.

## 6.9 Value for Money

The delivery of the training has been designed to be cost effective, through dedicated specific training to raise the driver's awareness to public safety in relation to safeguarding.

## 6.10 Community Safety Implications

The awareness training for drivers enables the drivers in the community to understand and report safeguarding issues and assists in providing a safer environment.

## 6.11 Environmental Impact

None

## 7. Background Papers

- 1 Joint targeted area inspection of the multi-agency response to child sexual exploitation, children associated with gangs and at risk of exploitation and children missing from home, care or education in Southend on Sea 9 May 2018. (<https://files.api.ofsted.gov.uk/v1/file/50004430>)
3. Department of Transport Taxi and Private Hire Vehicle Licensing: Protecting Users Statutory Guidance for Licensing Authorities Consultation February 2019 ([https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/778274/taxi-phv-licensing-protecting-users-condoc.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/778274/taxi-phv-licensing-protecting-users-condoc.pdf))
4. LGA Taxi and PHV licensing Councillors' handbook (England and Wales) Revised 2017. (<https://www.local.gov.uk/councillor-handbook-taxi-and-phv-licensing>)
5. Institute of Licensing Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades April 2018. ([https://instituteoflicensing.org/documents/Guidance\\_on\\_Suitability\\_Web\\_Version\\_\(16\\_May\\_2018\).pdf](https://instituteoflicensing.org/documents/Guidance_on_Suitability_Web_Version_(16_May_2018).pdf))

## 8. Appendices

None