

**MONMOUTHSHIRE COUNTY COUNCIL  
REPORT**

**SUBJECT: Proposed suspension of Hackney Carriage / Private Hire Drivers and Operators**

**DIRECTORATE: Social Care, Safeguarding and Health**

**MEETING: Licensing and Regulatory Committee**

**Date to be considered: 17<sup>th</sup> January 2017**

**DIVISION/WARDS AFFECTED: All Wards**

**1. PURPOSE:**

- 1.1 To consider a policy for the suspension of Hackney Carriage / Private Hire Drivers and Operators licences who have not conducted Safeguarding Training.

**2. RECOMMENDATION(S):**

- 2.1 To delegate to the Head of Public Protection, the power to suspend a Hackney Carriage / Private Hire Driver and Operators Licence, with effect from 1<sup>st</sup> April 2017 until the Licence holders referred to in 3.1 below have conducted Safeguarding Training approved by the Authority. The suspension will continue until such training has been carried out but no later than the expiry of the licence, where the licence will cease and no new licence will be considered until the training is in place.
- 2.2 To delegate to the Head of Public Protection, the power to lift the suspension referred to in 2.1 above of a Hackney Carriage / Private Hire Driver and Operator Licence following the completion of Safeguarding Training approved by the Authority.
- 2.3 The Head of Public Protection may defer the discharge of the functions referred to in 2.1 and 2.2 to the Licensing and Regulatory Committee.

**3. KEY ISSUES**

- 3.1 At the Licensing and Regulatory Committee on 22<sup>nd</sup> March 2016 Members approved the Monmouthshire County Council's Taxi and Private Hire Policy and Conditions 2016, which came into force on 1<sup>st</sup> April 2016. This Policy included the following condition.

*All drivers and operators (including existing licence holders) will be required to attend a training session on safeguarding children and vulnerable persons. The training session will cover the conduct and responsibilities of those licensed and in particular will provide training in identifying when vulnerable people are in need of protection and how to ensure they are taken to a place of safety and the appropriate reports are made to the police and social services. The training provider must be approved by the LA. A certificate must be submitted to MCC LA as confirmation that the training has been conducted. Certificates will only be accepted by training providers approved by the LA.*

*New applicants will be required to conduct the training at their own expense prior to submitting an application.*

*Drivers and Operators licensed (new and renewal applicants) between 1<sup>st</sup> April 2015 – 31<sup>st</sup> March 2016, will be required to conduct this training within 9 months, commencing 1<sup>st</sup> April 2016.*

*All drivers and Operators will be required to conduct refresher training and submit the required certificate as confirmation the training has been conducted prior to submitting a renewal application.*

- 3.2 The Authority recognised it was essential that all those involved in the Taxi and Private Hire trade should undergo safeguarding training in order to protect children and vulnerable adults. On reaching its decision it also referred to the Louise Casey report whereby the ruling asked whether Rotherham Council took sufficient steps to ensure public safety and avoid child exploitation. This Council did not want receive any similar criticism and felt it necessary to introduce a condition to make safeguarding training mandatory for those holding a licence.
- 3.3 Those licence holders referred to in 3.1 above, who have not conducted the safeguarding training by 31<sup>st</sup> December 2016, have clearly breached their licence conditions. Reminders were issued by the Licensing Section on 23<sup>rd</sup> March 2016, 20<sup>th</sup> June 2016 and 28<sup>th</sup> October 2016 to those licence holders, which outlined the requirement to conduct the safeguarding training as a condition of their licence by 31<sup>st</sup> December 2016. There has been two training sessions per month since April 2016. From April – December a total of 18 training sessions were available from Torfaen Training, the training providers approved by this Authority to conduct the safeguarding training.
- 3.4 It is recognised that those licence holders who have not conducted the safeguarding training may have found it difficult to conduct training during the December period with the lead up to Christmas. There are currently 41 drivers who have not conducted this training before the 31<sup>st</sup> December 2016. It is recommended that there is a period of grace of 3 months before action is taken against those licence holders who have not complied with the terms and conditions of their licence. As such, it is requested that no action be taken until 1<sup>st</sup> April 2017 to enable the outstanding drivers to have a choice from a further 6 training sessions (2 per month between January – March 2017).
- 3.5 This report request a suspension of those licence holders who have not completed the safeguarding training until such training is in place and to delegate the power of suspension on this occasion to the Head of Public Protection.

#### **4. REASONS**

- 4.1 To ensure the safeguarding of vulnerable children and adults are met.

#### **5. RESOURCE IMPLICATIONS**

- 5.1 All Licensing fees and charges are recovered on a cost recovery basis.

**6. WELLBEING AND FUTURE GENERATIONS IMPLICATIONS**

6.1 The 'Future Generations' template was previously submitted on the introduction of the Taxi and Private Hire Policy and Conditions 2016.

**7. CONSULTEES:**

None

**8. BACKGROUND PAPERS:**

Town Police Clauses Act 1847  
Local Government (Miscellaneous Provisions) Act 1976.

**9. AUTHOR:**

Linda O'Gorman  
Principal Licensing Officer

**CONTACT DETAILS:**

Tel: 01633 644214  
Email: [lindaogorman@monmouthshire.gov.uk](mailto:lindaogorman@monmouthshire.gov.uk)