

## Place Select Committee

### Overview Meeting 2018

Monday 12<sup>th</sup> February 2018

## Administration, Democratic and Electoral Services

### Context

Members are well aware that as a Council we have had to adapt to funding reductions of £52 million over the last five years and that we are still confronted with having to find further savings.

Whilst we acknowledge that we have a strong track record of sound financial management and we have been dealing with these problems successfully for many years, it will not be easy to address the additional loss of government funding of over £20 million by 2019/20. Moving forward, expectations will need to be realistic as many more difficult decisions will need to be made.

The challenge for all Members is to ensure that decisions about the basis on which services will be delivered are within the resources available, taking account of a number of factors such as reduced budget allocation, changing demographics, increasing demand, new national legislation and policy direction. Members are reminded of the four policy principles that support our decision-making:

- **Protecting the vulnerable through targeted intervention**, particularly those people in our communities who are subject to, or at risk of harm, people who are homeless or at risk of becoming homeless and those who are financially excluded or whose circumstances make them vulnerable.
- **Promoting equality of opportunity through targeted intervention**, specifically in relation to tackling health inequalities, meeting the skills gap and improving access to job opportunities, tackling fuel poverty, improving education and training opportunities, access to affordable housing and financial and digital inclusion.
- **Developing strong and healthy communities** through the provision of mainstream and preventive services that are available to all those who choose to access them.
- **Creating economic prosperity** across the Borough

It is within this context that the Select Committee is invited to undertake their overview duties.

## Performance Reporting

Performance across the Council Plan has been reported on a six-monthly basis. This was reported to Executive Scrutiny Committee in September 2017 and January 2018, and then forwarded to members of each Select Committee with key issues highlighted by the Chair at their next meeting.

In addition the quarterly update to Cabinet on the Economic Climate will be forwarded to Place Select Committee members with key issues highlighted by the Chair at the next meeting.

## Democratic, Administration and Electoral Services – Assistant Director – Margaret Waggott

Relevant services include:

### Licensing

As a Licensing Department we have embracing the digital agenda and made significant strides forward over the last 12 months. Other continued service improvements have been made to support members of the licensing trade and help place shape through the building of good working relationships with our police counterparts and comparing best practice. Some of other the improvements have seen:

- An improved look and feel and navigation of the licensing webpages
- Back office / front end processes are continually being reviewed implement smarter ways of working.
- Smarter methods of communication with the licensing trade which has seen the approval of a Taxi Licensing Facebook page.
- A more structured delivery of Licensing Committee items which has been positively received by the Committee Members.
- An in depth four day licensing training package for members.
- Further work is ongoing to enhance and develop the My Stockton Portal to allow customers easy access to licensing applications under consultation.
- Increased vision of the different licensing work streams through the development of implementation of forward plans.
- Introduction of computer based driver topographical knowledge test for taxi drivers.
- Safeguarding training for all licensed drivers.
- Improved intelligence pipeline and closer working with police.

## Council Plan 2017-18

The Council Plan sets out the aims and objectives for all services and is refreshed on an annual basis.

The 2017-18 objectives for the Community Safety theme are attached at **Appendix 1**.

## Emerging Issues

Service delivery is influenced by a range of internal and external factors that develop over time. Emerging challenges and opportunities relating to licensing are summarised as follows:

## Overview Report

Worked has started on review the Gambling Act Policy Statement which has to be reviewed and published in January 2019. The Government has also been undertaking a review of Gambling and there is currently a 12-week consultation on a range of options on cutting maximum stakes of B2 gaming machines, otherwise known as FOBTs, from £100 to between £50 and £2 on stake reduction to better protect consumers and communities.

The Council's Adult Social Care and Health Select Committee has just started a scrutiny review of gambling to look at the scale and effect of gambling in Stockton-On-Tees.

In November 2017 the Supreme Court ruled that Scotland can set a minimum unit pricing on alcohol; the judges ruled the measure was a "proportionate means of achieving a legitimate aim" and it is anticipated that this would be reviewed by the Government and may be introduced in to the Licensing Act 2003 in 2018.

The Scrap Metal Dealers Act 2013 was introduced to tackle rising levels of metal theft and had to be reviewed by the Secretary of State within 5 years of its introduction. This was done and a report released in December 2017 and confirms the Home Office is satisfied that the Scrap Metal Dealers Act 2013 provides a strong legislative foundation for addressing metal theft by removing the opportunities for criminals to dispose of stolen metal through scrap metal sites. The overwhelming view was that the Act should continue in force. The Government agrees with this view.

Applicants who apply for personal licence under the Licensing Act 2003 previously had to apply for a basic disclosure from Disclosure Scotland however, this will no longer apply to applicants who live in England and Wales. Applicants from England and Wales will have to apply to the Disclosure and Barring Service (DBS).

The review of animals establishments licensing in England has been under review for several years and is due to be reformed in October 2018 when the new Animal Activities Licensing legislation is due to come into force; this will see several separate pieces of animal licensing legislation brought together under one piece of legislation and we are currently awaiting the new draft regulations.

Uber Employment Ruling - Two Uber drivers who were allegedly self-employed claimed the company was acting unlawfully by not paying holiday or sick pay. The drivers have taken Uber to a tribunal and it has been described as a test case not only for the business model of ride-hailing firm Uber, but for the whole so-called "gig economy". Uber insists its drivers are self-employed and has appealed the decision. Should this ruling be proved at the Court of Appeal and or the Supreme Court it has wider implications for the taxi trade as a very high percentage of drivers are employed in the same way by private hire companies.

As recommended by the Law Commission, the LGA is calling for a Taxi and Private Hire Vehicle Licensing Reform Bill to replace outdated legislation and modernise the licensing system for taxis and PHVs, to the benefit of both passengers and the trade itself. The licensing framework has not kept pace with developments in technology and the need to ensure passengers are protected. The Government has set up a working group to consider regulatory issues and remedies for the industry, including on cross border working, and the question of country-wide licensing reform raised by the Law Commission. The group will report in 2018.

Hackney carriage and private hire drivers are exempt from the Rehabilitation of Offenders Act 1974 which puts them on a par with roles such as police officers and teachers, however drivers of minibuses over 8 seats are not subject to the same stringent checks. As a service we have continued support Alex Cunningham MP in his quest to have the Government address the safeguarding loophole that exist for PSV drivers.

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Moving away from a paper based topographical Taxi Driver Knowledge Test to a more efficient computer based system known as the Diamond Knowledge Test.

The Hackney Carriage & Private Hire Policy which relates to taxi drivers was introduced in 2016 and was reviewed in 2017. This has been approved with an age restriction policy for taxis coming into force in 2019; it also approved the move away from three yearly paper based Disclosure and Barring Services(DBS) checks to an annual online system known as the DBS Update Service which will save resources and improve public protection. Work over the next couple of months will focus on the publication of that policy and remedial work to the systems and processes for a smooth implementation in June 2018.

Evaluation has taken place of Civica APP ensuring maximisation of functionality and capabilities and Stockton are now considering the offer to be an early adopter.

The implementation of the text functionality on Civica APP to communicate with the trade in a more efficient way has been received positively and work is ongoing to be able to send text bulk text messages.

In order to support the ongoing work around a safe vibrant night time economy a training day has been arranged for the responsible authorities. A bar accreditation scheme which is called, Setting The Bar, will also be launched in 2018 to support the licensing trade in improving their offer and providing a diverse safe night / daytime economy.

As a service we are going to continue to undertake proactive engagement campaigns to promote public safety across all areas of licensing.

### **Potential Areas for In-Depth Review**

Members are reminded that topics are being sought for the Scrutiny Work Programme 2018-19. Using the information provided as part of the performance updates and this Overview meeting, the Committee is invited to identify potential topics for review within this theme.

Potential topics will be considered at Executive Scrutiny Committee on 27 March.

Some potential topics for review are as follows:

#### **Setting The Bar**

## **Appendix 1**

### **Council Plan 2017-18 – Community Safety**

Our vision is to make the borough a place where levels of crime and fear of crime are low and people feel safe and secure.

Key objectives and activities

Objective: **Deliver effective Licensing Services**