

(h) 8 September 2015.

28. SAFEGUARDING IN RELATION TO LICENSING

The Safer Communities Manager gave a presentation on Child Sexual Exploitation and Licensing, which covered the following issues:

- What is Child Sexual Exploitation?
- Human Trafficking & Child Sexual Exploitation.
- Consent? – A Child cannot consent to be exploited.
- Whistle Stop Tour of Child Sexual Exploitation:
 - Perpetrators;
 - Indicators of Risk; and
 - How the victims are targeted.
- The National Perspective.
- Lessons from Rotherham.
- Partnership Working – Good Practice.
- The Local Perspective.
- Our Role – Epping Forest District Council.
- Conclusion.

The Safer Communities Manager added that meetings were held every six weeks between Essex Police, Licensing Officers and the Community Safety Team to discuss Licensing issues. The Assistant Director of Neighbourhoods (Neighbourhood Services) was the single point of contact for Members to raise any potential safeguarding concerns. The Assistant Director stated that the Police did not always report possible concerns about Taxi Drivers to the Council's Licensing function. All Taxi Drivers were checked for convictions as a matter of course, but the Police could also advise the Council of other concerns. One idea was for all Taxi Drivers to carry a laminated card including the Council's contact details for any concerns about a particular driver to be reported.

Cllr Surtees highlighted that there were other risks to children than sexual exploitation, and the Safer Communities Manager advised Members to report any general safeguarding concerns to the Safer Communities Team and the non-emergency 101 Police phone number. The Committee felt that the response from ringing 101 was not always very good, but the Assistant Director emphasised that the 101 Police number was manned 24 hours a day, whereas the Council phone lines were only manned during office hours. Therefore, Members should always use 101.

The Assistant Director reminded the Committee that the Licensing Act 2003 contained provision for the protection of children from harm, but applications for Hackney Carriage or Private Hire Driver Licences were not covered by that particular piece of legislation. It was suggested that wording could be added to the laminated card that the Driver would be liable for prosecution if caught aiding in the exploitation of young people. The Council wanted the Drivers to report possible issues, and leaflets would be distributed to the Operators within the District. This issue was also being examined by the Public Hire Regulations Working Party.

The involvement of young people in a number of incidents at Limes Farm in Grange Hill was highlighted, including shootings and stabbings. The Community Safety Manager confirmed that Community Safety Officers were aware of the issues at Limes Farm and were urging the Police to take action. There was also work being undertaken to combat gangs, which was a new initiative for Essex. The Committee also highlighted the recent announcement concerning the closure of Police Stations

within the Epping Forest District, and the large reduction in Police Community Support Officers within the District.

The Safer Communities Manager informed the Committee that the slides from the presentation were available to any Member who wanted a copy, and the Report of the Inspection of Rotherham Metropolitan Borough Council February 2015 prepared by Louise Casey CB was also recommended for reading.

Resolved:

- (1) That the presentation on Safeguarding in relation to Licensing be noted.

29. APPLICATIONS RECEIVED UNDER THE LICENSING ACT 2003 AND GAMBLING ACT 2005

The Licensing Manager reported that in respect of Premises Licence Applications or Variations, there had been 5 new applications, 135 renewals, 48 Change of Designated Premises Supervisor or variation applications received. Of these, 5 applications had been considered by the Sub-Committee and granted subject to conditions. 30 (EU Directive) Temporary Event Notices, 96 Temporary Event Notices and 5 late Temporary Event Notices had also been granted. 85 Personal Licence applications had been received and granted under delegated authority. There had been no appeals to the Magistrates Court during the period.

In respect of the Gambling Act 2005, the Licensing Manager stated that there had been no Betting Office applications or Club gaming permits granted, and 5 notifications had been received for two gaming machines.

Resolved:

- (1) That the report to the Licensing Committee regarding the applications received under both the Licensing Act 2003 and the Gambling Act 2005 be noted.

30. GAMBLING ACT POLICY

The Assistant Director of Neighbourhoods (Neighbourhood Services) presented a report regarding the Council's Gambling Act Policy.

The Assistant Director reminded the Committee that councils were required to publish a statement of their Licensing Policy, which had to set out the principles to be applied in exercising their functions under the Gambling Act 2005. The Gambling Commission was required to issue guidance to licensing authorities, and new guidance was about to be published which the Council had to be mindful of.

The Assistant Director reported that the elements expected to be within the new guidance would include the requirement for Operators to assess the local risk. Westminster City Council was studying the link between vulnerable people and gambling, but within this District the risk assessments would mainly revolve around the proximity to Schools and it was not expected to be a major issue for the Council. Officers would draft a new policy for implementation before January 2016, and this would be distributed to members of the Committee for comment prior to implementation.

Resolved:

- (1) That the imminent publication of new guidance from the Gambling

Commission for the exercise of the Council's functions under the Gambling Act 2005 be noted; and

(2) That, following the publication of the new guidance, a revised Gambling Act Policy be distributed to Members of the Committee for comment prior to its implementation in January 2016.

31. PUBLIC HIRE REGULATIONS - WORKING PARTY

The Chairman provided a progress report on the work of the Public Hire Regulations Working Party.

The Chairman reminded the Committee that the Working Party was set up following a report to the last meeting of the Committee in April 2015, to consider if the current regulations were fit for purpose and whether any amendments should be made. The Working Party had considered a revised set of regulations based on the London Public Carriage model, but had not yet formulated any firm recommendations. It was intended for the Working Party to meet on at least one more occasion and a report recommending the adoption of a revised set of regulations would be presented at the next meeting of the Committee in April 2016.

The Assistant Director of Neighbourhoods (Neighbourhood Services) confirmed that the new set of regulations would incorporate the concept that it would be difficult for a driver to get a Licence in Epping Forest if he or she had been refused a Licence elsewhere. The Assistant Director also agreed to circulate the draft guidance to the designated Chairmen of the Sub-Committees.

Resolved:

(1) That the progress report on the work of the Public Hire Regulations Working Party be noted.

32. ROAD CLOSURES - WAIVER OF FEE FOR TOWN OR PARISH COUNCILS FOR EVENTS TO BE HELD ON REMEMBRANCE SUNDAY EACH YEAR

The Assistant Director of Neighbourhoods (Neighbourhood Services) presented a report on the waiver of the fee for road closures for Town or Parish Councils for events to be held on Remembrance Sunday each year.

The Committee was informed that it had been drawn to the attention of the Council that Essex Police could no longer support the Parish & Town Councils for events that they held on Remembrance Sunday around the District. A letter from Essex Police was only received late in September resulting in the Parish & Town Councils not having the opportunity to make applications to the District Council. The Council required that applicants gave at least three months notice, to enable a full consultation to be carried out. Until now the Local Councils had no need to make applications for road closures because Essex Police assisted with the closures using their own powers. The District Council currently charged a fee of £170 for a road closure.

The Licensing Manager advised the Committee that the recommendation should read "...the waiving of the need to apply for and the fees for Road Closures...". The Assistant Director stated that, in the past, events on Remembrance Sunday had been served by the Police and hence an application to close a road was not required. Now, the Police had decided not to service such events so a Temporary Road Closure was required. The Licensing Manager added that the Council undertook a

full consultation for each Road Closure application received and, if agreed, a Council sealed notice concerning the Road Closure was displayed and it was up to the Applicant to engage professional staff to manage the Road Closure.

In respect of this year's events, the Assistant Director stated that there was not the time available to follow the full application process, therefore it was suggested that a 'blanket' approval be granted to all Local Councils for events on Remembrance Sunday. Officers would contact Local Councils to ascertain if they required a Road Closure this year, and Local Councils would be required to apply in future years for a Road Closure on Remembrance Sunday for a further 'blanket' approval by members.

Cllr Surtees opined that Local Councils would strongly support these proposals, and it was understandable that the Police was withdrawing support for such events given the reduced budgets that they were operating under. However, there was the risk of inappropriate Road Closures on Remembrance Sunday, and it was suggested that special arrangements be put in place for this year but Local Councils would be obliged to follow the normal process in future years.

The Committee felt that the notice provided by the Police was inadequate this year and that they should perform Road Closures as normal in 2015. It was acknowledged that the presence of the Police was always reassuring when roads were closed and they often performed marshalling duties at these events as well. It was agreed that Officers should contact the Police regarding the events for 2015, and there should be a 'blanket' approval for events in future years, following consultation with the local Councils. Cllr Waller, Portfolio Holder for Safer, Greener & Transport, offered to raise the subject in a meeting with the local Police Commander scheduled for 21 October 2015, which the Committee welcomed.

Resolved:

- (1) That, given the relative lack of notice provided, Essex Police be contacted by Officers and requested to service the planned events for this year as normal;
- (2) That, following consultation with the Local Councils, a 'blanket' approach for approving Road Closures on Remembrance Sunday be considered and implemented; and
- (3) That the subject of Police involvement in Remembrance Sunday events in 2015 be raised with the Local Police Commander at a meeting on 21 October 2015 with the Portfolio Holder for Safer, Greener & Transport.

33. REVIEW OF LICENSING SUB-COMMITTEE PROCEDURES

The Committee evaluated the proceedings of the Licensing Sub-Committee meetings held during the preceding six-month period and whether the procedure, policy and organisation of the Sub-Committees required review.

The Assistant Director of Neighbourhoods (Neighbourhood Services) reported that there had been no change in the legal advice concerning the holding of pre-meeting briefings, and consequently they would not be held for the foreseeable future.

34. REVIEW OF CURRENT AND FUTURE TRAINING NEEDS FOR THE COMMITTEE

The Committee considered the current and future training needs for the Members tasked with discharging the Council's Licensing function.

The Chairman informed the Committee that further training would be organised when the new Public Hire Regulations had been agreed by the Working Party.

35. MATTERS ARISING

Cllr Surtees reported that Members had been advised at a recent Sub-Committee meeting that safety concerns for lone workers at late night premises were not a relevant consideration. The Assistant Director of Neighbourhoods (Neighbourhood Services) confirmed that the safety of workers was covered by other legislation and therefore was not an issue that could be considered by a Licensing Sub-Committee when determining an application.

36. ANY OTHER BUSINESS

The Committee noted that there was no other urgent business for consideration.

37. DATE OF NEXT MEETING

The Committee noted that the next meeting had been scheduled for 14 April 2016.

CHAIRMAN