

Commissioner Mary Ney

Report to Commissioners' Quarterly Public Meeting, 24th June 2015

As Commissioner I am responsible for the following Mission outcomes:

- *The Borough has licensing arrangements that are fit for purpose*
- *Effective working with the police to disrupt criminality, enforce robustly and take action against wrongdoers*

As well as licensing, liaising with the police and disruption of criminality (in conjunction with Commissioner Newsam in relation to safeguarding issues), my portfolio also covers the following areas of decision-making and activity:

- Community Safety.
- Safer Rotherham Partnership.
- Staff appeals.
- Anti-fraud work.

In the period since appointment at the end of February I have prioritised the following issues which I report on in greater detail below:

- Taxi licensing.
- Disruption of criminality and enforcement.
- Working with the police in relation to the impact of marches in the town.

In addition I have undertaken two staff appeals, sitting alongside members of the committee and participated in the "Views from Rotherham" Roadshows.

1. The Borough has licensing arrangements that are fit for purpose (Mission outcome 4).

Taxi Licensing Policy

1.1 Since my appointment, I have prioritised this area before wider licensing issues.

1.2 Both the taxi trade and the taxi licensing service have a poor reputation and lack of public confidence, and have been criticised in both the Jay and Casey Reports in relation to links with Child Sexual Exploitation (CSE). The government intervention specifically removed decision-making powers from the Council and placed them with the Commissioners, and I have been exercising those powers since my appointment in consultation with the members of both the Licensing Board and the Licensing Cases Sub-committee.

1.3 Line management of the service has transferred to Karl Battersby, Director of Environment and Development Services and I have been working with him to

review and improve the performance of the service. I am grateful for his work and the work of council officers in supporting me in this endeavour. There has been much to consider over a short time period, and council officers, the trade and other partners have responded to the demands made of them.

- 1.4 In the autumn of 2014 the Council undertook a consultation on a new Taxi Licensing Policy which received over 700 responses and was to be signed off at the time of the appointment of Commissioners. Since appointment, I have reviewed that draft policy which was not wholly adequate and brought forward changes in order to ensure that the bar is set high in terms of the standards expected of licence holders and that the council can be more robust in applying the 'fit and proper test'. The aim has been to seek to rebuild confidence of the public in the safety of both the service and the taxi trade by setting high standards and ensuring that those who do not meet those standards do not operate in Rotherham.
- 1.5 In producing this new policy I have met on a number of occasions with representatives of the taxi trade and with the Licensing Board. As a consequence a new policy was developed, further legal advice was obtained and another round of consultation on the new policy was held which concluded on 29 May 2015. The consultation was subject to a good amount of media interest and I undertook interviews with local radio and TV channels. 459 responses have been received. I have met again with the Licensing Board (16 June) to discuss my proposed response to the consultation with them and I hope to publish my 'minded to decision' on 29 June 2015.
- 1.6 In summary the new policy strengthens the requirements in terms of criminality, clarifies that other information will be taken into account in judging fitness, requires the availability and proscribes the use of in-cab CCTV recording, raises the bar on accountability of taxi operators, improves requirements on safety of vehicles, and sets out requirements for training including training in safeguarding, working with vulnerable people and CSE.
- 1.7 An implementation plan is being drawn up to take forward the new policy. This will include phased implementation where appropriate but will provide for application of the standards on 'fit and proper' to be undertaken immediately over a three month period and to be applied to all existing licence holders (approx. 1200). At the end of that period both the Council and the Trade will be able to say that all licence holders are at the new standard.
- 1.8 I have also met with the Magistrates Court to brief them on the policy and alert them to the potential for an impact on their workload if the number of appeals rises. The implementation will be accompanied by a Communications Strategy in order to keep the public informed as part of rebuilding confidence. I will be maintaining on going liaison with the trade as part of establishing better working arrangements with them.

Taxi Cases

1.9 In parallel with this work I have been dealing with individual taxi licensing cases. I have considered, with members of the licensing sub-committee, 25 new applications/ applications for renewal of licences and as a result awarded 5 licences . The key reasons for refusal have concerned not being a fit and proper person due to levels of and persistent criminality and dishonesty . In the same period 7 licences have been revoked and 5 of these arose due to information from the police concerning investigations related to CSE. These revocations have also been publicised so that the wider public are aware of the council's actions . At the current time there are 6 appeals lodged with the Magistrates Court awaiting hearings.

2. Effective working with the police to disrupt criminality

2.1 A first task has been to establish positive working relationships with South Yorkshire Police and I have met with the Chief Constable , the Borough Commander and other senior officers involved in public protection, public order and the PREVENT agenda. The aim is to ensure good lines of communication and working arrangements and to balance this with clarity in taking forward the Councils' views position and issues on policing matters. This includes working with Commissioner Newsam on matters relating to safeguarding and Child Sexual Exploitation (CSE). Together with the Director I am a member of the Council's Child Sexual Exploitation (CSE) governance structures to ensure we improve the Council wide support role to dealing with Child Sexual Exploitation (CSE).

2.2 As part of Commissioner Manzie's review of the management structure a new post of Assistant Director Community Safety is being created and this will improve the Council's capacity to work with the police and to co-ordinate activity across the Council. In particular the post holder will ensure that all of the Council's powers and capabilities can be deployed to deal with anti-social behaviour and criminality an issue raised in the Casey report. The post holder will be a key point of contact for liaison with South Yorkshire Police, for the flow of information between the Council and the police and for identifying the need for joint enforcement activity.

2.3 In addition, consideration is being given to a proposal for an integrated police/council Enforcement Team to deal with hot spots and targeted disruption activity. This will enable a flexible resource to be available to respond to hot spots and particular criminal or anti-social behaviours.

2.4 The Councils General Enforcement Policy has also been reviewed and consulted on and was approved by me in June. The policy applies to all regulatory activity and parking enforcement excluding planning and building

control. I have identified a lack of transparency or understanding about how this policy works in practice and in agreeing the policy, I have asked for a monitoring regime to be set up and to receive the first report at the end of July 2015. I suggest that this is submitted to a joint meeting of Commissioner Manzie's decision making meeting and my meeting with the Licensing Board.

To address the impact on the town centre of regular and repeated demonstrations from far right groups.

- 2.5 Rotherham has been the subject of repeated marches and demonstrations from far right group which impact on businesses and traders in the town centre and deter visitors and shoppers. Meetings have been held with South Yorkshire Police in order to discuss the police tactics. In public statements, we have been clear that we do not welcome this disruption to the town and whilst supporting freedom of speech we consider that Rotherham has suffered a disproportionate number of events of this type.
- 2.6 South Yorkshire Police deployed a different tactical arrangement to the demonstration held in April and were able to do this because the groups involved failed to engage with them to discuss the event and as a consequence participants were turned back at entry points. The organisers of the more recent event in May did engage with the police and the South Yorkshire Police tactics were lower key and focused on minimising impact. However, we received reports that marchers were abusive, racist and threatening to the public as well as reports that trophy dogs were taken on the march . The expected march in June has been cancelled .
- 2.7 The approach to each threatened event will be the subject of discussion with the police. In addition, I have written to the Home Secretary as an opening of a dialogue on the impact of these events on the town and highlighting that we are assembling information on the case for a potential ban for her future consideration. The Director is liaising with the South Yorkshire Police and the Home Office on this.

Looking Forward

In the next period my priorities will be:

- Implementation of the new Taxi Licensing Policy.
- Review of other licensing activity.
- Review of the Safer Rotherham partnership.
- Improving capacity for coordinating issues of community safety and enforcement, including dialogue and information flow with South Yorkshire Police and dealing with threats of marches and demonstrations.
- Health Check of the Council's anti-fraud activity.

Mary Ney
Commissioner
15th June 2015