

**PUBLIC QUESTIONS  
CABINET MEETING – 19 June 2019**

<b>1. Cllr David Willingham (Cheltenham Borough Council)</b>	<b>Respondent: Cllr Richard Boyles</b>
<p><b>Agenda Item 14: Gloucestershire Child Safeguarding Arrangements: Working Together (2018)</b></p> <p>On two recent occasions the “Safeguarding through Licensing” processes of the County Council and the Police, in respect of Allegations Management, relating to the conduct of licensed drivers, have given members of Cheltenham’s Licensing Committee, which I chair, significant cause for concern about the data-sharing protocols, the timeliness of data sharing, the accuracy of data shared and the support to Licensing Committees by those organisations. These matters have been the subject of private correspondence to the County Council and the Police formally raising these concerns.</p> <p>The absence of any details in the “Working Together – Gloucestershire’s multi-agency arrangements to safeguard children” about how “Safeguarding through Licensing” responsibilities will be delivered, gives me very serious cause for concern that this essential part of the safeguarding process has been overlooked, and that if this omission is not addressed, there will be serious negative public safety and child safeguarding outcomes across our County.</p> <p>Could the Cabinet Member please explain why this important aspect of child safeguarding has been omitted from the report, and give me an assurance that work will urgently be undertaken to address this?</p>	<p>The arrangements to safeguard children and young people in Gloucestershire, set out in the attachment to this report diligently and exhaustively, follow the statutory guidance provided by Working Together 2018 and the associated transitional guidance, both of which are central government documents.</p> <p>There is no omission because they neither interfere with nor alter the arrangements for the licensing of hackney or private hire taxi drivers that remain a matter for the licensing authority, district council licensing teams and employers, including undertaking the necessary medical or DBS checks.</p> <p>District licencing teams are responsible for licencing taxi drivers and are the agency that will undertake a DBS check on taxi drivers if the taxi driver is a sole trader otherwise as with any other sector it’s the employer’s responsibility, but is a requirement to be licenced. The level of the check will be linked to the work a driver may be involved in. Taxi drivers that have contracts to transport children unaccompanied will as expected be vetted at a higher level up to and including Barred list checks. This is done in line with Part V of the Police Act 1997, as updated by the Protection of Freedoms Act 2012.</p> <p>Pg56 of WT2018 sets out the relevant organisational responsibilities which fall within their Section 11 duties. Safe recruitment falls under S11 WT2018 and the licencing of Taxi Drivers falls into that category. Again this duty falls to licencing teams or an employer.</p> <p>In the event of an allegation of concern about an applicant or driver, this would be dealt with under our Allegations Management Procedures which are similarly unaltered by WT 2018 but will be included as a further appendix to these arrangements prior to full implementation in July as part of their continuing development. This is part of an incremental approach that will also involve the inclusion of our revised child death arrangements in due course.</p>

<p><b>2. Cllr David Willingham (Cheltenham Borough Council)</b></p>	<p><b>Respondent: Cllr Richard Boyles</b></p>
<p><b>Agenda Item 14: Gloucestershire Child Safeguarding Arrangements: Working Together (2018)</b></p> <p>Paragraph 8.16 of the “Independent Inquiry into Child Sexual Exploitation in Rotherham” by Alexis Jay OBE starts: “One of the common threads running through child sexual exploitation across England has been the prominent role of taxi drivers in being directly linked to children who were abused.” This is a stark reminder of the importance of having “Safeguarding through Licensing” processes.</p> <p>Could the Cabinet Member please explain why the Working Together report does not contain any references to delivering “Safeguarding through Licensing”, or details about working with Licensing Authorities in relation to safeguarding concerns about the behaviour of licensed drivers?</p>	<p>As I explained in the answer to question 1, there is no omission because they neither interfere with nor alter the arrangements for the licensing of hackney or private hire taxi driver which remain a matter of for the licensing Authority including undertaking the necessary medical or DBS checks. PG58 WT2018 sets out the arrangements for the LADO. Licencing is not explicitly mentioned in WT2018 as it clearly falls into S11 duties.</p> <p>The interface between such activity and these arrangements would be in the event of an allegation of concern about an applicant or driver which would be dealt with under existing allegations management arrangements.</p> <p>Allegations against taxi drivers are dealt with through Gloucestershire’s Allegations Management process. There have been a number of allegations managed through this process concerning taxi drivers. In every case the district licencing team were invited to the Allegations Management (AM) meeting. The police and children’s services are always invited to the AM meetings and any allegation is dealt with through that process.</p> <p>Sharing of information is conducted in that meeting and any decision on a specific allegation is a Multi agency one measured against the criteria in WT2018.</p>
<p><b>3. Cllr David Willingham (Cheltenham Borough Council)</b></p>	<p><b>Respondent: Cllr Richard Boyles</b></p>
<p><b>Agenda Item 14: Gloucestershire Child Safeguarding Arrangements: Working Together (2018)</b></p> <p>Does the Cabinet Member agree that part of Working Together on safeguarding children must include working with the Police and Licensing Authorities to ensure that any information questioning whether a licensed driver is fit-and-proper is promptly and clearly communicated to the Licensing Authority so that the Licensing Authority can fulfil its public safety and child safeguarding duties via the relevant licensing processes?</p>	<p>The decision to licence is not a decision of the Safeguarding Children Executive or other groups created under these arrangements, or the police but of the district licencing authority informed by the necessary vetting and recruitment checks. This is a duty under S11 the efficacy of which will be periodically explored through sampling and audit activity.</p>

<p><b>4. Cllr David Willingham (Cheltenham Borough Council)</b></p>	<p><b>Respondent: Cllr Richard Boyles</b></p>
<p><b>Agenda Item 14: Gloucestershire Child Safeguarding Arrangements: Working Together (2018)</b></p> <p>Will the Cabinet Member give a commitment that, he, the Director of Children’s Services, and other partners, will work with GLOG (Gloucestershire Licensing Officers Group), to ensure that sufficient data sharing protocols are in place to ensure that any safeguarding concerns in respect of the behaviour of licensed drivers are reported promptly and clearly to the relevant Licensing Authority?</p>	<p>There is a data sharing protocol in place in Gloucestershire between CSC and the district licencing teams. District teams are invited to all allegations meetings with police and children’s social care.</p> <p>If there is a concern these arrangements are not working efficiently and effectively I can assure you the director would be happy to work with the districts and relevant local partners including police to address those concerns.</p>
<p><b>5. Cllr David Willingham (Cheltenham Borough Council)</b></p>	<p><b>Respondent: Cllr Richard Boyles</b></p>
<p><b>Agenda Item 14: Gloucestershire Child Safeguarding Arrangements: Working Together (2018)</b></p> <p>As mentioned previously, on two separate occasions in Cheltenham, Allegation Management referrals to the Licensing Authority in respect of child safeguarding concerns were not supported by the presence of an Officer representing the County Council at the Licensing hearing.</p> <p>Could the Cabinet Member give me, as Chairman of Cheltenham’s Licensing Committee, an assurance that in future, if Allegations Management referrals are made to a Licensing Committee, they will be supported by attendance in person by a County Council Officer with knowledge of the case, if either the Licensing Officer or the Chair of the Licensing Committee requests it?</p>	<p>As I have indicated previously, if there is a concern that licensing arrangements are not working effectively, including the attendance of an officer with knowledge of a case at licensing committee where this is required, I can assure you the director would be happy to work with the districts and local partners including police in order to address those concerns.</p>

<p><b>6. Cllr David Willingham (Cheltenham Borough Council)</b></p>	<p><b>Respondent: Cllr Richard Boyles</b></p>
<p><b>Agenda Item 14: Gloucestershire Child Safeguarding Arrangements: Working Together (2018)</b></p> <p>Would the Cabinet Member be willing to demonstrate the County Council's commitment to ensuring "Safeguarding through Licensing" protocols are present and acceptable, by amending the report to add a further recommendation explicitly requiring the Director of Children's services to work with GLOG to ensure that it is documented how "Safeguarding through Licensing" will be delivered across Gloucestershire?</p>	<p>The Child Safeguarding Arrangements attachments set out how the three children 'Safeguarding Partners' in Gloucestershire will work together. I have given an assurance that the DCS wants to work with districts to ensure they can deliver their responsibilities in this area. However it would not be appropriate to place an explicit requirement to ensure licensing activity safeguards children as that duty rests with the relevant district councils.</p>
<p><b>7. Tim Davies</b></p>	<p><b>Respondent: Cllr Lynden Stowe</b></p>
<p><b>Agenda Item 5: Revenue and Capital Expenditure 2018-19</b></p> <p>a) Was the transfer of £1.534m to the Strategic Waste Reserve anticipated in the most recently approved Council budget?</p> <p>b) What is the nature of the 'Energy From Waste smoothing requirement'?</p> <p>c) The document does not clearly indicate where this money is being transferred from, as it is listed as point 1.5 under a note on a £2.905m underspend, yet that underspend is then allocated in point 2 towards the Transformation Reserve. Please can you clarify the source of the transfer of £1.534m to the Strategic Waste Reserve?</p>	<p>a) This funding was agreed by council as part of the 2018/19 budget – and is being brought forward via reserves</p> <p>b) The Waste Reserve was created to cover the anticipated variations in annual costs and income expected in the early years of the contract. This mechanism allows for Council Tax funding to remain constant when expenditure and income flows are variable in the early years of the EfW facility being operational.</p> <p>c) This isn't new expenditure – it's from last year's residual waste project budget.</p>
<p><b>8. Tim Davies</b></p>	<p><b>Respondent: Cllr Nigel Moor</b></p>
<p><b>Agenda Item 6: Procurement and Award of Contracts for the Bulking, Haulage and Treatment of Garden Waste</b></p>	<p>There aren't any suitable HGVs on the market for this at present – nor are any expect imminently.</p>

<p>Given the resolution in Motion 800 at the Council Meeting of 6th December 2017 that GCC “Commits to establishing principles for use in procurement to encourage use of electric or low emission vehicles by Council contractors” can the Cabinet Member confirm whether such principles are in place, and whether they are being applied to this particular procurement for Haulage of Garden Waste?</p>	<p>The next best option available at present is to specify FORS (Fleet Operator Recognition Scheme) accreditation to improve safety, reduce fuel consumption and cut carbon emissions, using vehicles which meet the latest Euro 6 diesel emissions standards.</p> <p>In addition to this, bidders will be asked to provide details of their vehicle and plant standards, fuel consumption and emissions. They will be evaluated against these responses. There will also be questions on vehicle and plant maintenance, driver training and traffic management, which are further factors that can affect emissions.</p>
<p><b>9. Tim Davies</b></p>	<p><b>Respondent: Cllr Nigel Moor</b></p>
<p><b>Agenda Item 13: Food Waste Collection and Delivery Agreements</b></p> <p>The report indicates that no modelling has taken place to consider what would happen to residual waste volumes, and to carbon emissions, if the proposed cut of £300k in incentive payments to local authorities for food waste collection, led to cancellation or reduction of these services.</p> <ul style="list-style-type: none"> <li>a) Why does the report not consider this possibility?</li> <li>b) If a reduction in incentive payments led to any of the authorities cancelling their food waste collection schemes and therefore increasing residual waste volumes, would this lead to savings or to higher costs carried by Gloucestershire County Council?</li> <li>c) What public representations has the Cabinet member received in relation to this item?</li> </ul>	<p>We believe a fair system, where all Gloucestershire districts get similar help to recycle food waste will help us recycle more across the county, not less. The county council provides over £4.5m pa in support to districts, and there is no reason to suspect that bringing in a fair system should lead to any district discontinuing food waste collections. This is about having a conversation with district councils to find out how we can work together fairly. I have received no public representations to date on this paper. I did receive about six representations in relation to the Individual Cabinet Decision paper on this in February, which was subsequently withdrawn.</p>