

# EXECUTIVE SUMMARY OF REPORT ON TAXI LICENSING MANAGEMENT AND ENFORCEMENT FUNCTION BY JOHN RIDDELL OF WEIGHTMANS LLP

1. A chronology is attached to this executive summary to assist the reader.
2. Reports by a Home Office researcher in 2002 and by Dr Angie Heal in March 2006 described extensive and historical links between the taxi service and child sexual exploitation (CSE) in Rotherham. These reports were in the hands of Rotherham MBC but do not appear to have been shared with those responsible for taxi licensing and enforcement.
3. In January 2008 licensing enforcement officers were moved from licensing to the general enforcement section. They were also placed in three separate geographical teams (although co located for three years) until they were brought under one line manager on 1<sup>st</sup> July 2014.
4. In May 2008 Councillor Akhtar, a licensed taxi driver, was appointed cabinet member with responsibility for housing and neighbourhood services, which included taxi licensing management and enforcement. He held this post until May 2011 when he was appointed Deputy Leader, a role that did not include responsibility for taxis. Mr Akhtar is no longer a member of Rotherham MBC.
5. Towards the end of 2010 and the beginning of 2011, general awareness of CSE in Rotherham emerged. Several police operations were launched and Andrew Norfolk of the Times cited Rotherham as one of the towns where there was a pattern of collective abuse involving hundreds of girls aged 11 to 16 although he did not make any direct link with taxis.
6. Matt Gladstone, carried out a review in 2010 – 2011 which included the scrutiny of taxi licensing and enforcement. He was particularly concerned with the need for mechanisms for a flow of information between licensing, enforcement, police, safeguarding and Risky Business.
7. On 5 November 2010, Individual 64, emailed Dave Richmond, who was ultimately responsible for taxi licensing and enforcement, and her immediate superior, Alan Pogorzelec, who was responsible for taxi licensing management, but not enforcement. Individual 64 was involved in Matt Gladstone's review and explained her role and concerns. She stated:
  - i. That there were links between the taxi trade and widespread CSE;
  - ii. That the separation of taxi licensing administration and enforcement was undesirable;
  - iii. That the Licensing Board was ineffective and the fit and proper person test was not being applied properly;

- iv. That there was unwelcome political interference.
8. These are all concerns that were identified by Dame Louise Casey, Government Inspector, in her report dated 4 February 2015.
  9. Dave Richmond spoke to Matt Gladstone on 5 November 2010, but was not thereafter involved in or informed of the progress of the review.
  10. Alan Pogorzelec was kept informed by Individual 64. He considered her concerns but concluded that:-
    - a. The review of existing intelligence of links between CSE and taxis by Risky Business, the police and licensing (in a document that became known as the grid of concern) failed to reveal enough evidence for action.
    - b. There had been a considered discussion of the separation of taxi licensing administration and enforcement two years previously and that decision was unlikely to change. Alan Pogorzelec suggested that a service level agreement would be the best way of proceeding but this was not finalised until 2014;
    - c. The Licensing Board decisions of concern were made in accordance with existing policy, although it should be observed that some of the licences would not be granted under the more exacting policy that has been introduced recently.
    - d. There was no firm evidence of political interference.

Dave Richmond reached similar conclusions. Only one of the Licensing Board decisions in question dealt with inappropriate sexual activity and that was a matter of soliciting rather than CSE. Weightmans' report concludes that all of these conclusions were not unreasonable at the time.

11. Matt Gladstone's main concern was strategic and he was anxious that there should be means of sharing information. His review on the strategic level was welcome and pragmatic and information continued to be shared by relevant parties in responsible authority meetings.
12. The responsible authority meetings continued to reveal intelligence of links between CSE and the taxi service. Examination of enforcement files by Ms Casey, Rotherham MBC's internal audit team and Weightmans LLP reveal a failure to adequately investigate matters of concern. It appears that the officers did not have sufficient resources, systems or policies. Most of their investigations were purely reactive. Difficulties were also caused by their separation from taxi licensing management and the fact they were placed in three separate regional teams until 1<sup>st</sup> July 2014.
13. The report considers the role of former Councillor Akhtar. Two female members of the licensing management team make allegations of intimidating behaviour by him, which could be seen as bullying. Mr Akhtar denies these allegations. Members of staff also expressed concerns about his role as a licensed taxi driver and cabinet member responsible for taxi licensing, which they described as a conflict of interest. The Council's monitoring officers were correct in stating that since he did not enjoy decision

making functions in his role there was not a direct conflict. It has been suggested that he used his position to favour his trade but there is no firm evidence. These matters remain unresolved but if Mr Akhtar was still a member I would recommend that he be investigated for these matters under the Authority's Code of Conduct.

14. On 1 June 2014 the three taxi enforcement officers were brought together under the management of Enforcement Officer Individual 62 at his suggestion. The enforcement officers and others state that the management of enforcement officers were better from this point forward.
15. The taxi licensing management staff was re-located from Maltby to Riverside House. This began in 2012 when two members of staff were moved. This lasted until February 2015, when the remaining three members of staff were moved and all three of them then went on long periods of sickness.
16. A report by Professor Jay was published on 21<sup>st</sup> August 2014 which identified the link between taxis and CSE in Rotherham. As a result of this Dave Richmond instigated and supervised a comprehensive improvement plan which included the drafting of a comprehensive taxi licensing and enforcement policy which was reviewed by the taxi law expert Individual 59. It should be noted that when Dave Richmond became aware of problems he took pro active steps. By way of example in 2011/12 he commissioned an independent review by the Performance and Quality team following concerns over a particular enforcement case.
17. In June 2015 an internal audit report showed a failure of Individual 64 to obtain a DBS check on an operator's licence and she was issued with a written warning. Enforcement Officer Individual 17 was also issued with a verbal warning for closing files without authorisation.
18. Commissioner Mary Ney was appointed in February 2015 by the Secretary of State to oversee taxi licensing management and enforcement. She has made a series of robust and sweeping reforms, including:
  - a. A rigorous taxi licensing policy, which includes exacting standards for the fit and proper person test and convictions policy.
  - b. A review of all existing licences, which has led to the suspension of licences.
  - c. Conducting licensing board hearings in a more ordered and coherent manner.
  - d. Introducing compulsory safeguarding awareness courses for drivers.
  - e. Re-uniting taxi enforcement officers with taxi licensing management under a single manager.
19. Individual 62 has also introduced proper work systems for taxi enforcement officers and files.
20. An internal audit report of 11 January 2016 raised continued concerns with enforcement but since then additional staff have been recruited.
21. My conclusions and recommendations are as follows:-

- i. There was a good deal of intelligence which suggested that elements of the taxi trade were heavily involved in CSE in Rotherham.
- ii. Effective action was never taken because the enforcement function was ineffective.
- iii. A major reason for this was the decision to take the enforcement function out of the main licensing unit in 2008 and to divide the three enforcement officers between three geographical regions. The enforcement officers predicted difficulties and although they were co-located for three years were found to be correct.
- iv. The senior managers responsible for enforcement, Dave Richmond and Mark Ford, were not aware of the full extent of the problem with CSE and the taxi service.
- v. Given the amount of circumstantial evidence surrounding CSE, they should have made further enquiries which might well have revealed the problem and deficiencies in enforcement. There were mitigating factors for this failure. In the case of Dave Richmond he did not know the full extent of the problem, the Matt Gladstone review was not in his hands, he took pro active steps where he was aware of problems such as those detailed in paragraph 17 above and was an extremely busy officer managing a very large service which included taxis amongst many others. In the case of Mark Ford he also had no direct knowledge of the full extent of the problem and also took proactive measures where he became aware of difficulties. Dave Richmond and Mark Ford are no longer employed by Rotherham MBC. For the reasons set out above I do not believe that disciplinary measures would have been appropriate but they should be made aware of my concerns.
- vi. The officer who did the most to address all the issues was Individual 64. She was not directly responsible for enforcement, but raised concerns about the links between the taxi service and CSE and deficiencies in the enforcement side. She also repeatedly raised other legitimate concerns.
- vii. Individual 64 did not always follow through her actions. She should receive advice on this issue. Individual 64 is no longer employed by Rotherham MBC. Once again I do not believe that these matters would have justified further disciplinary action but she should be made aware of this concern.
- viii. The taxi licensing management department suffered difficulties with a divided site, staff shortages and staff absence. Alan Pogorzelec, as the manager ultimately responsible, should receive advice on how to deal with issues of this kind. Once again I do not believe that the matter is sufficient to justify disciplinary action but he should be made aware of the concern.
- ix. There are concerns but no firm conclusions about the behaviour of Councillor Akhtar and if he was still a member I would recommend that he be investigated for these matters under the Authority's Code of Conduct.

- x. I have identified individual failures but there was a collective failure by licensing enforcement and management to confront the problem.
- xi. The problems identified by Ms Casey have been addressed by Commissioner Ney.

John Riddell

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3<sup>rd</sup> August 2017.