

Report to Director of Health and Community Wellbeing

Subject: Administration of taxi Licences during Covid-19 pandemic

Date: 24 March 2020

Author: Community Protection Manager

Wards Affected

All

Purpose

To seek urgent approval from the Director of Health and Community Wellbeing, in consultation with the Chair of Environment and Licensing Committee to suspend administration of the knowledge test and safeguarding test with immediate effect, during the Covid -19 pandemic.

To update the Director of the implications of such a decision, in that the Council will no longer be able to administer new applications from drivers for licences.

Recommendations

That the Director of Health and Community Wellbeing in consultation with the Chair of Environment and Licensing:

- 1) Authorises with immediate effect the suspension of the administration of the Knowledge Test and Safeguarding Test by the Council

1 Background

- 1.1 Following on from the recent measures announced by the by government in relation to isolation during the Covid -19 pandemic, and the closure of a number of the Council's facilities including Leisure and Community Centres, it is now necessary to further review how Council operations and services are run. In particular, it is necessary to consider

what face to face contact with the public is necessary in the Council's buildings at the current time when the public are being told to remain in their homes except for work where it is not possible to work from home, fetching essential food and medical supplies and exercise once a day.

- 1.2 As a Licensing Authority, the Council are the relevant authority for determining applications for hackney carriage and private hire ("taxi") driver and vehicle licences. The process for submitting new taxi applications to the Council involves a number of checks and tests, this is so that as a Licensing Authority the Council can ensure that licences are only granted to drivers in accordance with the requirements of the Local Government Miscellaneous Provisions Act 1976 ("the Act"). The Act requires that drivers are "fit and proper" to hold a licence, the Act also imposes requirements in terms of driving experience and immigration status.
- 1.3 To date, the Council's administration of applications for taxi driver licences and vehicle licences has continued, however, in order to support the governments measures on isolation and to protect the safety of council staff and the public, it is now deemed necessary to limit contact with the public as much as possible and ensure that wherever possible resources are deployed to deliver critical business functions.
- 1.4 As part of demonstrating that a driver is "fit and proper" any applicant for a taxi driver's licence must complete the Council's knowledge test and safeguarding training and test. At present, the knowledge test is delivered in group sessions electronically at Council premises. Part of the reason for the test being delivered in this way is to ensure that it is actually the applicant who is sitting the test. Similarly, the safeguarding training and test is delivered in groups face to face.
- 1.5 At the current time, it is not appropriate for the tests to be delivered in this way. It is not safe for staff to be administering the tests to groups or individuals and it is contrary to government measures in respect of isolation, as wherever possible, the public should not be visiting Council buildings.
- 1.6 Consideration has been given as to how the tests could be delivered differently, without the need for face to face contact, however, in order to ensure that the tests are undertaken by the applicant, so that standards can be maintained, remote testing is not considered appropriate.
- 1.7 As such, the Council are unable to continue to deliver and administer the knowledge and safeguarding elements of the taxi application process. The Council requires these tests as part of the application process to evidence that the applicant is fit and proper, as such the requirement to undertake the tests should not be removed from the process. This

means that if the tests are not administered for new applicants, no new applications who require the tests could be processed at this time.

- 1.8 This approach has been adopted by neighbouring authorities with Nottingham City Council and Rushcliffe Council ceasing the administration of taxi applications during the Covid-19 pandemic. The proposed measures have also been discussed with the Chair of the Environment and Licensing Committee who is supportive of the recommendation.

2 Proposal

- 2.1 It is proposed that with immediate effect, the knowledge and safeguarding tests be suspended for new applicants for taxi licences. This measure will remain in place during the covid-19 pandemic to ensure safety of the staff and public, but it is proposed that this be kept under review. As the knowledge test and safeguarding test will remain a requirement of the application process, if this proposal is accepted, applicants will be unable to complete the application process in full at the present time.
- 2.2 For those new applicants who have already completed the knowledge and safeguarding tests and are waiting for other checks to be conducted, it is proposed that the licensing applications will proceed and appropriate measures put in place to ensure staff safety, for example where ID checks are required these will be by pre-booked appointment only and be conducted at a safe distance with appropriate safety measures in place.
- 2.3 For those existing drivers who are required to take the safeguarding test as part of a renewal process (safeguarding test is required every three years), it is proposed that alternative methods of checking safeguarding knowledge be explored so renewal applications can be processed with appropriate checks in place where a safeguarding refresher is needed.
- 2.4 Decision around the licensing process are usually determined by the Environment and Licensing Committee, however, in order to protect staff and the public, this decision needs to be taken urgently, and there are no Committees running for the next couple of months due to Covid-19 restrictions. It is proposed that the Director of Health and Community Wellbeing takes this decision in accordance with the delegation of non-executive urgent decisions, in consultation with the Chair of Environment and Licensing Committee.

3 Alternative Options

- 3.1 The alternative option is to continue to deliver the knowledge and safeguarding tests in the current format during the Covid -19 pandemic.

This is clearly against government measures in respect of isolation and puts staff members and applicants at heightened risk of contracting the virus.

4 Financial Implications

4.1

5 Equality Impact

5.1 There are positive impacts on employees in respect to disability, age, and gender. Employees in these groups will be protected from unnecessary exposure to the viral infection through the policy decision proposed.

5.2 There may be negative financial impacts on a range of potential applicants who wished to apply for a taxi licence, however, positive impacts on those applicants in respect of disability, and age as they will not be placed in a situation that puts them at greater risk of contracting Covid-19. No further actions are recommended as a result of this equality impact review.

6 Appendices

6.1 None

6 Background Papers

6.1 No specific background papers have been identified but government guidance at <https://www.gov.uk/government/topical-events/coronavirus-covid-19-uk-government-response> has been relied on.

7 Reasons for Recommendations

7.1 To take proportionate action in relation to the current COVID-19 pandemic aimed at protecting the residents of the Borough and Council staff and to ensure that social contact is kept to an absolute minimum at Council premises during the pandemic, whilst still maintaining critical services.