

Report to Regulatory Panel

Agenda
Item:

A.1

Meeting Date: 27th May 2020
 Portfolio: Finance, Governance and Resources
 Key Decision: No
 Within Policy and Budget Framework YES
 Public / Private Public

Title: Covid-19 – Issues relating to Hackney Carriage and Private Hire Licensing

Report of: Corporate Director of Governance and Regulatory Services

Report Number: GD 19/20

Purpose / Summary:

The current COVID-19 pandemic and necessary social restrictions present a challenge to the Licensing Authority. The report outlines how we have initially addressed the issues in order to continue to provide a service to existing hackney carriage and private hire licence holders.

Recommendation:-

Members note the current position.

Tracking

Executive:	N/A
Scrutiny:	N/A
Council:	N/A

1. Background (guidance provided by Government, LGA and IOL)

- 1.1.** Carlisle City Council licenses 330 drivers who work in the hackney carriage and private hire industry. Many people rely on hackney carriages and private hire vehicles to transport them and whilst there has been a significant downturn in this activity as a result of the Covid-19 crisis, hackney carriages and private hire vehicles still remain a vital form of transport for many, including to and from hospitals, GPs and to go shopping.
- 1.2.** Dealing with 'every day' licensing issues has provided practical challenges with licensing staff working remotely. However, the service has been prioritised so that all existing licence holders continue to receive a timely service to enable them to continue to work if they have chosen to do so.
- 1.3.** The Office of National Statistics has reported that among men, a number of specific occupations were found to have raised rates of death involving COVID-19, these included: taxi drivers and chauffeurs (36.4 deaths per 100,000); bus and coach drivers (26.4 deaths per 100,000); chefs (35.9 deaths per 100,000); and sales and retail assistants (19.8 deaths per 100,000). It is important therefore that the licensing authority cascade relevant government advice and are able to assist licence holders in reducing the risk whilst they work by authorising the installation of screens in their vehicles in a timely manner.
- 1.4.** Relevant guidance has been produced to assist Licensing Authorities and by HM Government, the Local Government Association and the Institute of Licensing.

2. Administration of Licences

- 2.1.** All hackney carriage and private hire licences are granted for a limited period and require an application to renew or they will lapse. Those periods vary (a maximum of one year for a vehicle licence, 3 years for a driver's licence and 5 years for an operator's licence).
- 2.2.** We continue to accept renewal applications and can process and issue these renewal licences. We are not currently accepting application for new hackney carriage or private hire licences as we are not able to undertake the necessary face to face inspections, training and tests that are required. This is reviewed on a monthly basis.

3. Disclosure and Barring Service Checks

- 3.1.** The Licensing Authority are able to continue to process applications for enhanced DBS checks for licensed drivers. The DBS have amended their guidance to allow authorities to undertake verification of existing licence holders remotely. We are currently not able to process any new DBS applications as these require face to face contact.

4. GP Medicals

- 4.1.** Each licensed driver is required to have a Group 2 medical completed by their own GP on application and thereafter every 3 years for under 65-year olds and 1 year for over 65s. Carlisle GP practices have currently suspended occupational medicals initially for 3 months but likely to July at the earliest.
- 4.2.** Existing drivers, who would normally be due to produce medical evidence of fitness to drive, have been informed that this is suspended until further notice. However, they have been asked to complete a self-certification of their medical fitness and have been reminded of their responsibility to inform the licensing authority if there are any changes to their medical circumstances

5. Suspension of Tests -MOT/COC

- 5.1.** Licensed vehicles required periodical mechanical tests which are undertaken by the Council's mechanics at Bousteads Grassing. All tests were suspended from 11th April 2020 in order for the garage to focus their resources on the Council's fleet, particularly waste vehicles in order to enable the continuation of other essential services. Licence holders were informed of their responsibility to ensure that their vehicles were kept in a roadworthy condition. We are monitoring the situation with a review to reinstating the tests at the earliest possible date and will provide an update at the meeting.
- 5.2.** Members will be aware that HM Government announced in April that MOT's would be extended for a further 6 months. However under the Motor Vehicles (Tests) Regulations 1981 the Carlisle City Council holds a certificate issued by the Secretary of State evidencing that he is satisfied that the issue of the licence is subject to the licensed vehicle first passing an annual test and therefore exempting these vehicles from the requirement of holding an MOT. The council issues a Certificate of Compliance (COC) following the annual test.
- 5.3.** Unfortunately, COC's have not been afforded this 6 month extension and therefore those vehicles that have COCs expiring have been required to

obtain a MOT from an authorised garage during this period of suspension of tests.

6. Screens

- 6.1.** As detailed earlier in this report, the taxi and private hire trade have been identified as raised risk of death by the Office of National Statistics. The National Private Hire and Taxi Association in conjunction with the national trade newspaper Private Hire and Taxi Monthly (PHTM) are mounting a campaign staunchly in favour of the installation of as many protection screens into licensed saloon PHVs and taxis, and licensed minibuses, as is possible to help lower the transmission of the virus, to protect passengers and drivers alike.
- 6.2.** Carlisle Licensing Authority will support the installation of protective screens in licensed vehicles provided they are fit for purpose and of a safe standard. There is no requirement to make amendments to licence conditions, but licence holders are required to obtain permission for installation. A guidance note has been produced alongside a procedure for authorisation to ensure that licence holders are able to fit screens in their vehicles without unnecessary delay. (Appendix 1 – to follow)

7. Recommendations

That Members note the content of the report.

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Appendices

attached to report:

1. Guidelines for the installation of protective screens in licensed vehicles – to follow

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:

CORPORATE IMPLICATIONS:

LEGAL – NONE

FINANCE – NONE

EQUALITY – NONE

INFORMATION GOVERNANCE – NONE