

## TRAFFORD COUNCIL

**Report to:** Public Protection Sub-Committee  
**Date:** 17<sup>th</sup> September 2020  
**Report for:** Decision  
**Report of:** Head of Regulatory Services

### Report Title

**COVID-19 LICENSING TEAM SERVICE PLAN – PHASE 3**

### Summary

**A report that details the proposed operational/policy changes needed to the requirements in respect of MOTs and to confirm no changes to the Council's position on the New Driver Application Process from the 1<sup>st</sup> October 2020.**

**This follows the first phase emergency action plan which covered the months of April, May and June and which was approved on the 9<sup>th</sup> April 2020 under emergency powers by the Corporate Director, Place in consultation with the Chair, Vice-Chair and Opposition Spokesperson of the Committee and the Executive Portfolio Holder; and**

**The Phase 2 emergency action plan which was approved by the Public Protection Sub-Committee on the 25<sup>th</sup> June 2020 – see attached report at Appendix A.**

### Recommendation(s)

**It is recommended that the following proposals be approved:**

<b>Proposal</b>	<b>Details</b>	<b>Change Type</b>
1	It is proposed to continue to suspend all stages of the new driver application process until the 31 <sup>st</sup> December 2020. In advance of that date this will be reviewed to determine the position from the 1 <sup>st</sup> January 2021.	Operational
2	It is proposed that the Licensing Reception desk remains closed and Licensing Officers continue to attend the Town Hall only as required to print off driver badges and vehicle identification plates in respect of renewed, new or replacement driver and vehicle licenses. Hard copies to be sent to	Operational

	applicants by a secure postal delivery service. This process to be reviewed after three months.	
3	It is proposed that where the six monthly MOT on a licensed vehicle; or any extension granted to an MOT is due to expire on or after the 30 <sup>th</sup> September 2020 - the vehicle owner be required to provide an MOT certificate with no advisories. A new MOT certificate to be provided every six months in line with the Council's policy on the expiry dates of compliance certificates.	Policy

Contact person for access to background papers and further information:

Name: Joanne Boyle  
Extension: 4129

**1.0 Introduction**

- 1.1 The Council continues to require staff to work from home wherever possible.
- 1.2 This has required some operational/policy changes to the way that applications have been processed to facilitate home working and the expected demand for licences.
- 1.3 On the 9<sup>th</sup> April 2020 the first phase emergency action plan which covered the months of April, May and June was approved under emergency powers by the Corporate Director, Place in consultation with the Chair, Vice-Chair and Opposition Spokesperson of the Committee and the Executive Portfolio Holder.
- 1.4 A Phase 2 emergency action plan was approved by the Public Protection Sub-Committee on the 25<sup>th</sup> June 2020 – see attached report at Appendix A. The report referred to a number of changes which were to be reviewed before the 30<sup>th</sup> September 2020.
- 1.5 This report now seeks approval for proposed operational/policy changes needed to the requirements for MOTs and to confirm the current position in respect of the New Taxi Driver Application Process.

Driver (New Applications)

- 1.6 The Licensing Team has been dealing with a large backlog of new driver applicants. At the time of lockdown all individuals on the waiting list had been contacted and offered the opportunity to book onto the knowledge test which is the first stage of the application process. Since that last invitation was issued there have been an additional 328 expressions of interest logged on the Council's website from individuals wanting to apply for a licence. It is likely that this number will increase as lockdown is relaxed and the Government's furlough scheme ends.
- 1.7 In accordance with the Government's guidance on social distancing it was felt appropriate that all scheduled knowledge tests be cancelled. Those who were scheduled to attend a test were notified by email. It was also felt that by not

processing new applications this would potentially be of some support to the existing trade who have been significantly impacted by the crisis.

- 1.8 The new driver application process involves five stages: Stage 1 Knowledge Test; Stage 2 Documents Check and DBS Application; Stage 3 – Induction Course; Stage 4 Determination; Stage 5 Issue badges and licences. At each stage of the current process there is either a requirement for face-to-face interaction or access to equipment to produce badges.
- 1.9 Therefore, approval is sought to continue the suspension of all stages of the new driver application process until the 31<sup>st</sup> December 2020; to allow sufficient time for the existing trade to start to recover and to allow for further relaxations in respect of the social distancing rules to be introduced. Work is also currently underway to develop and implement alternative options for delivering key stages of the application process remotely, particularly in respect of the knowledge test and induction course (**Proposal 1**).

#### Hardcopy Badges and Vehicle Identification Plates

- 1.10 It is proposed that the Licensing Reception desk remains closed and Licensing Officers continue to attend the Town Hall only as required to print off driver badges and vehicle identification plates in respect of renewed, new or replacement vehicle licences and renewed driver licences. Hard copies to be sent to applicants by a secure postal delivery service. This process to be reviewed after three months (**Proposal 2**).

#### MOT Certificates

- 1.11 In April the Government relaxed the rules on MOTs stating that any MOT expiring after the 30<sup>th</sup> March 2020 was extended for six months. It was agreed as part of the interim measures taken in April that where the MOT of a licensed vehicle was due to expire in April, May, June 2020 there was no requirement to produce an MOT to the Licensing Team and that this applied until at least 30<sup>th</sup> September 2020.
- 1.12 The Government recently announced that MOTs expiring between 30<sup>th</sup> March and 31<sup>st</sup> July would be automatically extended for six months. **Example:** if a vehicle's MOT was due to expire on 3 April 2020 this will automatically be extended to 3 October 2020.
- 1.13 Officers have reviewed the situation, including the increased availability of MOT testing services, and whilst there is a wish to support the trade at this difficult time, the Council has a duty to ensure that all vehicles it licenses are safe. The Council also wishes to ensure that its historically high vehicle standards are maintained. Therefore, it is proposed that where the six monthly MOT on a licensed vehicle; or any extension granted to an MOT is due to expire on or after the 30<sup>th</sup> September 2020 - the vehicle owner be required to provide an MOT certificate with no advisories. A new MOT certificate to be provided every six months in line with the Council's policy on the expiry dates of compliance certificates (**Proposal 3**).

# APPENDIX A

## TRAFFORD COUNCIL

Report to: Public Protection Sub-Committee  
Date: 25<sup>th</sup> June 2020  
Report for: Decision  
Report of: Head of Regulatory Services

### Report Title

**COVID-19 LICENSING TEAM SERVICE PLAN – NEXT PHASE**

### Summary

A report that details the proposed operational/policy changes needed to continue the delivery of the taxi licensing aspects of the Licensing Service during the coronavirus pandemic from the 1<sup>st</sup> July 2020.

This follows the first phase emergency action plan which covered the months of April, May and June and which was approved on the 9<sup>th</sup> April 2020 under emergency powers by the Corporate Director, Place in consultation with the Chair, Vice-Chair and Opposition Spokesperson of the Committee and the Executive Portfolio Holder.

### Recommendation(s)

<b>It is recommended that the following proposals be approved:</b>		
<b>Proposal</b>	<b>Details</b>	<b>Change Type</b>
1	It is proposed that all Hackney Carriage and Private Hire Driver Licences expiring after the 1 <sup>st</sup> July 2020 be processed as renewals via an on-line renewal form on the Council's website. Drivers will be required to pay the renewal application fee and then upload electronic copies of all required documents; including a medical signed by the driver's own doctor (where required) and confirmation that the driver has completed an on-line DBS Check Form (where required)	Policy
2	A medical certificate signed by the driver's own doctor will be required in the first instance. However, it is proposed that where a driver is unable to provide a medical certificate because of the current Covid 19 restrictions; the driver may complete the on-line medical self –certification	Policy

	form which will be valid until the 31 <sup>st</sup> December 2020. After this date the driver will be required to provide a satisfactory medical certificate signed by his own doctor.	
3	It is proposed that drivers who are due a DBS check between the 1 <sup>st</sup> July 2020 and the 31 <sup>st</sup> December 2020 be required to complete an on-line DBS Check form prior to renewal of their hackney carriage/private hire driver's licence. In advance of the 31 <sup>st</sup> December date this will be reviewed to determine the position from the 1 <sup>st</sup> January 2021.	Operational
4	It is proposed to continue to suspend all stages of the new driver application process until the 30 <sup>th</sup> September 2020. In advance of that date this will be reviewed to determine the position from the 1 <sup>st</sup> October 2020.	Operational
5	It is proposed that all Hackney Carriage and Private Hire Vehicle Licences expiring after the 1 <sup>st</sup> July 2020 be processed as renewals via an on-line renewal form on the Council's website. Owners will be required to pay the renewal application fee and then upload electronic copies of all required documents. All applications for new vehicle licences; transfers and replacement vehicles will be processed in a similar way via an on-line form from the 1 <sup>st</sup> July 2020.	Policy
6	It is proposed that on each day of the week Monday to Thursday a Licensing Officer will attend the Town Hall to print off driver badges and vehicle identification plates required in respect of renewed, new or replacement driver and vehicle licenses and these will be sent to applicants by a secure postal delivery service. This process to be reviewed after three months.	Operational
7	It is proposed that where the MOT of a licensed vehicle is due to expire in July, August, September 2020 there is no requirement to produce an MOT to the Licensing Team and that this will apply until at least 30 <sup>th</sup> September 2020. This position will be reviewed in advance of 30 <sup>th</sup> September 2020 to determine future arrangements in respect of MOTs.	Policy

Contact person for access to background papers and further information:

Name: Joanne Boyle  
Extension: 4129

## **1.0 Introduction**

- 1.1 In line with Government guidance to businesses on Coronavirus (COVID-19) the Council has instructed all staff to work from home wherever possible. Consequently, from the 23<sup>rd</sup> March 2020 the Licensing Team has been working from home.
- 1.2 This required some operational/policy changes to the way that applications were processed to facilitate home working and the expected demand for licences.
- 1.3 On the 9<sup>th</sup> April 2020 the first phase emergency action plan which covered the months of April, May and June was approved under emergency powers by the Corporate Director, Place in consultation with the Chair, Vice-Chair and Opposition Spokesperson of the Committee and the Executive Portfolio Holder. See Appendix A
- 1.4 This report now seeks approval for proposed operational/policy changes needed to continue the delivery of the taxi licensing aspects of the Licensing Service from the 1<sup>st</sup> July 2020.

## **2.0 Premises Licences & Others**

- 2.1 The following application processes have moved online: licensed premises etc./ gambling premises etc./ charitable collections/ second hand dealers/ scrap metal dealers/ sex establishments/ marriage approvals.
- 2.2 The transition to online working in respect of these types of applications has been relatively straightforward as the majority were already received electronically either fully or in part. Payments can also be facilitated electronically or over the telephone. It is felt that these processes can be managed with little disruption provided staff numbers remain at the current level.
- 2.3 Where objections are raised against premises licence applications which would require consideration by the Licensing Sub-Committee, hearings will continue to be held in accordance with The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 which includes the ability to hold remote hearings, hold hearings as and when the Local Authority determines but to also alter the frequency, move or cancel meetings.

## **3.0 Taxis and Private Hire Licences**

In an attempt to return to business as usual as far as is possible, but with a more efficient and streamlined approach, it is proposed that application processes be permanently moved on-line with remote submission of forms and copies of relevant documents.

### Driver (Renewal Applications)

- 3.1 It is proposed that all Hackney Carriage and Private Hire Driver Licences expiring after the 1<sup>st</sup> July 2020 be processed as renewals via an on-line renewal form on the Council's website. Drivers will be required to pay the renewal application fee and then upload electronic copies of all required documents; including a medical signed

by the driver's own doctor (where required) and confirmation that the driver has completed an on-line DBS Check Form (where required) **(Proposal 1)**.

- 3.2 In order to facilitate the processing of on-line applications a number of changes are required to the current application procedures.

#### Medical Checks

- 3.3 Drivers are still experiencing difficulty accessing their GP surgeries in the current crisis. It is proposed that in the first instance drivers be asked to provide a medical certificate signed by their own doctor; however, where the driver is unable to provide this they may complete the on-line medical self –certification form which will be valid until the 31<sup>st</sup> December 2020. After this date the driver will be required to provide a satisfactory medical certificate signed by his own doctor **(Proposal 2)**.

#### DBS Checks

- 3.4 The previous procedure required drivers to complete a hardcopy unique DBS application form. Officers would verify the driver's details by checking original documents at a face-to-face appointment and the form was then posted to the DBS. The DBS certificate could take several weeks to be issued and so it was policy to renew the driver's licence without having seen the latest certificate. It has not been possible to carry out these checks manually. The Licensing Team have been successfully using an on-line solution which allows drivers to deal remotely with a third party company to acquire their DBS. There is a small additional cost of £8.00, to the driver but in the majority of cases the DBS is produced in a much shorter time. Therefore, it is proposed that drivers who are due a DBS check between the 1<sup>st</sup> July 2020 and the 31<sup>st</sup> December 2020 be required to complete an on-line DBS Check form prior to renewal of their hackney carriage/private hire driver's licence. In advance of that date this will be reviewed to determine the position from the 1<sup>st</sup> January 2021**(Proposal 3)**.

#### Procurement Implications

- 3.5 The value of the concession contract to the Service Provider for the duration of the extended period is £1 560.00. In accordance with the Contract Procedure Rules (CPRs) in the Council's Constitution a contract with a value between £0-- £4999 for the procurement of goods, services and concessions can be awarded based on a single quotation. The Service Provider has given a Quotation of £8 per check and multiplying that rate with the number of checks it would yield a contract price of no more than £4999.00.
- 3.6 It should be noted that this is not a contract for the procurement of services within the meaning of the Public Procurement Regulations 2015. This will be subject to a service concession agreement. A service concession is a contract in which the commissioner of the services does not pay the contract price to the Service Provider. In a service concession, which this is, the Service Provider uses the subject matter of the contract to get payment. In this case, the taxi drivers who use the online service provided by the Service Provider pay a DBS check fee, part of which the Service Provider uses as the contract price. The Council does not pay anything. Its contractual obligation is limited to providing an opportunity, through the commission, for the Service Provider to use the subject matter of the contract.

### Driver (New Applications)

- 3.7 The Licensing Team has been dealing with a large backlog of new driver applicants. At the time of lockdown all individuals on the waiting list had been contacted and offered the opportunity to book onto the knowledge test which is the first stage of the application process. Since that last invitation was issued there have been an additional 328 expressions of interest logged on the Council's website from individuals wanting to apply for a licence. It is likely that this number will increase as lockdown is relaxed and the Government's furlough scheme ends.
- 3.8 In accordance with the Government's guidance on social distancing it was felt appropriate that all scheduled knowledge tests be cancelled. Those who were scheduled to attend a test were notified by email. It was also felt that by not processing new applications this would potentially be of some support to the existing trade who have been significantly impacted by the crisis.
- 3.9 The new driver application process involves five stages: Stage 1 Knowledge Test; Stage 2 Documents Check and DBS Application; Stage 3 – Induction Course; Stage 4 Determination; Stage 5 Issue badges and licences. At each stage of the current process there is either a requirement for face-to-face interaction or access to equipment to produce badges.
- 3.10 Therefore, approval is sought to continue the suspension of all stages of the new driver application process until the 30<sup>th</sup> September 2020; to allow sufficient time for the existing trade to start to recover and to allow for further relaxations in respect of the social distancing rules to be introduced. This will also allow time for officers to explore delivering the process remotely, particularly in respect of the knowledge test and induction course (**Proposal 4**).

### Vehicle (New & Renewal Applications)

- 3.11 It is proposed that all Hackney Carriage and Private Hire Vehicle Licences expiring after the 1<sup>st</sup> July 2020 be processed as renewals via an on-line renewal form on the Council's website. Owners will be required to pay online the renewal application fee and then upload electronic copies of all required documents. All applications for new vehicle licences; transfers and replacement vehicles will be processed in a similar way via an on-line form from the 1<sup>st</sup> July 2020 (**Proposal 5**).

### Hardcopy Badges and Vehicle Identification Plates

- 3.12 It is proposed that on each day of the week Monday to Thursday a Licensing Officer will attend the Town Hall to deal with administrative matters including printing off driver badges and vehicle identification plates required in respect of renewed, new or replacement driver and vehicle licences. These will then be sent to applicants via a secure postal delivery service. This will be reviewed after three months to determine the effectiveness and security of the process (**Proposal 6**).

### MOT Certificates

- 3.13 The Government has relaxed the rules on MOTs stating that any MOT expiring after the 30<sup>th</sup> March 2020 is extended for six months. It was agreed as part of the interim measures taken in April that where the MOT of a licensed vehicle was due to expire in April, May, June 2020 there was no requirement to produce an MOT to the Licensing Team and that this applied until at least 30<sup>th</sup> September 2020. The



suspension of the requirement for MOTs is on-going with no end date. This would mean that if an MOT expires in May/June/July it is auto extended for 6 months until November/December/January. Whilst there is a wish to support the trade at this difficult time, there is still a requirement for local authorities to ensure that licensed vehicles are safe and there would be a desire to review this position sooner. Therefore, it is proposed to require that where the MOT of a licensed vehicle is due to expire in July, August, September 2020 there is no requirement to produce an MOT to the Licensing Team and that this will apply until at least 30<sup>th</sup> September 2020. This position will be reviewed in advance of the 30<sup>th</sup> September 2020 to determine future arrangements in respect of MOTs. **(Proposal 7).**

#### **4.0 ALTERNATIVE OPTIONS**

4.1 Before arriving at the proposal outlined above an alternative option was also considered with respect to driver and vehicle renewals.

#### **4.2 Continue with Temporary Extensions to Vehicle and Driver Licences**

Consideration was given to this option, which would in effect be a repeat of the approach taken in the April 2020 report. On balance it was felt that because the Licensing Team has largely adapted service provision to the realities of the lockdown it is now in a better position to service these renewals as they become due. By doing this it will maintain these licence holders within their regular renewal cycle rather than adding to a significant future spike in demand which would occur if further applications to extend were granted.