



ST HELENS
BOROUGH COUNCIL

Licensing and Environmental Protection Committee

9 December 2020

Report Title:	Licensing Service Operation
Cabinet Portfolio	Safer, Stronger Communities
Cabinet Member	Cllr Jeanie Bell
Exempt Report	No
Reason for Exemption	N/A
Key Decision	No
Public Notice issued	N/A
Wards Affected	All Wards
Report of	Lisa Harris Executive Director, Place Services Email - LisaHarris@sthelens.gov.uk
Contact Officer	Lorraine Simpson Licensing Manager Email - LorraineSimpson@sthelens.gov.uk Tel - 01744 675349

<p>Borough priorities</p> <p>Please mark X for any priority supported by this report</p> <p>NB Use Section 4 - Background Information to explain how each selected priority is supported</p>	Ensure children and young people have a positive start in life	
	Promote good health, independence and care across our communities	
	Create safe and strong communities for our residents	X
	Support a strong, diverse and well-connected local economy	X
	Create a green, thriving and vibrant place to be proud of	
	Be a modern, efficient and effective Council	X

1. Summary

- 1.1 To request Members' permission to delegate authority to the Licensing Manager on a limited number of issues in order to improve service delivery during the ongoing COVID19 pandemic. These proposed delegations will also facilitate more productive working practices for the future.

2. Recommendations for Decision

- 2.1 Licensing & Environmental Protection Committee **is recommended to:**

i) delegate authority to the Licensing Manager on a limited number of issues in order to improve service delivery during the ongoing COVID19 pandemic.

3. Purpose of this Report

Maintaining Service Delivery during COVID19

- 3.1 The recent COVID19 pandemic and the necessary changes this has brought to working practices in licensing has given cause to consider some of our existing arrangements.
- 3.2 Members are aware of the implications of the new statutory guidance on Statutory Taxi and Private Hire Vehicle Standards published recently and the additional responsibilities this will place upon the Licensing Authority.
- 3.3 It is also likely that these changes will generate more matters for consideration by the Committee.
- 3.4 As such, Licensing officers in consultation with Legal have reviewed our current arrangements and considered some areas which would benefit from a change in arrangements to improve service delivery.

4. Background/Reasons for the recommendations

Proposed Delegations to the Licensing Manager

4.1 Members are requested to delegate authority to the Licensing Manager on the following 6 issues:

- The power to issue a warning to those licensed drivers who have accumulated 6 points on their licence. Legal will be consulted in relation to any proposed warning and where deemed appropriate, such as where there are aggravating factors, the driver will still be referred to Committee for determination notwithstanding that they only have 6 points on their licence.
- The power to accept photographs of documents instead of originals for applications whilst the Licensing service is still operating from a closed building or remotely, as per government guidance. This would not apply to new applicants who will still be required to send original documents to Licensing by recorded delivery, in order for their application to be processed.
- The power to require licensed drivers to sign up to the online DBS update service, unless there is a genuine reason presented for being unable to do this. Drivers have been advised for over 12 months that this was likely to become a requirement and is referenced in the new Statutory Guidance: *'All licensed drivers should also be required to evidence continuous registration with the DBS update service to enable the licensing authority to routinely check for new information every six months'*.
- The power to accept a signed declaration from an existing driver where there are unavoidable delays in obtaining medical appointments or the return of the DBS certificates due to the ongoing problems with the COVID19 pandemic. The driver would still be required to obtain the medical and/or DBS certificate as soon as this becomes possible.
- The power to defer the requirement for a medical for up to 12 months for existing drivers, if they are unable to obtain medical appointments due to ongoing problems with the COVID19 pandemic. This would be subject to a signed declaration from the driver that there have been no changes to their medical condition/health since their last medical.
- The power to approve a new vehicle model or seating arrangement to the existing licensed fleet where there are no significant changes from existing licensed models and this would present no obvious public safety concerns. Should any public safety concerns be identified, this would still be referred to Committee for determination.

5 Conclusions

5.1 Members are recommended to consider granting the requested delegations to the Licensing Manager in order to improve service delivery, due to the ongoing COVID19 pandemic.

6. Implications

6.1 Legal Implications – Nil

6.2 Community Impact Assessment (CIA) Implications - NA

6.3 Social Value - NA

6.4 Sustainability and Environment - NA

6.5 Health and Wellbeing - NA

- 6.6 Equality and Human Rights – Nil
- 6.7 Customers and Residents – There are no implications that would impact on customers or residents.
- 6.8 Asset and Property - Nil
- 6.9 Staffing and Human Resource - Nil
- 6.10 Risks - Nil
- 6.11 Finance - Nil
- 6.12 Policy Framework Implications – Nil