

# Report to Licensing Committee

## Decision taken in respect of hackney carriage/ private Hire driver training requirements

4 June 2020

### Report of Licensing Manager

#### PURPOSE OF REPORT

The report is for information, to notify the committee of an urgent decision taken by the Chief Executive in consultation with the Chair of Committee in respect of hackney carriage/ private hire driver training requirements.

#### RECOMMENDATIONS

1. That the report is noted.

#### 1.0 Introduction

1.1 The report attached as **Appendix 1** is a report prepared for the Licensing Committee scheduled to take place on 19 March 2020. The meeting was cancelled due to Government guidance issued at that time. The report was seeking an amendment to driver training requirements.in particular

- That as a result of Btec awarding body deciding to withdraw the Btec level 2 taxi driver qualification. An alternative equivalent qualification from another awarding body ie City and Guilds be substituted as a requirement for new hackney carriage/ private hire driver applicants
- That a revised format for the driver knowledge test be approved
- That new driver applicants who have achieved a level 2 qualification with an identical unit content as the City and Guilds qualification be exempted from retaking those modules. No exemption was to be given in respect of the driver knowledge test or Lancaster Child Sexual exploitation requirements

#### 2.0 Decision/ Action Taken

2.1 On 19 March the Chief Executive in consultation with the Chair of the Licensing Committee considered the documents attached at **Appendix 1**. The decision was that the recommendations contained within that report were approved

2.2 The matter was considered as urgent for the following reason: the imminent cessation of the Btec qualification meant that a replacement approved training course needed to facilitate hackney carriages/ private hire driver applicants completing the driver

application process. The next Committee meeting ie this meeting was scheduled to take place after the Btec qualification had been withdrawn and after the scheduled training course expected to commence at the beginning of May. Delaying a person ability to complete a driver application process could be seen as a welfare issue for that individual and was therefore considered as an urgent matter

- 2.3 The subsequent decision to go into lockdown on 23 March, may give rise to question the urgency of the decision taken on 19 March. However the Government's decision to move to lockdown was taken several days after this decision was made.

### **3.0 Council Policy and Legislation**

- 3.1 Part 2 section 7 page 50 of the Council Constitution outlines how matters of urgency can be dealt with and gives the following delegations to the Chief Executive

#### **Matters of Urgency**

To authorise any action reasonably necessary to protect the health, safety or welfare of individuals or the safety of property.

Where it is necessary for any function of the Council or one of its committees to be discharged and it is impracticable or impossible, by means of urgency for the matter to be considered by the Council or such committee, to take such action as they consider appropriate, in consultation as far as is practicable with the Mayor and group leaders in respect of a Council function or the relevant committee Chair in respect of a matter within the Terms of reference of a Council Committee

- 3.2 Furthermore the constitution requires that a report be prepared for the next Committee meeting recording the urgent circumstances which made the action necessary and detailing the action taken

### **4.0 Conclusion**

- 4.1 The detail as to the relevant considerations in the decision making are attached in **Appendix 1** namely the report considered by the Chief Executive in consultation with the Chair of Committee. This report is for information, but also provides transparency regarding the decision-making process.

<b>CONCLUSION OF IMPACT ASSESSMENT</b> <b>(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)</b>
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As set out in original report
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<b>FINANCIAL IMPLICATIONS</b>
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As set out in original report
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**LEGAL IMPLICATIONS**

These are detailed in the report in respect of the relevant Constitutional requirements

**BACKGROUND PAPERS**

None

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