

**Committee: General Licensing Committee**

Date of meeting: 18<sup>th</sup> October 2021

Report Subject: Activities Report for 2020/21 and 2021/22 (Q1 & Q2)

Portfolio Holder: Planning, Regulatory and General Licensing Committee

Report Submitted by: David Thompson, Service Manager – Public Protection

Report Written by: Helen Jones, Senior Licensing Officer

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	General Licensing Committee
29.9.21	30.9.21							18/10/2021

**1. Purpose of the Report**

1.1 To update the Planning, Regulatory and General Licensing Committee on the work of the Licensing Team during the Covid pandemic period of April 2020 to March 2021 and April 2021 to September 2021 (quarter 1 and quarter 2).

**2. Scope and Background**

2.1 This report outlines the licensing work only of the Licensing Team for two periods - 1<sup>st</sup> April 2020 to 31<sup>st</sup> March 2021 and 1<sup>st</sup> April 2021 to 30<sup>th</sup> September 2021 (quarter 1 and quarter 2). Details of the activities completed during these periods are attached as **Appendix 1** although the format is slightly different to that which is normally presented to Members.

2.2 The appendix includes information on applications processed and Committee hearings, however it is presented as a full year for 2020/21 and the first two quarters of 2021/22 but not a breakdown of each quarter. The figures for previous years are also included however figures for 2019/2020 are only available until quarter 3).

## 2.3 Impact of COVID 19

2.3.1 In order to continue to administer the statutory licensing functions during the global pandemic, staff and the licensed trade had to adapt quickly to changes in staffing and working practices.

2.3.2 This included:

### Staffing and Duties

1. Officers being called upon to contact persons who were shielding and give advice and reassurance that their needs would be met, and to contact persons who had been in contact with a positive Covid case and give them advice.
2. Officers being required to provide comprehensive information of the licensed taxi trade and licensed premises trade to those teams who were heavily involved in the Covid response.
3. The Licensing Enforcement Officer being temporarily redeployed to support the Track, Trace and Protect (TTP) team and then further required to support Trading Standards Officers as part of the COVID enforcement and advice to business response.
4. A Licensing Officer being partially seconded to assist Business Support functions during this period and that post being backfilled with an Agency Officer. Two Licensing Officers also temporarily extended their working hours from part time to full time during this period.
5. Changes to the management of the team.

2.3.3 Working Practices :

1. Normal practice of submitting and processing licence applications via face to face contact was suspended at this time and applications could only be submitted during the pandemic by email or online. This proved difficult for both staff and licensees as many licence holders did not

possess email addresses or were not computer literate to be able to submit their application. The changes took some time to become fully operational but most licence holders now prefer to submit applications electronically and the process is smooth and efficient.

2. Vehicle licence renewal applications continued to be processed throughout both periods, however, between March and August 2020, the Council's vehicle examiner was unable to carry out MOT and taxi tests. Therefore, to enable licences to be renewed and allow them to continue to provide essential services, licences were being issued and the mechanical fitness tests carried out at a later date when the restrictions relating to MOT stations were lifted, on 1<sup>st</sup> August 2020. This resulted in double the workload for the licensing officer as, effectively, each renewal application received between March and August 2020 needed to be processed twice - initially to check the application, take the fee and issue the licence and then at a later date, make the appointment with the garage, issue the official order form and then issue the licence plates. Both processes would normally be carried out at the same time. This in turn caused a backlog processing the licence renewals due between September 2020 and January 2021.
3. The Council's main cash desk, based in the Civic Centre, has been closed from March 2020 and has not re-opened, so the preferred method of payment is now by credit or debit card via the Council's paye.net system. Licensing staff have been using the system since approximately 2014 and use it on a regular basis. However, with the closure of the cash office and the inability for licence holders, the taxi trade in particular, to make cash payments, the majority of licence payments are now being taken by licensing officers by card on the telephone. This has increased workload for officers as a typical payment takes 15 to 20 minutes to process and update the relevant records. Whilst it is difficult to make a comparison with previous years, licensing staff processed 428 payments in 2020/21 and 302 in 2021/22.

4. Staff have for a period of time, had limited access to equipment and buildings causing some processes to be temporarily put on hold.
5. New systems such as the implementation of the electronic mail system brought challenges in respect of time sensitive correspondence and new communication methods between Officers has been challenging at times. Lack of face to face contact and the inability to attend an office base was inevitably a difficult period of the Team.

2.3.4 Due to the forthcoming closure of the Civic Centre, Public Protection staff have now vacated the building and all members of staff are contracted as 'Agile' workers. The Licensing Team has however been allocated a base in Anvil Court, Abertillery, in order that they can attend the office on a regular basis to print licences, taxi licence plates, driver licence badges and other items which cannot be processed and sent electronically.

2.3.5 Despite the significant challenges, staff have adapted and adjusted well to the new way of working, creating new filing and recording systems while dealing with their own mental health issues, supporting their families and finding a new work life balance.

### 3. **Operational Report**

#### 3.1 **Hackney and Private Hire Vehicle Licensing**

3.2 2020/21 – approximately 128 applications received and processed for vehicle licences, eight of which were new vehicles. Seven applications for driver licences, three of which were new applications, were received. One driver application was referred to this committee and granted. Few driver licences were due for renewal in 2020/21 as licences are issued for three years and the majority are due to expire between 1<sup>st</sup> October 2021 and 30<sup>th</sup> September 2022.

2021/22 – so far this year, 52 vehicle applications have been received and processed, seven of which were in respect of new vehicles. Twelve driver licence applications have been received, two of which were new applications. Licensing Officers have started sending licence renewal reminder letters

to those drivers whose licence will expire from 1<sup>st</sup> October 2021 and some applications have already been received.

- 3.3 Eight complaints, allegations and intelligence reports were received during 2020/21 in relation to taxi drivers. Complaints included alleged assaults, inappropriate behaviour and threats to persons and property. One complaint was received in respect of a hackney carriage licence.
- 3.4 Five of the cases were investigated in accordance with the Council's Professional Strategy Meeting procedures, where discussions are held between Blaenau Gwent Licensing and Social Services officers, together with Gwent Police safeguarding teams. No further action was taken in respect of two cases, however a letter of warning was issued to both drivers. One case was referred to this Committee, which resulted in the licence being retained but with a letter of warning. Two cases were revoked by officers using the immediate power of revocation.
- 3.5 One case was referred to Gwent Police due to the nature of the allegations made. The matter was fully investigated by the Police and reported to the Council, which resulted in a letter of warning being issued.
- 3.6 Two cases were investigated by Licensing Officers, where no further action was required although letters of warning were issued.
- 3.7 An appeal was heard at Gwent Magistrates' Court in June 2020 following a previous Committee decision in 2019 to revoke a driver's licence, which resulted in the Court upholding the Committee's decision.
- 3.8 No meetings were held with the local Taxi Association in 2020/21, however one was held in 2021/22 to discuss the changes being implemented by the Department for Transport and the Welsh Government.
- 3.9 In June 2021, a report was presented to the Committee to consider introducing 6 months enhanced Disclosure and Barring Service (DBS) checks on taxi drivers. This was as a result of the recommendations made by both the Department for

Transport and the Welsh Government to introduce a number of standards across the taxi licensing regime to ensure the continued safety of taxi passengers. The committee agreed to the introduction of the more regular DBS checks and took immediate effect. The remainder of the standards suggested are currently in force in Blaenau Gwent, although some modifications are required. Changes will be made to the Council's taxi policy and a consultation will be carried out towards the end of 2021. This will be reported to the Committee in due course.

- 3.10 A pilot to introduce a 'green taxis' leasing scheme for existing Blaenau Gwent taxi drivers has been approved by the Cardiff Capital Region (CCR). The scheme is to encourage vehicle proprietors to consider purchasing electric vehicles in the future. Installation of electric charging points has commenced and the vehicles have been delivered, however, the final details regarding the vehicle licensing process has yet to be determined due to delays by the CCR to appoint an appropriate management company. This is expected to be finalised early October 2021 and the vehicles can then be licensed and offered for lease for 30 day contracts.

#### 4. **Street Trading**

- 4.1 2020/21 - two permanent street trading renewal applications and three new applications were received and issued in relation to street trading. One temporary street trading consent was received and issued. There were no complaints received.

2021/22 – two renewal applications and six new applications were received and issued and three temporary consents. No complaints were received.

#### 5. **Charity Collections**

- 5.1 No applications have been accepted or processed in relation to charity collections in either period. This is due to the restrictions on face to face interaction due to the pandemic. However, enquiries have now increased and if restrictions allow, applications will be accepted and processed going into the second half of 2021/22.

## 6. **Scrap Metal**

- 6.1 Four applications for renewal of scrap metal collectors and four scrap metal site licences were received in 2020/21 and one new application for a scrap collector licence was received.
- 6.2 One complaint was received directly by the Licensing Team in 2020/21 and three complaints were received by Environmental Health in 2021/22 which resulted in Licensing Officers carrying out appropriate investigations.
- 6.3 Enquiries made from another local authority in 2021/22 in relation to a scrap metal collector licensed by Blaenau Gwent Council led to an investigation and interview of the licensed collector which resulted in a letter of warning being issued.

## 7. **Freedom of Information (FOI) requests**

- 7.1 2020/21 - nine FOI requests were received during the year, all relating to taxi licensing matters requesting information relating to matters such as complaints during Covid, lists of licensed vehicles, driver convictions. One request was received in relation to scrap metal licences.

2021/22 – eight FOIs were received, all relating to taxi matters for similar reasons as those requested in 2020/21.

## 8. **Inspection and Enforcement Activities**

- 8.1 Since the pandemic began, the regular weekly requests for spot check tests of taxis ceased and so far has not yet recommenced. When they do, these tests are carried out to MOT standards to ensure that licensed hackney carriage and private hire vehicles continue to be road worthy.
- 8.2 No visits were made in 2020/21 to any taxi ranks in the borough however visits have now recommenced in the second quarter of 2021/22. These visits will now continue on a regular basis.

## 9. **Management Report**

### 9.1 **Policies**

9.2 The Department for Transport and the Welsh Government have issued standards relating to hackney carriage and private hire vehicle licences be introduced in England and Wales. As a result, the Council's current taxi policy will be amended and consulted on in the latter part of 2021/22.

### 10. **Fees**

10.1 Prior to the Covid pandemic, licence fees were reviewed in the third quarter of 2019/20 with a view to reporting the proposals to the Committee in March 2020 and the review identified an increase in fees for 2020/21. However, the meeting was cancelled due to the national lockdown and a decision was later made not to increase any licence fees for 2020/21.

10.2 In January 2021, the fees were again reviewed and a potential increase for 2021/22 was calculated for consideration of full cost recovery. This was reported to the Committee in February 2021 but it was agreed that no increase would be made for 2021/22.

### 11. **Complaints**

11.1 There have been no formal complaints about the work of the team in either period.

### 12. **Options for Recommendation**

#### 12.1 **Option 1**

That the committee note and comment on the contents of this report, or;

#### **Option 2**

That the committee note the activity report for this quarter.



4. **Evidence of how does this topic supports the achievement of the Corporate Plan/Statutory Responsibilities/Blaenau Gwent Well-being Plan**

4.1 This report relates to the statutory duties and responsibilities of the Authority.

4.2 Links to the Corporate Plan and the Well-being Plan are covered in any reports implementing or varying any area of work delivered by the Licensing Team. Whilst this report is predominantly for information, aspects link to the Corporate Plan specifically in relation to “Strong & Environmentally Smart Communities”, “Economic Development & Regeneration” and “Efficient Council”.

Visit here: [Corporate Plan 2018-22.pdf \(blaenau-gwent.gov.uk\)](#)

5. **Implications Against Each Option**

5.1 This report reflects work carried out by the Licensing team within existing resources, and there are therefore no financial implications.

5.2 The main risk to the Authority is reputational should efficient and effective licensing enforcement not be delivered.

5.3 This report relates to the statutory powers and responsibilities of the authority, and no significant legal impact is identified .

5.4 There are therefore no staffing/workforce implications identified in this report.

6. **Supporting Evidence**

6.1 Details of the activities completed 2020/21 and the first half of 2021/22 are attached as **Appendix 1**.

7. **Monitoring Arrangements**

7.1 The Licensing team will continue to monitor workloads and report to future committees.

## **Background Documents /Electronic Links**

- Appendix 1 – comparison table