

Record of Officer Decision

This form is the written record of a key or significant operational decision taken by an officer.

Decision type	<input type="checkbox"/> Key Decision	<input checked="" type="checkbox"/> Significant Operational Decision
Contact person:	Andrew White Taxi & Private Hire Licensing Manager	Telephone number: 0113 3781562
Subject¹:	The Chief Officer Elections and Regulatory approved the renewal of taxi and private hire vehicle licences without a vehicle inspection, and in limited cases, six months beyond the normal licence period of that vehicle	
Decision details:	What decision has been taken? ²	
	<p>To offer licence holders the chance to apply for a licence for the remaining period of their licence or for 1 year with a check of the vehicle's inspection and MOT history and if that history is acceptable, request for a new MOT instead of a vehicle inspection.</p> <p>To offer licence holders whose vehicle would normally be at the end of its licence period, a further 6 months licencing, with a check of the vehicle's inspection and MOT history and if that history is acceptable, request for a new MOT instead of a vehicle inspection.</p>	
	<p>A brief statement of the reasons for the decision³</p> <p>On 24 March, aware of the council's decision to close all non-essential services, the council made a significant operational decision to renew existing taxi and private hire licences for drivers, vehicles and operators expiring (during the period 23 March to 13 June) to 30 June 2020.</p> <p>Under this instruction, around 907 vehicle licences have been extended for a period of between 3 and 14 weeks, with no application form required, no checks made before the licence was issued, and no fees requested. No applications for new vehicles have been accepted, and no vehicle inspections (which normally take place for vehicles when first licensed then all vehicles once they reach 7 years) can take place until the lockdown is relaxed.</p>	

¹ If the decision is key and has appeared on the list of forthcoming key decisions, the title of the decision should be the same as that used in the list

² Set out all necessary decisions to be taken by the decision taker including decisions in relation to exempt information, exemption from call in etc.

³ Include any significant financial, procurement or legal implications

The council needs to decide how to deal with those vehicles aged 7 years and older licences extended for a short period in March, April and May, as well as those expiring in June and beyond.

It is considered a fair and proportionate response to offer licence holders an opportunity to apply to renew their licence but following a check of the vehicle's inspection and MOT history, and if that is acceptable, and represents a vehicle proactively maintained, then receipt of a new MOT, rather than a full vehicle inspection by an accredited taxi and private hire licensing vehicle examiner.

Vehicles aged 7 years or older will be passed and relicensed if first the inspection history is positive and the MOT is received. Vehicles will be 'failed' if the inspection history and MOT history is not positive, and does not provide confidence that the vehicle will be maintained in a safe and suitable condition. It is possible, depending on the age of the vehicle that the vehicle could be inspected once the taxi licensing garage is open.

Vehicles will also be licensed for 6 months longer than they would normally be (10 years for most vehicles, 12 years for ultra low emission vehicles and wheelchair accessible hackney carriages, provided the vehicle's inspection history and MOT history is positive and new MOT received. Vehicles will be failed if the inspection history is not positive, and does not provide confidence that the vehicle will be maintained in a safe and suitable condition.

Vehicle owners will not be required to pay an inspection fee, for as long as the taxi and private hire licensing service is not in a position to inspect vehicles. Any inspection fees already received for inspections which have not taken place will be refunded. The council will charge an administrative fee for the vehicle inspection and MOT history check.


Brief details of any alternative options considered and rejected by the officer at the time of making the decision.

Two alternatives were considered.

1. **Not to accept MOT certificates.** This option was viewed as addressing public risk, as not all MOT stations are open in Leeds, it may not be a simple matter for licence holders to get an MOT appointment,

	<p>and some vehicles with valid MOT certificates have been inspected by vehicle examiners and serious faults found. However, because the council is unable to offer vehicle inspections, an MOT provides a record of an independent assessment of that vehicle, which is a proportionate route for those licence holders who want to renew their vehicle's licence.</p> <p>2. Not to extend the licence period for vehicles beyond 10 or 12 years. This option was viewed as possible, but had the drawback of disadvantaging licence holders who may have wanted to replace their vehicle, including via the council's Clean Air Zone funding for ultra low emission vehicles, but been unable to do so because of lockdown. This has meant that checks of vehicle finance, the inspection of the vehicle and the stickers which need to be attached to the vehicle have not been possible. So the best alternative in the emergency circumstances is to permit vehicles first a positive inspection history and second with a new MOT, with a further 6 months' licence, at the end of which it may be possible to align vehicle replacement with TPHL full vehicle inspections and Clean Air Zone arrangements.</p>
Affected wards:	
Details of consultation undertaken⁴:	<p>Executive Member Cllr J Lewis, 1 June 2020</p> <p>Ward Councillors</p> <p>Others Cllr Garner, Chair of Licensing Committee, 1 June 2020</p>
Implementation	<p>Officer accountable, and proposed timescales for implementation Andrew White</p> <p>All licence holders with vehicles older than 7 years old would be written to during May, and asked to apply to renew, but for the remainder of a normal licence period, and to get an MOT, and to pay a licensing fee, but not an inspection fee. For vehicles aged 10 or 12 years old, the licence holders would be offered the chance to apply for 6 months licence, and to get an MOT, and to pay a licensing fee, but not an inspection fee.</p> <p>The inspection history of each vehicle could be checked before a decision is made on whether the licence would be extended.</p>

⁴ Include details of any interest disclosed by an elected Member on consultation and the date of any relevant dispensation given.

List of Forthcoming Key Decisions⁵	Date Added to List:-	
	If Special Urgency or General Exception a brief statement of the reason why it is impracticable to delay the decision	
	If Special Urgency Relevant Scrutiny Chair(s)	
	Signature	Date
Call In	Is the decision available ⁶ for call-in?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	If exempt from call-in , the reason why call-in would prejudice the interests of the council or the public:	
Approval of Decision	Authorised decision maker ⁷ Director of Communities and Environment	
	Signature  John Mulcahy	Date 2 June 2020

⁵ Complete this section for key decisions only

⁶ Significant operational decisions are never available for call in. Key decisions are always available for call in unless they have been exempted from call in.

⁷ Give the post title and name of the officer with appropriate delegated authority to take the decision.