

LOCAL GOVERNMENT ACT 2000

**REGISTER OF URGENT
DECISIONS TAKEN BY THE
CHIEF EXECUTIVE**

**NORTH DEVON COUNCIL CONSTITUTION
– Part 3 Annex 2: Officer Delegations –
Chief Executive**



1) SUBJECT:

Refund of fees for hackney carriage vehicles, drivers and operators due to the impact of Covid-19.

2) REQUESTED DECISION:

Queries have arisen in terms of fees for hackney carriage vehicles, drivers and operators, and whether if licences are surrendered (due to implications of Covid-19) the Council will refund fees.

Fees in this instance are locally set, and are substantial in terms of their cost. The proposal is that if an individual wishes to surrender a licence until its expiry, due to concerns over transporting passengers etc., and then they re-apply, the Council allow them the pro-rata fee (according to the licence period remaining) off a future licence application (for the same licence), if made in the 2020/2021 financial year.

3) STATEMENT OF THE REASONS FOR THE REQUEST AND WHY IT IS URGENT:

Covid-19 is impacting the UK at an unprecedented rate, and the usual systems available to implement policy changes via Licensing and Community Safety Committee, Strategy and Resources Committee and Full Council are not expedient. Given the circumstances many of these meetings are compromised due to social distancing precautions being now in place.

4) FINANCIAL IMPLICATIONS: (NOTE: Please state if there are any financial implications. If so, state whether there are sufficient funds within the agreed budget. If there are insufficient funds please state how the decision will be financed).

There is likely to be an impact on the taxi and private hire licensing budget, however due to the fact that the number of drivers wishing to surrender their licences or their vehicle or operator licences is unknown, it is not at this point possible to provide full detail in terms of the financial impact of this decision.

In light of the fact that it is not proposed to make any immediate refunds, there will be no impact until such time as any subsequent application is made to the Council, (when a reduced fee will be received).

5) ANY ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:

To make no refund of a driver, vehicle or operator fee in the manner proposed, or to make an immediate refund.

6) A RECORD OF ANY CONFLICT OF INTEREST DECLARED:

None.

7) A NOTE OF ANY DISPENSATION IF GRANTED:

Not applicable.

8) LIST OF BACKGROUND PAPERS (but not including published works or those which disclose exempt or confidential information (as defined in paragraph 10.4 and 10.5 of the Access to Information Procedural Rules Part 4 of the Constitution):

None.

10) CONSULTATION UNDERTAKEN:

The following have been consulted on this urgent decision:

Consultee	Consulted Yes/No	Date
Leader of Council (<i>or Deputy Leader</i>)	No	27.3.20
Chair of Committee (with the Authority to take the decision) (<i>or Vice-Chair</i>)	No	
Lead Member	No	
Ward Member(s)	No	
Head of Service (Jeremy Mann)	Yes	27.03.20
Finance	Yes	27.03.20
Legal	No	

11) OFFICER REQUESTING URGENT DECISION TO BE TAKEN BY THE CHIEF EXECUTIVE:

Jeremy Mann via SMT

12) APPROVED BY CHIEF EXECUTIVE: YES

13) DATE OF DECISION:

27/03/20

14) CHIEF EXECUTIVE'S COMMENTS:

The change is needed to support the trade during the current crisis.

15) DATE TO BE PRESENTED TO STRATEGY AND RESOURCES COMMITTEE:

To be confirmed.

GUIDANCE NOTES

NOTE:

PROCEDURE FOR URGENT DECISIONS:

1. Completed form to be passed to the Chief Executive following consultation with the interested parties.
2. If a decision is specific to a Ward, efforts should be made to ascertain the views of the local Councillor (s).
3. The Chief Executive will make his decision.

PROCEDURE FOR URGENT DECISION MAKING AS PER THE CONSTITUTION

Officer Delegations: the Chief Executive:

Urgent Decision Making

- 3.48 To take a decision on any matter falling within the remit of any Committee in cases of urgency where it is not reasonably practicable to obtain prior approval of a Committee SUBJECT TO:
- 3.48.1 the prior consultation, where practicable, with the Leader or Deputy Leader and the Chair or Vice Chair of the relevant Committee, and
- 3.48.2 the proviso that this power will not extend to the determination of any application submitted pursuant to the Planning Acts or under the Licensing Act 2003 or the Gambling Act 2005, and

3.48.3 the decision being reported to the next meeting of the relevant Committee and the next meeting of Strategy and Resources Committee.