

SOUTH STAFFORDSHIRE COUNCIL

LICENSING & REGULATORY COMMITTEE – 20 July 2023

Review of Fees and Charges for Hackney Carriage and Private Hire Licensing Functions for 2023-24

REPORT OF LICENSING MANAGER

PART A – SUMMARY REPORT

1. SUMMARY OF PROPOSALS

- 1.1 To seek approval for the proposed fees and charges relating to Hackney Carriages, Private Hire vehicles, drivers and operators licences, and related licensing functions, from 1 September 2023.

2. RECOMMENDATIONS

- 2.1 Approve the proposed fees and charges as set out in Appendix 1 with effect from 1 September 2023, subject to any consultation comments.
- 2.2 Approve the abolition of one-year licences for private hire vehicles aged over ten years, to deliver administrative savings.

3. SUMMARY IMPACT ASSESSMENT

POLICY/COMMUNITY IMPACT	Do these proposals contribute to specific Council Plan objectives?	
	Yes	
	Has an Equality Impact Assessment (EqIA) been completed?	
	Yes	No negative impact identified.
SCRUTINY POWERS APPLICABLE	No	
KEY DECISION	No	
TARGET COMPLETION/ DELIVERY DATE	1 September 2023	
FINANCIAL IMPACT	Yes	There is a risk that the reduced fees may result in an over-spend for 2023-24, but this loss can be absorbed by Licensing Services using reserve funding and, if required, rebalanced with the review of the fees in the next financial year.

		The implications on both revenue costs and the reserve will be monitored as part of the council's routine quarterly financial monitoring.
LEGAL ISSUES	Yes	<p>Section 53 of the Local Government (Miscellaneous Provisions) Act 1976 deals with drivers' licences for Hackney Carriage and Private Hire vehicles. It permits the Council to recover such a fee as they consider reasonable with a view to recovering the costs of issue and administration.</p> <p>Section 70 of the 1976 Act provides that a district council may charge such fees for the grant of vehicle and operators' licences as may be resolved by them to cover the cost of providing stands and reasonable administrative or other costs in connection with the control and supervision of Hackney Carriage and Private Hire vehicles.</p> <p>Section 70 goes on to provide that public notice of new charges in relation to operators and vehicles is required to be given in a local newspaper. The closing date for the receipt of objections must not be less than 28 days after the date of publication. Should objections be received, consideration must be given to them and another date for implementation may have to be specified. Any objections received will be reported to the Committee for consideration. However, if there are no objections, the new charges will formally come into effect on the 1 September 2023.</p> <p>The fees charged must be reasonable in relation to costs incurred in the issue, administration and enforcement of such licences.</p>
OTHER IMPACTS, RISKS & OPPORTUNITIES	No	
IMPACT ON SPECIFIC WARDS	No	

PART B – ADDITIONAL INFORMATION

4.0 INFORMATION

4.1 BACKGROUND

- 4.2 The Council is empowered by statute to levy fees and charges in respect of licences for Hackney Carriage and Private Hire Vehicles, Hackney Carriage and Private Hire Drivers, and Private Hire Vehicle Operators. The fees charged must be reasonable in relation to costs incurred in the issue, administration and enforcement of such licences.
- 4.3 Council policy is that fees and charges should be reviewed annually and reflect the cost of providing the service. Due to economies of scale from City of Wolverhampton Council's Licensing Services, the cost of administration and compliance has reduced, so fees are reduced accordingly.
- 4.4 Section 53 of the Local Government (Miscellaneous Provisions) Act 1976 refers to the driver licence fees and states that the fee must be based on the cost of issue and administration of a driver licence. This includes staffing, accommodation, stationery and other such associated costs.
- 4.5 City of Wolverhampton Council reduced the relevant fees on 29 March 2023 and the formal mirroring of these fees by South Staffordshire Council is sought. All relevant fees and charges of City of Wolverhampton Council are included in Appendix 1; fees to be formally approved by South Staffordshire Council are detailed below.

Proposals for Hackney Carriage and Private Hire Driver Fees

- 4.6 Section 53 of the Local Government (Miscellaneous Provisions) Act 1976 refers to the driver licence fees and states that the fee must be based on the cost of issue and administration of a driver licence. This includes staffing, accommodation, stationery and other such associated costs.
- 4.7 To ensure that the cost of dual driver licences (hackney carriage and private hire driver) have price parity, it is proposed that dual licence fees are reduced accordingly.

Licence	Length	Current fees	Proposed fees
New private hire driver	1 year	£64	£49
	3 years	£120	£98
Renewal private hire driver	1 year	£40	£39
	3 years	£100	£78
New hackney carriage driver	1 year	£64	£49
	3 years	£120	£98
Renewal hackney carriage driver	1 year	£40	£39
	3 years	£100	£78

Renewal dual driver	1 year	£80	£78
	3 years	£200	£156

- 4.8 The proposed fees and charges for Hackney Carriage and Private Hire Vehicle Driver licences for 2023-2024 are set out in Appendix 1.

5.0 Proposals for Hackney Carriage and Private Hire Vehicle Fees

- 5.2 Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 refers to the vehicle and operator licence fees and states that the fee must cover:

A. the reasonable cost of the carrying out by or on behalf of the district council of inspections of Hackney Carriages and Private Hire Vehicles for the purpose of determining whether any such licence should be granted or renewed;

B. the reasonable cost of providing Hackney Carriage stands; and

C. any reasonable administrative or other costs in connection with the foregoing and with the control and supervision of Hackney Carriages and Private Hire Vehicles.

- 5.3 The proposals have been developed in accordance with Council policy; to minimise costs to the trade whilst ensuring that public safety is not compromised and that the vehicle licensing function continues to operate on a cost neutral basis.

- 5.4 A review of working practices has identified inefficiencies caused by additional administration of one-year licences issued for private hire vehicles over 10 years of age, which require an additional compliance check at six months. To save the trade money, it is proposed that all licences issued to private hire vehicles over 10 years of age are for six months only.

- 5.5 Whilst undertaking research for this proposal, it has been identified that licences for Hackney Carriages may only be granted for one year, in accordance with Section 43 of the Town and Police Clauses Act (1847) so six-month licences shall be withdrawn.

Licence	Length	Current fees	Proposed fees
Private Hire Vehicle (under 10 years)	1 year	£135	£95
Private Hire Vehicle (over 10 years)	6 months	£169	£95
	1 year	£299	No longer available
Hackney Carriage (under 10 years)	1 year	£135	£95

Hackney Carriage (over 10 years)	6 months	£169	No longer available
Hackney Carriage (over 10 years)	1 year	£299	£190

5.6 The proposed fees and charges for Hackney Carriage and Private Hire Vehicle licences for 2023-2024 are set out in Appendix 1.

6.0 Proposals for Private Hire Vehicle Operator Fees

6.2 It is proposed that the following fees are reduced:

Licence	Length	Current fees	Proposed fees
New Private Hire Vehicle Operator Licence	1 year	£1,077	£1,000
Renewal Large Private Hire Vehicle Operators (Over 4 vehicles)	1 year	£785	£750
	5 years	£3,140	£3,000

6.3 The proposed fees for Private Hire Vehicle Operator licences for 2023-2024 are set out in at Appendix 1.

IMPACT ASSESSMENT – ADDITIONAL INFORMATION

Not applicable.

PREVIOUS MINUTES

None.

BACKGROUND PAPERS

Relevant Legislation

Sections 53 and 70 of Local Government (Miscellaneous Provisions) Act 1976

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