

**SOUTH STAFFORDSHIRE COUNCIL**

**LICENSING & REGULATORY COMMITTEE – 18 January 2024**

**Review of Fees and Charges for Hackney Carriage and Private Hire Licensing Functions for 2024-2025**

**REPORT OF Greg Bickerdike, Licensing Manager – City of Wolverhampton Council**

**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 April 2024.

**2. RECOMMENDATIONS**

- 2.1 Approve the proposed fees and charges as set out in Appendix 1 with effect from 1 April 2024.

**3. SUMMARY IMPACT ASSESSMENT**

POLICY/COMMUNITY IMPACT	Do these proposals contribute to specific Council Plan objectives?	
	No	
	Has an Equality Impact Assessment (EqIA) been completed?	
	No	
SCRUTINY POWERS APPLICABLE	No	
KEY DECISION	No	
TARGET COMPLETION/ DELIVERY DATE	1 April 2024	
FINANCIAL IMPACT	Yes	The fees have been set on a basis of cost recovery and that Licencing is a ring-fenced area. It is difficult to accurately predict the demand for the Council's licensing service. There is a risk that the fees may result in either an over or underspend for 2024-25, but this can be adjusted by using Licensing 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 Licensing 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 come into effect on the 1 April 2024.</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. INFORMATION**

#### **4.1 BACKGROUND**

- 4.2 South Staffordshire Council delegated its hackney carriage and private hire licensing function to City of Wolverhampton Council from 1 April 2022.

- 4.3 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.
- 4.4 It is important to note that licensing cannot make a profit and the income from fees may not be used to fund unrelated services in the Council. As such, income from fees is ring-fenced for relevant spending.
- 4.5 The policy is that fees and charges should be reviewed annually and reflect the cost of providing the service.
- 4.6 It has been proposed to City of Wolverhampton Council's Regulatory Committee to approve these fees and the formal mirroring of these fees by South Staffordshire Council is sought. All relevant fees and charges are included in Appendix 1.

#### **5.1 Proposals for Hackney Carriage and Private Hire Driver Fees**

- 5.2 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.
- 5.3 Worcestershire County Council, in partnership with City of Wolverhampton Council, has delivered the existing Driver Training Programme for new Hackney Carriage and Private Hire Vehicle Driver licence applicants since 2008. This fee has not increased since 2013 and it is proposed that the fees increase, due to increased staffing costs.
- 5.4 The fees for driver licence replacements have been reviewed and updated to include postage, as well as increased production costs due to new licences which will be issued from April 2024.
- 5.5 The proposed fees and charges for Hackney Carriage and Private Hire Vehicle Driver licences for 2024-2025 are set out in Appendix 1.

#### **6.1 Proposals for Hackney Carriage and Private Hire Vehicle Fees**

- 6.2 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:
- i. 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;
  - ii. the reasonable cost of providing Hackney Carriage stands; and

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

6.3 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.

6.4 The proposed fees and charges for Hackney Carriage and Private Hire Vehicle licences for 2024-2025 are set out in Appendix 1.

#### **7.1 Proposals for Private Hire Vehicle Operator Fees**

7.2 The proposed fees for Private Hire Vehicle Operator licences for 2024-2025 are set out in at Appendix 1.

### **IMPACT ASSESSMENT – ADDITIONAL INFORMATION**

Not applicable

### **PREVIOUS MINUTES**

LICENSING & REGULATORY COMMITTEE – 20 July 2023

### **BACKGROUND PAPERS**

#### **Relevant Legislation**

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

Report prepared by: Greg Bickerdike, Licensing Manager, City of Wolverhampton Council