

TO:- Licensing and Regulatory Committee

Councillor Vincent Merrick , Councillor Mike Davies , Councillor Andrew Adams , Councillor Penny Allen ,
Councillor Meg Barrow , Councillor John Brindle , Councillor Gary Burnett , Councillor Christopher Evans ,
Councillor Sam Harper-Wallis , Councillor Rita Heseltine , Councillor Matthew Jackson , Councillor John Michell ,
Councillor Rob Nelson , Councillor Bernard Williams , Councillor David Williams

Notice is hereby given that a meeting of the Licensing and Regulatory Committee will be held as detailed below for the purpose of transacting the business set out below.

Date: Thursday, 18 January 2024

Time: 14:30

Venue: Council Chamber, Community Hub, Wolverhampton Road, Codsall, South Staffordshire, WV8 1PX



D. Heywood
Chief Executive

A G E N D A**Part I – Public Session**

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| 1 | Minutes
To approve the minutes of the Licensing and Regulatory Committee meeting of 26 October 2023. | 1 - 2 |
| 2 | Apologies

To receive any apologies for non-attendance. | |
| 3 | Declarations of Interest

To receive any declarations of interest. | |
| 4 | Q3 Update Report on Delivery of Taxi Licensing Functions
Report of Greg Bickerdike, Licensing Manager of Wolverhampton City Council | 3 - 6 |
| 5 | Review of Fees and Charges for Hackney Carriage and Private Hire Licensing Functions for 2024-2025
Report of Greg Bickerdike, Licensing Manager of Wolverhampton City Council | 7 - 14 |

RECORDING

Please note that this meeting will be recorded.

PUBLIC ACCESS TO AGENDA AND REPORTS

Spare paper copies of committee agenda and reports are no longer available. Therefore should any member of the public wish to view the agenda or report(s) for this meeting, please go to www.sstaffs.gov.uk/council-democracy.

Minutes of the meeting of the **Licensing and Regulatory Committee** South Staffordshire Council held in the Council Chamber Community Hub, Wolverhampton Road, Codsall, South Staffordshire, WV8 1PX on Thursday, 26 October 2023 at 14:30

Present:-

Councillor Andrew Adams, Councillor Penny Allen, Councillor Meg Barrow, Councillor Gary Burnett, Councillor Mike Davies, Councillor Christopher Evans, Councillor Sam Harper-Wallis, Councillor Rita Heseltine, Councillor Matthew Jackson, Councillor Vincent Merrick, Councillor John Michell, Councillor Bernard Williams

6 **MINUTES**

RESOLVED: The minutes of the meeting on 20th July 2023 were approved.

7 **APOLOGIES**

Apologies were received from Councillor R Nelson

8 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

9 **QUARTER 2 UPDATE ON TAXI LICENSING**

RESOLVED: Following questions from members the report of the Team Manager Wolverhampton City Council was noted.

10 **FOOD SAFETY SERVICE PLAN**

RESOLVED: The report presented by the Assistant Team Manager was approved by the Committee.

The Committee through the Chair also passed their thanks to the Assistant Team Manager for her services. Proposed by Councillor Davies and Seconded Councillor Allen.

11 **REGULATION OF INVESTIGATORY POWERS ACT - UPDATE ANNUAL REPORT**

RESOLVED: The report of the Corporate Director of Governance was noted by the Committee and the revised RIPA policy attached at appendix 1 was approved.

Proposed by Councillor Davies and Seconded by Councillor Heseltine.

The Meeting ended at: 15:45

CHAIRMAN

Briefing Note

Title: 2023-24 Quarter 1 Report to South Staffordshire Council**Date: 17 January 2024****Prepared by: Greg Bickerdike****Job Title: Licensing Manager****Intended Audience:** Internal ☐ Partner organisation ☒ Public ☒ Confidential ☐

Purpose

To report to South Staffordshire District Council on the status of taxi licensing.

Background

On 1 April 2022, South Staffordshire District Council (SSDC) delegated its taxi licensing function to City of Wolverhampton Council. As part of this delegation, quarterly reports were agreed. This report covers quarter three (Q3) of 2023-24: October, November and December.

Update

The government has published its Best Practice guidance. This is significant and covers almost all areas of taxi licensing. A 12-week consultation has been launched, which covers the following topics:

- Inclusive service plans
- Driver medical certification
- Private hire drivers working with multiple operators
- Removal of signage on private hire vehicles
- Certificates of Good Conduct
- Daily walkaround checks of vehicles
- Removing age limits in place of an emissions limit
- Driver training every licence renewal
- Defining assistance dogs
- Allowing MOT certificates from any testing station
- Private hire vehicle operators as agent/principle

The consultation can be read and responded to at <https://consultation.wolverhampton.gov.uk/licensing/taxiconsultation2023/>. The results of the consultation will be presented to the committee for consideration.

The South Staffordshire private hire industry continues to grow, with a quarterly increase of three private hire vehicle operators, 30 private hire drivers and 14 private hire vehicles.

New contracts have been signed with licence plate and driver badge suppliers. The new driver badges are expected to be issued to all drivers from April 2024.

Statistics for Q3

Licence Holders

Licence Type	Currently licensed (total)	Received	Granted	Refused
Hackney Carriage Driver	0	0	0	0
Hackney Carriage	1	0	0	0
Dual Driver	1	0	0	0
Private Hire Vehicle Operator	32	1	3	0
Private Hire Driver	234	34	43	0
Private Hire Vehicle	188	40	46	0

Enforcement Action

Licence Type	Surrendered	Reviewed	Suspended	Revoked
Hackney Carriage Driver	0	0	0	0
Hackney Carriage	0	0	0	0
Dual Driver	0	0	0	0
Private Hire Vehicle Operator	1	0	0	0
Private Hire Driver	0	0	0	0
Private Hire Vehicle	0	0	0	0

*vehicle surrenders have been as a result of vehicles being involved in road traffic accidents.

Compliance Operations

October 2023	Licensing input to local policing team.
November 2023	Himley Hall Bonfire Night
December 2023	Operator base audits/compliance patrols as below
January 2024	Compliance patrols as below
February 2024	Joint patrols with local policing team test purchase op
March 2024	Equalities Act Test Purchase Operation

Compliance patrols have taken place in Codsall, Cheslyn Hay, Great Wyrley, Penkridge, Brewood, Coven, Essington, Huntington, Weston-under-Lizard, Bilbrook, Wombourne, Himley, Perton and Featherstone.

There have been no safeguarding complaints not actioned within one working day.

Wolverhampton assisted South Staffs Officers with the Bonfire night event at Himley Hall on 4 November and provided training to Codsall Policing team on 25 October.

During December we audited the last of operators meaning that all licensed operators apart from one in South Staffordshire have now been audited over the past 12 months. No major issues identified.

Over the coming months we intend to work with Codsall Local policing team to conduct high visibility joint enforcement patrols, we will also undertake an Equalities Act test purchase operation to ensure that operators/drivers comply with their legal obligations.

Corporate Complaints

Should any applicants or licence holders be dissatisfied with the service provided, they are entitled to make a corporate complaint to Wolverhampton's Customer Feedback team.

	Upheld at Stage One	Upheld at Stage Two	Upheld by Ombudsman	Not responded to within SLA
Corporate Complaints	0	0	0	0

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

Appendix 1

Proposed Fees and Charges for Hackney Carriage and Private Hire Licences 2024-2025

	Licence Type/Function		Fees and Charges For 2023-2024 £	Proposed Fees and Charges For 2024-2025 £
1.0	Drivers			
1.1	Hackney Carriage / Private Hire Vehicle Driver Licence	1 year licence New	49	49
1.2		1 year licence Renewal	39	39
1.3		3 year licence New	98	98
1.4		3 year licence Renewal	78	78
1.5	Dual Driver Licence (Hackney Carriage and Private Hire)	1 year licence Renewal	78	78
1.6		3 year licence Renewal	156	156
1.7	Conversion from Hackney Carriage or Private Hire Licence to Dual Licence.		80 (plus testing fees)	80
1.8	Application Fast Track New / Renewal		100	100
1.9	Hackney Carriage / Private Hire Driver Training Programme and Test		40	50
1.10	Hackney Carriage / Private Hire New Applicants Driver Training Immediate Re-test		15	20
1.11	Hackney Carriage / New Applicants Practical Driving Assessment		79	80
1.12	New applicant Right to work in the UK check		125	125
1.13	Renewal applicant Right to work in the UK check		25	25
2.0	Hackney Carriage Vehicles			
2.1	Vehicle aged under 16 years old - 1 year licence New / Renewal		95	125
2.2	Exceptional Condition Assessment of Hackney Carriage Vehicle aged 16 years and each subsequent 6 months		120	120

	Licence Type/Function		Fees and Charges For 2023-2024 £	Proposed Fees and Charges For 2024-2025 £
2.3	Application Fast Track New / Renewal		180	180
2.4	Private Hire Vehicles			
2.5	1 year licence New / Renewal	Vehicle aged Under 10 years old	95	125
2.6	6 month licence New / Renewal	Vehicle aged Over 10 but under 12 years old	95	125
2.7	Application Fast Track New / Renewal		180	180
3.0	Small Private Hire Vehicle Operators (Up to 4 vehicles)			
3.1	1 year licence	New	1,000	1,000
3.2		Renewal	150	150
3.3	5 year licence	Renewal	500	500
3.4	Large Private Hire Vehicle Operators (Over 4 vehicles)			
3.5	1 year licence	New	1,000	1,000
3.6		Renewal	750	750
3.7	5 year licence	Renewal	3,000	3,000
4.0	Hackney Carriage / Private Hire Vehicle MOT Testing Facilities			
4.1	Application for Council approval of DVSA registered MOT garages		200	200
5.0	Mini-bus Permits and Disc			
5.1	5 year permit New / Renewal / Replacement		25	25
6.0	Offsite Private Hire Vehicle Inspections			
6.1	20 inspections	under 100 miles from Wolverhampton	470	504
6.2		100 - 200 miles from Wolverhampton	818	869
6.3		200 - 300 miles from Wolverhampton	1,194	1,263
6.4	21 to 40 inspections	under 100 miles from Wolverhampton	795	862
6.5		100 - 200 miles from Wolverhampton	1,397	1,498
6.6		200 - 300 miles from Wolverhampton	2,055	2,192
7.0	Miscellaneous Charges			

	Licence Type/Function	Fees and Charges For 2023-2024 £	Proposed Fees and Charges For 2024-2025 £
7.1	Rebooking a hearing appointment	70	70
7.2	Non-statutory information request	50	50
7.3	Replacement driver badge (each, delivered)	1	5
7.4	Licence Plate Bracket and Pins	14	14
7.5	Licence Plate Bracket and Pins (10+)	10	10
7.6	Pack of four spare pins and two sticky pads	1	1
7.7	Internal Vehicle Licence Pouch	2	2
7.8	Internal Driver Licence Pouch	1	1
7.9	Lanyard and badge holder	1	1
7.10	Printed copy of paper licences	1	5

