

**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 Sam Harper-Wallis , Councillor Rita Heseltine , Councillor Matthew Jackson , Councillor John Michell , Councillor Rob Nelson , Councillor Sue Szalapski , 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, 20 July 2023

Time: 14:30

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



D. Heywood  
Chief Executive

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**AGENDA****Part I – Public Session**

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|----------|---|----------------|
| <b>1</b> | Minutes of meeting 16.3.23<br>To approve the minutes of the previous meeting held on 16 March 2023 as a true and accurate record. | <b>3 - 4</b>   |
| <b>2</b> | Apologies<br><br>To receive any apologies for non-attendance.   |                |
| <b>3</b> | Declarations of Interest<br><br>To receive any declarations of interest.  |                |
| <b>4</b> | 2022-23 Quarter 4 Report to South Staffordshire Council<br>Report of Licensing Manager  | <b>5 - 10</b>  |
| <b>5</b> | Review of Fees and Charges for Hackney Carriage and Private Hire Licensing Functions for 2023-24<br>Report of Licensing Manager   | <b>11 - 20</b> |

### **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](http://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, 16 March 2023 at 14:30

**Present:-**

Councillor Penny Allen, Councillor Meg Barrow, Councillor Gary Burnett, Councillor Nigel Caine, Councillor Rita Heseltine, Councillor Steve Hollis, Councillor Ve Jackson, Councillor Janet Johnson, Councillor Michael Lawrence, Councillor Wendy Sutton, Councillor Bernard Williams, Councillor Henry Williams

**26 MINUTES**

**RESOLVED:** that the minutes of the Licensing and Regulatory Committee meeting held on 19 January 2023 be approved and signed by the Chairman.

**27 APOLOGIES**

There were no apologies received.

**28 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**29 DRIVER SAFETY ENCLOSURES**

This item is exempt in accordance with Schedule 12A of the Local Government Act 1972

**30 PRIVATE WATER SUPPLY REGULATIONS 2016 - CHARGING SCHEME**

**RESOLVED:** that the proposed programme of private water supply risk assessments, sampling and changing scheme be noted.

The Meeting ended at: 16:00

**CHAIRMAN**



**SOUTH STAFFORDSHIRE COUNCIL**

**LICENSING & REGULATORY COMMITTEE – 20 JULY 2023**

**UPDATE ON TRANSFER OF TAXI LICENSING FUNCTIONS**

**REPORT OF JENNY RHODES, TEAM MANAGER ENVIRONMENTAL HEALTH  
PROTECTION AND LICENSING**

**PART A – SUMMARY REPORT**

**1. SUMMARY**

1. Taxi Licensing functions were transferred to City Wolverhampton Council from the start of April 2022. Attached is the quarter 4 report.

**2. RECOMMENDATIONS**

- 2.1 To note content of report and success of the transfer.

**3. SUMMARY IMPACT ASSESSMENT**

POLICY/COMMUNITY IMPACT	Do these proposals contribute to specific Council Plan objectives?	
	Yes	Vibrant Communities
	Has an Equality Impact Assessment (EqIA) been completed?	
	No	Update report only
SCRUTINY POWERS APPLICABLE	No	
KEY DECISION	No	
TARGET COMPLETION/ DELIVERY DATE	On - going	
FINANCIAL IMPACT	No	
LEGAL ISSUES	No	
OTHER IMPACTS, RISKS & OPPORTUNITIES	Yes or no	Opportunity to improve compliance in taxi licensing
IMPACT ON SPECIFIC WARDS	No	

## **PART B – ADDITIONAL INFORMATION**

### **4. INFORMATION**

#### **4.1 BACKGROUND**

- 4.2 The delegation of Taxi and Private Hire licensing functions commenced on 1<sup>st</sup> April 2022. The transfer was very successful with a smooth transition.
- 4.3 Attached in Appendix 1 is a summary of performance in Quarter 4, and outline of compliance activities provided by City Wolverhampton Council.

## **IMPACT ASSESSMENT – ADDITIONAL INFORMATION**

Not applicable, on going update

## **PREVIOUS MINUTES**

Licensing and Regulatory Committees of

- 24 March 2022
- 18 November 2021
- 16 September 2021

## **BACKGROUND PAPERS**

None

# Briefing Note

**Title: 2022-23 Quarter 4 Report to South Staffordshire Council****Date: 18 May 2023****Prepared by: Greg Bickerdike****Job Title: Licensing Manager****Intended Audience:** Internal ☐ Partner organisation ☒ Public ☒ Confidential ☐

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## 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 four (Q4) of 2022-23: January, February and March.

## Update

A new contract is in place with Idox, the software supplier for the online application system and back-office administration. This will allow greater digital development of these platforms, allowing for a smoother experience and hopefully reducing fees further.

The vehicle inspection booking system is live since 1 February, with no issues since launch. This allows proprietors to choose an available appointment convenient to them.

On 27 March 2023, a Licensing and Regulatory Subcommittee was held where four licence applications were referred for determination by South Staffordshire Councillors. Members resolved to refuse two private hire driver licence applications and revoke an existing private hire vehicle operator licence. One of the applicants voluntarily surrendered their licence prior to the hearing taking place.

Since 27 April 2023, licensing authorities across the country have been required by the 'Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022' to record all licence refusals, revocations and suspensions on the National Register for Revocations, Refusals and Suspensions (NR3S). This has been easy for City of Wolverhampton Council to implement, as it was already recording all revocations and refusals on the NR3S' predecessor.

On 7 March, the trade working group was restarted. Representatives from the trade attended and a productive meeting was held, with issues addressed. Another meeting is scheduled for 6 July 2023.

An online register of wheelchair accessible vehicles is now available at <https://www.sstaffs.gov.uk/licensing-and-permits/taxi-and-private-hire-vehicles/information-passengers>. This is automatically updated every day.

The Council has responded to the Department for Transport survey, which will publish its annual statistics online of licence numbers.

The procurement exercise to supply new driver badges and vehicle plates is still ongoing and contracts are expected to be in place by the next committee meeting.

The Council eagerly awaits the publication of the Department for Transport's 'Taxi and private hire vehicle best practice guidance', expected this summer. The Committee has already agreed to consult on policies and procedures following their review in light of this guidance.

## Statistics for Q4

### Licence Holders

Licence Type	Currently licensed (total)	Received (incl. renewals)	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	25	7	6	0
Private Hire Driver	165	23	20	0
Private Hire Vehicle	142	84	80	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	2	0	1
Private Hire Driver	0	1	0	1
Private Hire Vehicle	0	0	1*	0

\*vehicle suspensions are as a result of vehicles being involved in road traffic accidents.

### Planned Compliance Operations - 2023

April	Codsall, Penkridge, Cheslyn Hay, Great Wyrley, Coven, Weston
May	Wombourne, Essington, Penkridge, Wombourne, Brewood, Base audits Penkridge and Wombourne.
June	Codsall, Penkridge, Cheslyn Hay, Great Wyrley, Coven, Weston (Base audits X 3)
July	Codsall, Penkridge, Cheslyn Hay, Great Wyrley, Coven, Weston (Classic Ibiza event on Saturday 15 July 2023) (Base audits X 3)
August	Wombourne, Essington, Penkridge, Wombourne, Brewood, Bestival Event Saturday 19 August 2023
September	Codsall, Penkridge, Cheslyn Hay, Great Wyrley, Coven, Weston (Prom Spectacular event on Saturday 9 September 2023) Base Audits X 3
October	Wombourne, Essington, Penkridge, Wombourne, Brewood, Bilbrook Base Audits X 3

November	Codsall, Penkridge, Cheslyn Hay, Great Wyrley, Coven, Weston (Base audits X 3)
December	Wombourne, Essington, Penkridge, Wombourne, Brewood, Bilbrook Base Audits X3

- 4 base audits carried out on Casper Cars, Image Cars, Codsall and Perton Cars (twice).
- 22 Proactive high visibility patrols conducted across the region.
- 41 Vehicles checked. 3 issued with defect notices (no operator signage) 1 vehicle Suspended.

One safeguarding complaint for an operator/driver was received and actioned within one working day. These licences were reviewed and revoked.

### **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 – 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

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



## Appendix 1

### Proposed Fees and Charges for Hackney Carriage and Private Hire Licences 2023-2024

	Licence Type/Function		Fees and Charges For 2022-2023 £	Proposed Fees and Charges For 2023-2024 £
<b>1.0</b>	<b>Drivers</b>			
1.1	Hackney Carriage Driver Licence	1 year licence New	64	<b>49</b>
1.2		1 year licence Renewal	40	<b>39</b>
1.3		3 year licence New	120	<b>98</b>
1.4		3 year licence Renewal	100	<b>78</b>
1.5	Private Hire Vehicle Driver Licence	1 year licence New	64	<b>49</b>
1.6		1 year licence Renewal	40	<b>39</b>
1.7		3 year licence New	120	<b>98</b>
1.8		3 year licence Renewal	100	<b>78</b>
1.9	Dual Driver Licence (Hackney Carriage and Private Hire)	1 year licence Renewal	80	<b>78</b>
1.10		3 year licence Renewal	200	<b>156</b>
1.11	Conversion from Hackney Carriage or Private Hire Licence to Dual Licence.		80 (plus testing fees)	80
1.12	Application Fast Track New / Renewal		100	100
1.13	Hackney Carriage / Private Hire Driver Training Programme and Test		40	40
1.14	Hackney Carriage / Private Hire New Applicants Driver Training Immediate Re-test		15	15
1.15	Hackney Carriage / New Applicants Practical Driving Assessment		79	79
1.16	New applicant - Right to work in the UK check		125	125
1.17	Renewal applicant - Right to work in the UK check		25	25

	Licence Type/Function		Fees and Charges For 2022-2023 £	Proposed Fees and Charges For 2023-2024 £
<b>2.0</b>	<b>Hackney Carriage Vehicles</b>			
2.1	1 year licence New / Renewal	Vehicle aged Under 10 years old	135	95
2.2		Vehicle aged Over 10 but under 16 years old	299	<b>190</b>
2.3	6 month licence Renewal	Vehicle aged Over 10 years old	169	<b>95</b>
2.4	Exceptional Condition Assessment of Hackney Carriage Vehicle aged 16 years and each subsequent 6 months		120	120
2.5	Application Fast Track New / Renewal		180	180
<b>2.6</b>	<b>Private Hire Vehicles</b>			
2.7	1 year licence New / Renewal	Vehicle aged Under 10 years old	135	<b>95</b>
2.8		Vehicle aged Over 10 but under 12 years old	299	<b>N/A</b>
2.9	6 month licence Renewal	Vehicle aged Over 10 but under 12 years old	169	<b>95</b>
2.10	Application Fast Track New / Renewal		180	180
<b>3.0</b>	<b>Small Private Hire Vehicle Operators (Up to 4 vehicles)</b>			
3.1	1 year licence	New	1,077	<b>1,000</b>
3.2		Renewal	150	150
3.3	5 year licence	Renewal	500	500
<b>3.4</b>	<b>Large Private Hire Vehicle Operators (Over 4 vehicles)</b>			
3.5	1 year licence	New	1,077	<b>1,000</b>
3.6		Renewal	785	<b>750</b>
3.7	5 year licence	Renewal	3,140	<b>3,000</b>
<b>4.0</b>	<b>Hackney Carriage / Private Hire Vehicle MOT Testing Facilities</b>			
4.1	Application for Council approval of DVSA registered MOT garages		150	<b>200</b>
<b>5.0</b>	<b>Mini-bus Permits and Disc</b>			
5.1	5 year permit New / Renewal / Replacement		25	25

	Licence Type/Function		Fees and Charges For 2022-2023 £	Proposed Fees and Charges For 2023-2024 £
<b>6.0</b>	<b>Offsite Private Hire Vehicle Inspections</b>			
6.1	up to 20 inspections	100 miles from Wolverhampton	405	<b>470</b>
6.2		200 miles from Wolverhampton	719	<b>818</b>
6.3		300 miles from Wolverhampton	1,061	<b>1,194</b>
6.4	21 to 40 inspections	100 miles from Wolverhampton	664	<b>795</b>
6.5		200 miles from Wolverhampton	1,197	<b>1,397</b>
6.6		300 miles from Wolverhampton	1,788	<b>2,055</b>
<b>7.0</b>	<b>Miscellaneous Charges</b>			
7.1	Rebooking a hearing appointment		70	70

