

# Agenda Licensing Committee

**Thursday, 17 February 2022 at 9.00 am  
At Council Chamber - Sandwell Council House, Oldbury**

**This agenda gives notice of items to be considered in private as required by Regulations 5 (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.**

**1 Apologies for Absence**

**2 Declarations of Interest**

Members to declare any interests in matters to be discussed at the meeting.

**3 Minutes**

5 - 8

To confirm the minutes of the meeting held on 2 December 2021.

**4 Taxi Licensing Fees and Charges 2022-2023**

9 - 16

To receive the information relating to the review of the cost apportionment of fees and charges for Private Hire and Hackney Carriage licences.



**Kim Bromley-Derry CBE DL**  
**Interim Chief Executive**  
Sandwell Council House  
Freeth Street  
Oldbury  
West Midlands

**Distribution**

Councillor Allen (Chair)  
Councillors Mabena, Rouf, Chidley, Fenton, G Gill, S Gill, Hadley, Hussain,  
Jones, R Jones, Singh, S Singh, J Webb and Williams

Contact: [democratic\\_services@sandwell.gov.uk](mailto:democratic_services@sandwell.gov.uk)

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## Minutes of Licensing Committee

**Monday 2 December 2021 at 10.00am**  
**Council House, Oldbury**

**Present:** Councillor Allen (Chair);  
Councillors Chidley, Fenton, G Gill, Z Hussain, R Jones and  
Webb.

**Also present:** Tracy Hubball (Licensing Service Manager)  
Fiona Gee (Licensing Supervisor)  
David Elliott (Solicitor)  
Trisha Newton (Senior Democratic Services Officer)  
Gabrielle Evans (Democratic Services Officer)

### 1/21 **Apologies for Absence**

Apologies for absence were received from Councillors Mabena  
and Williams

### 2/21 **Declarations of Interest**

There were no interests declared at the meeting.

### 3/21 **Minutes**

**Resolved** that the minutes of the meeting held on 23 September  
2021 were confirmed as a correct record.



## Review of Statement of Principles under the Gambling Act 2005

The Gambling Act 2005 required the Council, as Licensing Authority, to review its Statement of Principles under the Gambling Act 2005, (Gambling Policy) every three years.

In line with statutory guidance, various agencies and partner organisations would be consulted on the document for a period of 12 weeks. Following the 12-week consultation period a final version of the revised statement of principles would be brought back before Committee.

Questions and comments were raised by members on the following topics:

- Small society lotteries - the chair requested that more detail be added in relation to small/community lotteries to the Statement of Principles;
- Vulnerable People - officers were asked to reword the document to ensure that protection of all vulnerable people was considered from the outset not just children;
- Be Gamble Aware - Members asked that more be done to promote the Gambling Commissions “Be Gamble Aware” scheme;
- Application Form - the Chair asked that a hyperlink be added to the Council’s Gambling Licence Form so that the reader had an idea of the process and related fees.

A revised version of the Statement of Principles would be circulated to members of the committee prior to officers commencing the consultation.

### Resolved:-

- (1) that a formal consultation be commenced on the revised statement of principles as required by the Gambling Act 2005;
- (2) that, in connection with resolution (1) above, the consultation shall be with all relevant stakeholders for a period of 12 weeks.



Meeting ended at 11:23am

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## Report to Licensing Committee

17 February 2022

<b>Subject:</b>	Taxi Licensing Fees and Charges 2022-2023
<b>Director:</b>	Director – Borough Economy – Alice Davey
<b>Contact Officer:</b>	Nicola Plant – Service Manager, Regulatory Services <a href="mailto:nicola_plant@sandwell.gov.uk">nicola_plant@sandwell.gov.uk</a>

### 1 Recommendations

- 1.1 That Licensing Committee receive the information relating to the review of the cost apportionment of fees and charges for Private Hire and Hackney Carriage licences which has informed the proposal in the Fees and Charges report going to Cabinet on 23 February 2022 that fees remain unchanged for 2022-2023 and will be reviewed again in preparation for the 2023-2024.

### 2 Reasons for Recommendations

- 2.1 The Local Government (Miscellaneous Provisions) Act 1976, Section 53 determines that a district council may demand and recover a fee they consider reasonable with a view of recovering the costs of issuing and administering the grant to any person of a licence to drive a hackney carriage, or a private hire vehicle, as the case may be.
- 2.2 The Local Government (Miscellaneous Provision) Act 1976, Section 70 determines that a district council may charge such fees for the grant of vehicle or operators' licences as may be resolved by them which is sufficient to cover in full or in part:
- (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.

- 2.3 The Act states that the taxi and private hire licensing fees can only be used as defined within the Act and cannot be used to generate revenue for a district council.
- 2.4 Local Authorities will review and consider adjusting fees based on actual costs, surplus/deficit on a three-year cycle. Licensing fee setting happens before the financial year end and therefore the financial year 2021-2022 is not considered at this time as the financial year is still current.
- 2.5 The Local Authority has no powers beyond those in statute and is bound by what is prescribed within the Act.
- 2.6 Consideration of costs and finances have been undertaken, with particular analysis on costings for 2020-2021. This has shown that the actual licensing costs of issuing and administering the grant to any person of a licence was higher than the Taxi Licensing Fees published on the Councils website (Appendix 1).
- 2.7 This has informed the proposal being taken to Cabinet on 23 February 2022 that the Taxi Licensing Fees and Charges for 2022-2023 should not be increased nor decreased from the current fees and charges as outlined in Appendix 1.
- 2.8 A number of service improvements within Taxi Licensing have been identified and work will continue on those improvements through 2022-2023. Therefore, the fees and charges review will be revisited in 12 months' time to ascertain how the improvements are impacting on those fees and charges based on the apportionment of costs. The results of that review will be reported back to Licensing Committee.

### 3 How does this deliver objectives of the Corporate Plan?





## A strong and inclusive economy

Licensing authorities have a legal duty under the Local Government (Miscellaneous Provisions) Act 1976 to review and set its Taxi Licensing fees in line with section 53 and 70 of the Act and the associated costs as outlined in the Act.

### 4 Context and Key Issues

- 4.1 Licensing authorities have a legal duty under the Local Government (Miscellaneous Provisions) Act 1976 to review and set its Taxi Licensing fees.
- 4.2 Taxi Licence holders have requested a fee reduction. This request and further feedback provide by licence holders has informed a detailed Taxi service improvement plan which responds to requests for changes in service delivery and in turn where possible those improvements look to realise cost savings which may result in reduction to fees and charges.
- 4.3 The Taxi fees and charges forms part of a wider fees and charges report being taken to Cabinet on 23 February 2022. That report informed by the analysis of the costs of issuing and administering the grant to any person of a licence proposes that the Taxi Licensing Fees and Charges for 2022-2023 should remain unchanged.

### 5 Alternative Options

- 5.1 There are no alternative options given for consideration. Licensing authorities have a legal duty under sections 53 and 70 of the Local Government (Miscellaneous Provisions) Act 1976 to review and set its Taxi Licensing fees in line with the cost associated with issuing and administering the grant to any person of a licence. The Local Authority has no powers beyond those in statute and is bound by what is prescribed within the Act.

### 6 Implications

<b>Resources:</b>	
<b>Legal and Governance:</b>	Taxi Licensing matters under the Taxi and Private Hire Vehicle (PHV) legislation is primarily concentrated in the Town Police Clauses Act 1847



	<p>(the 1847 Act) and the Local Government (Miscellaneous Provisions) Act 1976 (the 1976 Act).</p> <p>The Local Government (Miscellaneous Provisions) Act 1976, Section 53 determines that a district council may demand and recover a fee they consider reasonable with a view of recovering the costs of issuing and administering the grant to any person of a licence to drive a hackney carriage, or a private hire vehicle, as the case may be.</p> <p>The Local Government (Miscellaneous Provision) Act 1976, Section 70 determines that a district council may charge such fees for the grant of vehicle or operators' licences as may be resolved by them which is sufficient to cover in full or in part:</p> <ul style="list-style-type: none"> <li>(d) 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;</li> <li>(e) the reasonable cost of providing hackney carriage stands; and</li> <li>(f) any reasonable administrative or other costs in connection with the foregoing and with the control and supervision of hackney carriages and private hire vehicles.</li> </ul> <p>Dee setting for Taxi Licensing fees is an Executive function as outlined in the Council's Terms of Reference of Committees, Panels and Other Fora.</p>
<p><b>Risk:</b></p>	<p>A risk register has been completed with no significant risks identified. Each risk has identified measures identified to manage the risk.</p> <p>The activity undertaken by Licensing Committee seeks to reduce instances of crime and disorder that may impact on residents and visitors of the Sandwell borough.</p>



<b>Equality:</b>	An initial equality screening has been undertaken and no adverse impact on protected groups has been identified.
<b>Health and Wellbeing:</b>	There are no direct health and wellbeing implications arising from this report.
<b>Social Value</b>	There are no direct social value implications arising from this report.

## 7. Appendices

Appendix 1 – Current Taxi Licensing Fees

## 8. Background Papers

None



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## Current Taxi licensing fees

### Drivers

Subject to any Disclosure and Barring Service (DBS) and/or Driver and Vehicle Licensing Agency (DVLA) fee increase - to be passed on

- Medical / Medical retest Paid direct
- Sandwell approved Driving Test & Wheelchair Assessment Paid direct
- PHD/HCD New Application (incl. DBS + DVLA check) £153\*\*
- PHD/HCD Renewal Application (Annual) £104
- PHD/HCD Renewal Application + DBS (every 3rd year) £148
- PHD/HCD New 3 Year Application (incl. DBS + DVLA check) £352\*\*
- PHD/HCD Renewal 3 Year Application (Does not include DBS fee) £303
- DUAL New Application (incl. DBS + DVLA check) £204\*\*
- DUAL New 3 Year Application (incl. DBS + DVLA check) £503\*\*
- DUAL Renewal Application (Annual) £155
- DUAL Renewal Application + DBS (every 3rd year) £199
- DUAL Renewal 3 Year Application (Does not include DBS fee) £454
- DBS £44
- DVLA trace £5
- Badge Deposit £30
- Badge replacement £4.50
- £10 reduction in driver's licence fees for successful Business and Technology Education Council (BTEC) / National Vocational Qualifications (NVQ) drivers (certificate must be produced when submitting application)

**\*\*Each knowledge test, after first test failed £30**

### Vehicles

Subject to any increase in Vehicle and Operator Services Agency (VOSA) fee during the year - increase will be passed on

- Private Hire/Hackney Carriage Brand new vehicle (Annual including Interim Safety Checks (ISC) x 1) £325
- Private Hire/Hackney Carriage New under 5 years (Annual including ISC x 1) £381
- Private Hire/Hackney Carriage Renewal under 5 years (Annual including ISC x1) £353
- Private Hire/Hackney Carriage Renewal over 5 years (including full test x 1 +ISC x 2) £399
- Private Hire/Hackney Carriage New/Renewal under 5 years:

## Appendix 1

- 1st 6 months £218
- 2nd 6 months (including ISC) £216
- Private Hire/Hackney Carriage:
  - 1st 4 months over 5 years £160
  - 2nd 4 months over 5 years £157
  - 3rd 4 months over 5 years £157
- Plate extension Application £20
- Transfer a vehicle application (another owner) £50
- Replacement vehicle application (to same expiry date) £104 (includes full test and set of plates - classed as new application.)
- Administration fee for missed garage appointment £55 or £27.50 (without 24 hours notice) as per test missed
- Full test or full retest fee (Refer to VOSA documentation) £55
- Partial test fee (Refer to VOSA documentation) £27.50
- ISC retest fee (payable if fails on 3 or more items) £27.50
- Plate deposit £30
- Replacement of large plate (including pins) £10
- Replacement of small plate £6.50
- Replacement bracket £13
- Late insurance production £50
- Change vehicle registration (cherished number plate) £30
- Application for exemption from displaying roof sign and door stickers £30

## Operators

- Application (one year) £624
- Renewal (one year) £520
- Application (three years) £1650
- Renewal (three years) £1450
- Application (five years) £2500
- Renewal (five years) £2250

Value Added Tax (VAT) is not chargeable in relation to any of the above services.

£30 non-refundable administration fee on each application.