

Report to Licensing Committee

17 February 2022

Subject:	Taxi Licensing Fees and Charges 2022-2023
Director:	Director – Borough Economy – Alice Davey
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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 it 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

Resources:	
Legal and Governance:	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"> (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; (e) the reasonable cost of providing hackney carriage stands; and (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. <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>Risk:</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>



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

7. Appendices

Appendix 1 – Current Taxi Licensing Fees

8. Background Papers

None

