

Regulatory Committee

6 March 2024

Report title	Joint Authorisation of Taxi Compliance Officers	
Wards affected	All	
Accountable director	John Roseblade, Director of Resident Services	
Originating service	Licensing	
Accountable employee	Greg Bickerdike	Licensing Manager
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Report has been considered by	Resident Services Leadership Team	13 February 2024
	Strategic Executive Board	20 February 2024

Recommendation for decision:

The Regulatory Committee is recommended to:

1. Approve a delegation of authority to Milton Keynes Council until 30 September 2024.

Recommendations for noting:

The Regulatory Committee is asked to note:

1. That a report on the pilot scheme will be presented to the next Committee meeting after September 2024.

1.0 Purpose

- 1.1 To seek approval from the Committee for authorisation of Milton Keynes City Council's Enforcement Team Lead to undertake compliance functions under Section 68 and 73 of the Local Government (Miscellaneous Provisions) Act 1976, as amended.

2.0 Background

- 2.1 Whilst the Council has three teams of compliance officers who are deployed across the country, alternative methods are being explored to efficiently and effectively uphold public safety.
- 2.2 Section 5.3 of the Department for Transport's 'Taxi and private hire vehicle licensing best practice guidance for licensing authorities in England' states,
"Licensing authorities should, where the need arises, jointly authorise officers from other authorities so that compliance and enforcement action can be taken against licensees from outside their area. An agreement between licensing authorities to jointly authorise officers enables the use of compliance and enforcement powers regardless of which authority within the agreement employs the officer and which issued the licence. This will mitigate the opportunities for licensees to evade regulation. Such an agreement will enable those authorities to take action against vehicles and drivers that are licensed by the other authority when they cross over boundaries. A model for agreeing joint authorisation is contained in the LGA Councillors' handbook."

3.0 Milton Keynes Pilot

- 3.1 As of 27 February 2024, there are 126 private hire drivers and 75 private hire vehicles licensed by City of Wolverhampton Council who live in Milton Keynes.
- 3.2 Milton Keynes City Council has requested authorisation of their officers, to allow for immediate suspensions of a vehicle licence. For example, where a vehicle is found to have tyre tread below the legal limit of 1.6mm.
- 3.3 Milton Keynes City Council have been jointly authorised with Buckinghamshire Council and West Northamptonshire Council since around 2016.
- 3.4 It is proposed that a six-month authorisation to the Enforcement Team Lead at Milton Keynes City Council be approved by the Committee, with the pilot reviewed and a report submitted to Committee in September.
- 3.5 The authorisation would be for powers under Sections 68 and 73 of the Local Government (Miscellaneous Provisions) Act 1976, as amended. Section 68 relates to the fitness of a vehicle and section 73 relates to obstructing officers investigating offences under the Act.
- 3.6 It is proposed that City of Wolverhampton Council's Compliance Service Lead receive an authorisation for the same powers from Milton Keynes City Council.

3.7 A letter of authorisation for each named officer will be provided and this can be shown to licensees. Copies of the licence conditions and relevant policies will be exchanged, as well as information on reporting enforcement action.

3.8 All licensees in Milton Keynes will be written to, advising of the joint authorisation.

4.0 Reporting

4.1 The councils will report, to each other, enforcement action taken against the other's licensees.

5.0 Financial implications

5.1 Production of the authorisation documents will be met through existing revenue budgets.

5.2 There are no proposals for recharge for officer time between the authorities.

[SB/15022024/D]

6.0 Legal implications

6.1 Section 101 (1) (b) of the Local Government Act 1972 permits councils to discharge functions on behalf of another authority.

[DA/22/02/2024/1]

7.0 Equalities implications

7.1 There are no equalities implications.

8.0 All other Implications

8.1 There are no other direct implications contained within this proposal.

9.0 Schedule of background papers

9.1 None