

Time 10.10 am **Public Meeting?** YES **Type of meeting** Licensing

Venue Council Chamber, 4th Floor, Civic Centre

Membership

Chair Cllr Phil Page (Lab)

Vice-chair Cllr Rashpal Kaur (Lab)

Labour

Cllr Keith Inston

Cllr Anwen Muston

Cllr Rita Potter

Cllr Zee Russell

Cllr Jaspreet Jaspal

Cllr Lynne Moran

Conservative

Cllr Mak Singh

Cllr Andrew Randle

Cllr Ellis Turrell

Cllr Wendy Dalton

Quorum for this meeting is three Councillors.

Information for the Public

If you have any queries about this meeting, please contact the Democratic Services team:

Contact Donna Cope, Democratic Services Officer

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Some items are discussed in private because of their confidential or commercial nature. These reports are not available to the public.

Agenda

Part 1 – items open to the press and public

<i>Item No.</i>	<i>Title</i>
1	Apologies for absence
2	Declarations of interest
3	Minutes of previous meeting (Pages 1 - 4) [To approve the minutes of the previous meeting held on 19 January 2022 as a correct record].
4	Matters arising [To discuss any matters arising from the minutes of the previous meeting].
5	Review of Fees and Charges for Street Trading Consents for 2022-2023 (Pages 5 - 12) [To approve the proposed fees and charges].
6	Hackney Carriage Proposed Fare Increase (Pages 13 - 28) [To approve the proposed changes to Hackney Carriage fares].
7	Review of Fees and Charges for Hackney Carriage and Private Hire Licensing Functions for 2022-2023 (Pages 29 - 38) [To approve the proposed fees and charges].
8	Update on Taxi & Private Hire Protected Characteristics Mystery Shopper Exercise (Pages 39 - 44) [To note the update on the mystery shopper exercise].

Attendance

Members of the Regulatory Committee

Cllr Phil Page (Chair)
Cllr Rashpal Kaur (Vice-Chair) (Virtual)
Cllr Keith Inston
Cllr Anwen Muston
Cllr Rita Potter
Cllr Zee Russell
Cllr Mak Singh (Virtual)
Cllr Jaspreet Jaspal (Virtual)
Cllr Lynne Moran
Cllr Andrew Randle
Cllr Ellis Turrell
Cllr Wendy Dalton

Employees

Chris Howell	Commercial Regulation Manager
Greg Bickerdike	Licensing Manager
Emma Caddick	Service Manager - Environmental Health
Paul Dosanjh	Service Manager - Trading Standards & Licensing Act
Charlotte Rose	Service Lead – Environmental Health
Sarah Hardwick	Senior Solicitor
Donna Cope	Democratic Services Officer
Jas Kaur	Democratic Services Manager

Part 1 – items open to the press and public

Item No. *Title*

- 1 Apologies for absence**
There were no apologies for absence.
- 2 Declarations of interest**
There were no declarations of interest made.
- 3 Minutes of previous meeting**
Resolved:
That the minutes of the meeting of the Regulatory Committee held on 10 November 2021 be confirmed as a true record and signed by the Chair.

4 **Matters arising**

There were no matters arising.

5 **Fees for Fit and Proper Person Application - Mobile Home Parks**

Paul Dosanjh, Service Manager: Trading Standards & Licensing Act, presented a report on Fees for Fit and Proper Person Application - Mobile Home Parks. The report outlined the Mobile Homes Fit and Proper Person Fees Policy and the proposed fees for 2022-2023 for the mobile homes fit and proper person function.

The Service Manager responded to questions.

Councillor Inston moved the recommendations. Councillor Muston seconded the recommendations.

Resolved:

That Members of the Regulatory Committee:

1. Approved the adoption of the Mobile Homes Fit and Proper Person Fees Policy.
2. Approved the proposed fees for 2022-2023 for the mobile homes fit and proper person function.

6 **Review of Fees and Charges for General Licensing and Miscellaneous Matters for 2022-2023**

Chris Howell, Commercial Regulation Manager, presented a report outlining the proposed fees and charges for general licensing and miscellaneous matters for 2022-2023.

The Commercial Regulation Manager highlighted a typographical error on page 15 of the report and confirmed that the recommendation of decision should state: *“Approve the proposed fees and charges for General Licensing as set out in Appendices 1-3 with effect from 1 April 2022.”*

The Commercial Regulation Manager stated that the fees and charges would remain the same as last year, and Members of the Committee welcomed the proposals.

Councillor Page moved the recommendations. Councillor Inston seconded the recommendations.

Resolved:

That Members of the Regulatory Committee:

1. Approved the proposed fees and charges for General Licensing as set out in Appendices 1-3 with effect from 1 April 2022.

7 **Hackney Carriage Fare Increase and Contactless Payments**

Greg Bickerdike, Licensing Manager, presented a report on Hackney Carriage Fare Increase and Contactless Payments. The report outlined a request by the Hackney Carriage trade for an increase in Hackney Carriage Fares and sought Committee’s approval for the setting of appropriate fares.

It was proposed that following a number of consultations with the Hackney Carriage Trade that the fares be increased, and the Licensing Manager explained the rationale behind this.

The report also outlined the proposal that all Hackney Carriages must have the facility for customers to make contactless payments, should the customer wish to do so, as recommended by Public Health to assist infection control.

It was noted that the metered mile would now take place on the 28 February 2022 due to venue availability, and the Licensing Manager responded to questions asked.

Resolved:

That Members of the Regulatory Committee:

1. Authorised the required publishing of a notice in a local newspaper detailing the proposed fare increase and stating a consultation period during which objections regarding the increase could be made.
2. Subject to no objection following consultation, approved the proposed increases in Hackney Carriage fares.
3. Required the facility for contactless card payments within all Hackney Carriage vehicles.
4. Noted that if, at the end of the consultation period there were no objections to the proposed fare increase, implementation of the proposed increases would occur after meter recalibration at a metered mile on the 28 February 2022.
5. Noted that if, at the end of the consultation period there were objections to the proposed fare increase, a further report would be presented to the Regulatory Committee on 16 March 2022.

8 **Cosmetic Treatments**

Charlotte Rose, Service Lead – Environmental Health, delivered a presentation on the regulation of cosmetic treatments.

The presentation outlined key investigations within Commercial Regulation, and discussed the specialised work carried out by the Service Lead and partner agencies in order to ensure better regulation of cosmetic procedures.

The Service Lead outlined the All-Party Parliamentary Group (APPG) inquiry into advanced aesthetic non-surgical treatment and summarised the concluding report. She outlined the recommendations from the enquiry and discussed how the authority would continue their campaign for better regulation of cosmetic procedures.

Members of the Committee welcomed the presentation and recommended that a further letter was written to the Government on behalf of Members, requesting that the recommendations from the APPG inquiry be implemented.

Resolved:

1. That the presentation and issues raised be noted.
2. That the Chair of the Regulatory Committee would write to the Government on behalf of Members, requesting that the recommendations from the APPG inquiry be implemented.

9 **Sports Ground Safety Audit**

Emma Caddick, Service Manager – Environmental Health, presented a report on Sports Ground Safety Audit of the City of Wolverhampton Councils' Sports Ground Safety Function. The report summarised the outcome of the audit which took place on the 16 September 2021 and outlined the key findings.

The Service Manager responded to questions asked and agreed to:

1. Contact WWFC regarding a stadium visit for Members of the Regulatory Committee where they could attend a 'during performance inspection' (DPI).
2. Check the figures within the report regarding capacity of Molineux Stadium and provide Councillor Inston with an update.

Resolved:

That Members of the Regulatory Committee:

1. Noted the content of the Sports Ground Safety Audit Report following the audit of the authority's sports ground safety function, which took place on the 16 September 2021.

10 **Adoption of South Staffordshire District Councils delegated licensing function**

Chris Howell, Commercial Regulation Manager, presented a report on the Adoption of South Staffordshire District Councils delegated licensing function. The report outlined the progress that had been made and asked the Regulatory Committee to formally accept the delegated licensing functions subject to the signing of the finalised agreement.

The report was debated by Committee, and the Commercial Regulation Manager responded to questions asked.

Resolved:

That Members of the Regulatory Committee:

1. Agreed to accept the licensing function, as delegated, by South Staffordshire District Council subject to the signing of the finalised agreement.

CITY OF WOLVERHAMPTON COUNCIL	Regulatory Committee 16 March 2022
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Report title	Review of Fees and Charges for Street Trading Consents for 2022-2023	
Wards affected	All	
Accountable director	John Roseblade, Director of City Housing and Environment	
Originating service	Licensing	
Accountable employee	Chris Howell	Commercial Regulation Manager
	Tel	01902 554554
	Email	chris.howell@wolverhampton.gov.uk
Report to be/has been considered by	None	

Recommendations for decision:

The Regulatory Committee is recommended to:

1. Approve the proposed fees and charges for Occasional/Temporary Street Trading Consents as set out in Appendix 1 of this report with effect from 1 April 2022.
2. Approve the proposed fees and charges for Annual Street Trading Consents as set out in Appendix 2 of this report with effect from 1 April 2022.

Recommendations for noting:

The Regulatory Committee is asked to note:

1. The Street Trading Policy is currently being reviewed and the fees are subject to change mid-term.

1.0 Purpose

- 1.1 To submit for consideration proposed street trading fees and charges to take effect from 1 April 2022 and to advise the Licensing Committee of arrangements for the control and regulation of street trading activities undertaken in the City.
- 1.2 The Street Trading Policy review was delayed due to Covid-19. The review has now commenced, and a further paper shall be submitted to this committee following a full consultation.

2.0 Background

- 2.1 In 1986 the Council adopted Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, designating all streets in the City as “consent” streets, enabling the Council to control street trading activities. In general terms any trading on a “street”, with a few exceptions, requires “consent to trade”.
- 2.2 The Market Service are responsible for issuing consents (including the collecting of fees) for street trading and the enforcement responsibilities associated with street trading.

3.0 Overview of local controls

- 3.1 The Council’s constitution delegates the Council’s functions relating to the processing, determination and management of street trading, under the Local Government (Miscellaneous Provisions) Act 1982, to the Regulatory Licensing Committee.
- 3.2 A variety of different consents are issued which set controls such as location and approved times of operation. All consent locations are determined by an officer group covering the disciplines of planning, highways design, highways enforcement etc.
- 3.3 Consents are agreed and defined based upon location within the City and time of operation. The following represents the location types:
 - Dudley Street
 - Bilston Street/Queen Street
 - Victoria Street/Skinner Street/Cleveland Street
 - Molineux Area (Football Consents)
 - Bilston Town Centre
 - Wednesfield Town Centre
 - Evening Consents
 - Other City Areas Food
 - Other City Areas Flowers
 - B Type Consents
 - Operating on Land Accessible to the Public Without Payment (Private Land)

Notes:

- All consents apply for a 12-month period only. There are no guarantees that successful applications for 2021-2022 will be successful in 2022-2023.
- Evening Consents permit trade at any location within a three-quarter mile radius of the Council's retail markets only between the hours of 21.00 and 05.00 hours and are typically issued for catering units.
- Other City Areas Food and Flower consents relate to the consent for traders on designated pitches in other City areas previously issued as mobile consents.
- 'B' Type Consents allow trading in any street in the City, except within a three-quarter mile radius of any Council market or other prohibited area. B Type Consents are typically issued for ice cream sales or snacks by means of a mobile unit.
- Operating on Land Accessible to the Public Without Payment (Private Land) relates to consents issued for food, non-food and Molineux match days.

4.0 Financial implications

- 4.1 It is recommended the fees and charges for street trading consents will, until the outcome of street trading review is agreed by Regulatory Committee, remain unchanged for 2022-2023.
- 4.2 Should the Licensing Committee agree with the recommendations in this report it is anticipated that overall income from the proposed fees and charges in Appendices 1 and 2 will cover the estimated cost of providing the service.

[SB/24022022/Q]

5.0 Legal implications

- 5.1 Paragraph 9 of Schedule 4 of the 82 Act states that a Council may charge such fees as they consider reasonable for the grant or renewal of a street trading consent. Further, a council may determine different fees for different types of consent according to duration, location and articles to be traded.
- 5.2 Paragraph 9(6) provides that a Council may recover such reasonable charges as they may determine for the collection of refuse, the cleansing of streets and other services rendered to him in his capacity as a licence-holder.
- 5.3 Paragraph 9 (9) goes on to explain that before determining or varying charges under (6) the Council shall give notice of the proposed charges to the licence holder and shall publish notice in a local newspaper.

[JB/23022022/A]

6.0 Equalities implications

- 6.1 There are no direct equalities implications arising directly from this report. However, an equalities analysis shall be undertaken as part of the street trader policy review.

7.0 All other Implications

- 7.1 The Covid pandemic has had a big impact on Street Trading and Traders. The Council and this Committee has assisted, financially, where it was able to do so and the review shall be undertaken in that same manner

8.0 Schedule of background papers

- 8.1 Non-Statutory Licensing Committee – 20 March 2019 - Review of Fees and Charges for Street Trading Consents for 2019/2020.
- 8.2 Non-Statutory Licensing Committee – 22 January 2020 - Review of Fees and Charges for Street Trading Consents for 2020/2021.
- 8.3 Non-Statutory Licensing Committee – 20 January 2021 - Review of Fees and Charges for Street Trading Consents for 2021-2022

9.0 Appendices

- 9.1 Appendix 1: Fees-Charges for Occasional-Temporary Street Trading Consents 2020-2023
- 9.2 Appendix 2: Fees Charges for Annual Street Trading Consents 2020-2023

APPENDIX 1

Proposed Occasional/Temporary Street Trading Fees 2022-2023

LOCATION / TYPE	2021/2022 Existing Consent (£)	2022/2023 Proposed Consent (£)
City Centre (within Ring Road)		
Individual Week Days (Monday to Friday, excluding Bank Holidays)	30.00	30.00
Mid-Week Consent (Monday to Friday inclusive, excluding Bank Holidays)	110.00	110.00
Weekends (Saturday and Sunday inclusive)	110.00	110.00
Bank Holidays and Specialist Market Days	55.00	55.00
Bilston and Wednesfield Town Centres		
Individual Week Days (Monday to Friday, excluding Bank Holidays)	15.00	15.00
Mid-Week Consent (Monday to Friday inclusive, excluding Bank Holidays)	55.00	55.00
Weekends (Saturday and Sunday inclusive)	55.00	55.00
Bank Holidays and Specialist Market Days	30.00	30.00
Other Areas		
Individual Week Days (Monday to Friday, excluding Bank Holidays)	10.00	10.00
Mid-Week Consent (Monday to Friday inclusive, excluding Bank Holidays)	35.00	35.00
Weekends (Saturday and Sunday inclusive)	35.00	35.00
Bank Holidays and Specialist Market Days	15.00	15.00
Special Outdoor Event (i.e. City Show, Vaisakhi, Steam and Vintage Rally, etc)	Up to 165.00 per event	Up to 165.00 per event

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APPENDIX 2**Proposed Annual Street Trading Fees 2022-2023**

LOCATION / TYPE	2021/2022 Existing Consent Annual Fee (£)	2022/2023 Proposed Consent Annual Fee (£)
Dudley Street	3380	3380
Bilston Street/Queen Street	2940	2940
Skinner Street/Cleveland Street/Victoria Street	2940	2940
Molineux Area (Football Consents)	690	690
Molineux Area (Other Events)	40	40
Bilston Town Centre	2170	2170
Wednesfield Town Centre	1990	1990
Evening Consents	1905	1905
Other City Areas Food	1300	1300
Other City Areas Flowers	440	440
B Type Consents*	460	460
Private Land Consent	95	95

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Report title	Hackney Carriage Proposed Fare Increase	
Wards affected	All	
Accountable director	John Roseblade, Director of City Housing and Environment	
Originating service	Licensing	
Accountable employee	Greg Bickerdike	Licensing Manager
	Tel	01902 554030
	Email	Greg.Bickerdike@wolverhampton.gov.uk
Report to be/has been considered by	N/A	

Recommendations for decision:

The Regulatory Committee is recommended to:

1. Consider the objections to the proposed changes to Hackney Carriage fares.
2. Approve the proposed changes to Hackney Carriage fares.

Recommendations for noting:

The Regulatory Committee is asked to note:

1. Implementation of the proposed increases will occur after meter recalibration at a metered mile in April 2022 at Aldersley Leisure Village.
2. That the revised table of fares will be printed for Hackney Carriage licence holders to be displayed in the vehicle for passengers.

1.0 Purpose

- 1.1 To update the Regulatory Committee of the objections to the proposed Hackney Carriage fare increase and request approval of the proposed fare changes.

2.0 Background

- 2.1 Under the provisions of the Local Government (Miscellaneous Provisions) Act 1976, the maximum fares charged by Hackney Carriage services can be set by the Local Authority in which they are licensed to trade. The Local Authority has no legal power to control the fares charged by Private Hire Vehicles.
- 2.2 At the meeting of the Regulatory Committee on 19 January 2022, the Committee approved a public notice and consultation on an increase to the maximum chargeable Hackney Carriage Fares within Wolverhampton. The consultation ran from 27 January to 9 February 2022.
- 2.3 The current fares can be found in Appendix 1, with the proposed fares in Appendix 2.
- 2.4 Three objections to the proposals were made, included in Appendix 3. The Committee is required to consider these objections.

3.0 Analysis of Objections

- 3.1 The first objection argues that the proposed fares are too expensive for customers and will reduce trade. It is requested that Wolverhampton's fares mirror Birmingham's fares, which are included as Appendix 4. It should be noted that Birmingham's fares have not been increased since 2012 and it is not considered a sufficient increase for drivers, given the inflationary pressures felt since Wolverhampton's last fare increase. As such, this objection is recommended to be rejected.
- 3.2 This objection also asks for a full consultation with all drivers. All hackney carriage licence holders were consulted on 27 January 2022 via email. This is not a legal requirement, however was done as a courtesy. By contacting all drivers via email and publishing the public notice, the council has undertaken a full consultation.
- 3.3 The proposed increase was not requested by the Council, but was presented by representatives of the Hackney Carriage trade at the trade group. The trade representatives have all approved of the fares proposed in Appendix 2.
- 3.4 Those drivers who feel they are not represented at the trade group are cordially invited to join a recognised trade union/association, or alternatively establish a new union/association and request recognition.
- 3.5 The first objection also raises the point that no email address was provided for objections, however objections to public notices on Hackney Carriage fares have historically been requested in writing to the Director of Governance, David Pattison, as Monitoring Officer to the Council.

- 3.6 The second objection proposes an alternative fee structure, which is more expensive for customers and redefines the night rate as from 18:00. It also proposes double tariff 1 over the Christmas period, which the trade group rejected and requested removal of at the last meeting. As concern was expressed at the previous Committee meeting over the impact on customers, this objection is recommended to be rejected.
- 3.7 The third objection proposes an alternative fee structure, which is cheaper for customers, but provides no recognition for Saturday working.

4.0 Summary

- 4.1 The proposed fares are the maximum fares which can be charged to customers by drivers on a journey within Wolverhampton. Drivers are free to quote a reduced rate at the beginning of the journey, as well as or instead of discounting the final fare upon arrival. However, a driver may not request more than is shown on the meter.
- 4.2 Given that there have only been three objections to the proposals and the trade group have given their approval to the proposed fares, it is recommended that no changes be made to the proposals as a result of the consultation.

5.0 Financial implications

- 5.1 There are no costs to the Council. Any charges for meter calibration will be at the Hackney Carriage Vehicle licence holder's own expense.

[SB/17022022/R]

6.0 Legal implications

- 6.1 Section 65 of Local Government (Miscellaneous Provisions) Act 1976 provides:

(1) A district council may fix the rates or fares within the district as well for time as distance, and all other charges in connection with the hire of a vehicle or with the arrangements for the hire of a vehicle, to be paid in respect of the hire of hackney carriages by means of a table (hereafter in this section referred to as a "table of fares") made or varied in accordance with the provisions of this section.

(2) (a) When a district council make or vary a table of fares they shall publish in at least one local newspaper circulating in the district a notice setting out the table of fares or the variation thereof and specifying the period, which shall not be less than fourteen days from the date of the first publication of the notice, within which and the manner in which objections to the table of fares or variation can be made.

(b) A copy of the notice referred to in paragraph (a) of this subsection shall for the period of fourteen days from the date of the first publication thereof be deposited at the offices of the council which published the notice, and shall at all reasonable hours be open to public inspection without payment.

(3) If no objection to a table of fares or variation is duly made within the period specified in the notice referred to in subsection (2) of this section, or if all objections so made are withdrawn, the table of fares or variation shall come into operation on the date of the expiration of the period specified in the notice or the date of withdrawal of the objection or, if more than one, of the last objection, whichever date is the later.

6.2 (4) If objection is duly made as aforesaid and is not withdrawn, the district council shall set a further date, not later than two months after the first specified date, on which the table of fares shall come into force with or without modifications as decided by them after consideration of the objections.

[DA/07/03/2022/1]

7.0 Equalities implications

7.1 There are no direct equalities implications for this report.

8.0 All other implications

8.1 There are no other direct implications.

9.0 Schedule of background papers

9.1 19 September 2008 - Application for an Increase in Hackney Carriage Fares - Licensing Committee

9.2 21 January 2009 - Consideration of Objection to Proposed Increase of Hackney Carriage Fares - Licensing Committee

9.3 16 January 2013 - Application for an Increase in Hackney Carriage Fares – Licensing Committee

9.4 10 July 2019 - Application for an Increase in Hackney Carriage Fares – Non-Statutory Licensing Committee

9.5 19 January 2022 - Hackney Carriage Fare Increase and Contactless Payments – Regulatory Committee

10.0 Appendices

10.1 Appendix 1: Current Hackney Carriage Table of Fares

10.2 Appendix 2: Proposed Hackney Carriage Table of Fares

10.3 Appendix 3: Objections to the Public Notice

10.4 Appendix 4: Birmingham City Council's Hackney Carriage Table of Fares

HACKNEY CARRIAGE TABLE OF FARES

TARIFF 1 (6.00am - 11.00pm Monday - Saturday)	
INITIAL FARE (first 1/4 mile)	£2.80
Each subsequent mile (charged at 10p increments)	£1.60
TARIFF 2 (11.00pm - 6.00am Monday – Thursday, 6.00am Sundays until 6.00am Monday and Bank Holidays from 6.00am)	
INITIAL FARE (first 1/4 mile)	£3.50
Additional miles as Tariff 1	£1.60
TARIFF 3 (11.00pm - 6.00am Friday/Saturday – Saturday/Sunday and nights preceding a Bank Holiday from 11.00pm until 6.00am the following morning)	
INITIAL FARE (first 1/4 mile)	£3.50
Each subsequent mile	£2.20
CHRISTMAS EVE 24 DECEMBER 6PM UNTIL 6AM 27 DECEMBER NEW YEARS EVE 31 DECEMBER 6PM UNTIL 6AM 2 JANUARY	
Double Time Tariff 1	
OTHER	
Waiting time (every 30 seconds)	£ 0.10
Soiling charge	Up to £40.00

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CITY OF WOLVERHAMPTON COUNCIL

Hackney Carriage Table of Fares

Tariff	Day	Time	First ¼ mile	Additional miles (10p increments)
Tariff 1	Monday to Friday	06:00 – 22:00	£3.30	£2.00
Tariff 2	Monday to Thursday	22:00 – 06:00 following day	£3.50	£2.20
	Saturday and Sunday Bank holidays	06:00 – 22:00		
Tariff 3	Friday to Sunday Night before a bank holiday Bank holidays	22:00 – 06:00 following day	£3.50	£2.60
	06:00 24 December until 06:00 27 December 18:00 31 December until 06:00 2 January			

Other charges	
Waiting time (every 30 seconds)	£0.10
Soiling charge	Up to £50

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[REDACTED]

From: [REDACTED]
Sent: 27 January 2022 19:40
To: [REDACTED]; Licensing
Subject: Fw: Proposed Hackney Carriage Fares

CAUTION: This email originated from outside of the council. Do not click links or open attachments unless you are sure the content is safe.

Good Evening [REDACTED],

I've had this email come through yet there is no contact email for David Pattison, to object against the proposed changes.

I need to make awareness that none of the hackney carriage drivers including myself were fully aware, that these hackney carriage fares were going to be changed to these rates. A Majority of the hackney carriage drivers were not consulted for a majority agreement based on my conversations with many of the drivers.

I have been in this trade for over 20 years and have seen the great challenges faced to our trade, especially since private hire has facilitated for online/app-based booking including the likes of Uber affecting the market. Consumers don't take many hackney cabs as they used to, due to the ease of access and cheap bookings available from app-based booking. Our business does not have any competitive advantage to private hire trade and in fact, our only advantage to private hire taxis is that we have the station rank and market street rank to allow for people to catch a cab. Futhermore, footfall has severely reduced and with the access to mobiles, people can have a private taxi ready to hand when needed.

The only additional advantage we have is that we endeavour to pick up customers on-time in majority of cases compared to private hire taxis. Yet, this is not a really a major selling point for hackney carriage taxis versus private hire.

I am aware we haven't had a fare rise in the last 9 years and a fare rise is due of course to be consistent to the economy. However, these prices are not competitive for the market. These fare rises will price us out against private hire taxis and will upset more customers who will turn towards private hire taxis. This will have a substantial negative affect to our trade that will force lots of drivers to leave the trade, if the business has been squashed and not sustainable for drivers to operate their vehicles.

I insist that these fare changes to be reviewed again and to bring in all the hackney carriage drivers with translators to hand to support a fair consultation process. In my opinion, I think our hackney carriage fare rates should match Birmingham hackney carriage fares and be in line with their changes so as a region, we are consistent with the trade.

In summary, I personally object to these fares and recommend for a full consultation with all the drivers. Moving forward with these fares will damage our trade, upset our customers and will bring complaints to your council.

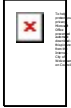
Best regards,

From: Wolverhampton Licensing Services <wolverhampton.licensing.services@notifications.service.gov.uk>

Sent: 27 January 2022 08:00

To: [REDACTED]

Subject: Proposed Hackney Carriage Fares



Hello,

The council is launching a two week consultation on an increase to proposed fares:

Proposed Hackney Carriage Fares

- Tariff 1
(Day) Monday to Friday (Time) 06:00 – 22:00

(First 1/4 mile) £3.30 (Additional miles (10p increments)) £2.00

- Tariff 2
(Day) Monday to Thursday (Time) 22:00 – 06:00
following day
(Day) Saturday and Sunday (Time) 06:00 – 22:00
Bank holidays (Time) 06:00 – 22:00

(First 1/4 mile) £3.50 (Additional miles (10p increments)) £2.20

- Tariff 3
(Day) Friday to Sunday (Time) 22:00 – 06:00 following
day
Night before a bank holiday (Time) 22:00 – 06:00
following day
Bank holidays (Time) 22:00 – 06:00 following day

06:00 24 December until 06:00 27 December
18:00 31 December until 06:00 2 January

(First 1/4 mile) £3.50 (Additional miles (10p increments)) £2.60

- Other charges

Waiting time (every 30 seconds) £0.10

Soiling charge Up to £50

Any objection to the proposed variations should be made in writing to the undersigned by 9 February 2022.

David Pattison

Director of Governance and Solicitor to the Council

Civic Centre, St Peter's Square, Wolverhampton WV1 1R

[REDACTED]

From: [REDACTED]
Sent: 03 February 2022 14:56
To: [REDACTED]
Subject: Re: Fare proposal

CAUTION: This email originated from outside of the council. Do not click links or open attachments unless you are sure the content is safe.

Proposed Hackney Carriage fares

Tariff 1

Monday to Friday

[0600 - 1800](#)

£3.50 1/4 mile and £2.00 per mile

10p increments

Tariff 2

Monday to Thursday

[1800 - 0600](#)

Saturday and Sunday

[0600 - 1800](#)

And bank holidays

Tariff 3

Monday to Sunday

[1800 - 0600](#)

£3.50 1/4 mile and £3.00 per mile

10 increments

Tariff 4

Christmas and New Year

Double tariff 1

1800 24th December to 2nd January 0600

Soil charge £50.00

There should be a separate tariff for more than four passengers
(fair and a half minibus tariff)

I have looked at Shropshire, Walsall and Cannock Hackney carriage prices.

I have spoken to quite a few independent Hackney carriage drivers who agree with these tariffs.

Kind Regards

[REDACTED]

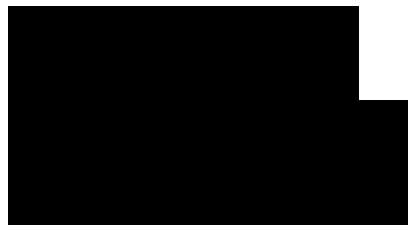
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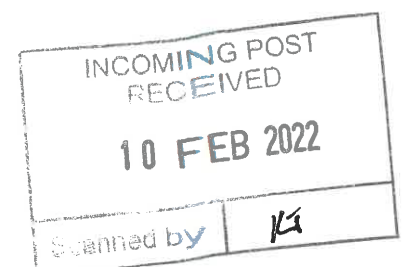
To

David Pattison

Hi I am writing to you regarding proposed Hackney carriage fares they high because
With the energy prices in April these fares will be high nobody will be able to afford a taxi tariff 1
should be £3 first quarter mile
And additional miles 10 p £1.80
Tariff 2 should be £3.50 plus £ 2 .00
Rate .3 should be £3.50 plus £2.20
Bank holidays should be rate 2 all of rest should be same thank you so much



P.S. Saturday ~~and bank holiday~~ should stay on tariff 1
Bank holiday tariff 2.
all the waiting time should stay same
sole charges same too



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BIRMINGHAM CITY COUNCIL HACKNEY CARRIAGE - TABLE of FARES

If you fail to pay the fare recorded on the taximeter, you may be liable under The Theft Act 1968, on conviction, to a sentence of imprisonment of up to 10 years.

The taximeter is programmed to select the correct tariff automatically, from the tariffs as detailed below, depending on the date, day and time of day that the Hackney Carriage is being hired using real time clock tariff changes in hired mode.

<p>TARIFF ONE: STANDARD DAY RATE Applicable Monday to Saturday From 07.00hrs to 23.00hrs (EXCEPT for those days and times as specified in Tariffs Two, Three and Four)</p>	<p>TARIFF TWO: WEEKDAY NIGHT RATE Applicable Sunday to Thursday - From 23.00hrs to 04.00hrs the next day AND on Sunday - From 07.00hrs to 23.00hrs AND All Bank Holidays - From 00.00hrs to 23.00hrs. (EXCEPT for those days and times as specified in Tariffs Three & Four)</p>
<p>TARIFF THREE: WEEKEND NIGHT RATE Applicable Friday and Saturday - From 23.00hrs to 07.00hrs the next day AND on Boxing Day - From 00.00hrs to 24.00hrs AND on Christmas Eve - From 19.00hrs to 24.00hrs AND on New Year's Eve - From 19.00hrs to 24.00hrs</p>	<p>TARIFF FOUR: CHRISTMAS & NEW YEAR SEASON Applicable on Christmas Day and New Year's Day On Christmas Day - From 00.00hrs to 24.00hrs A N D On New Year's Day - From 00.00hrs to 07.00hrs</p>

The fare is shown on the taximeter, which records on the basis of time or distance at the following rates.

	TARIFF ONE	TARIFF TWO	TARIFF THREE	TARIFF FOUR
INITIAL CHARGES: A charge of For the first or part thereof	£2.20 187.5 yards	£2.40 195.6 yards	£2.60 180.5 yards	£3.00 220 yards
MILEAGE CHARGES: A charge of For each subsequent or part thereof until have been travelled.	20p 125.0 yards 1062.5 yards	20p 97.8 yards 684.6 yards	20p 90.3 yards 632 yards	30p 110 yards 770 yards
Thereafter: A charge of For each subsequent or part thereof Equivalent to a rate per mile of	20p 195.6 yards £1.80	20p 172.5 yards £2.04	20p 159.3 yards £2.21	30p 194.1 yards £2.72
WAITING & TIME CHARGES: A charge of For each or part thereof Equivalent to an hourly rate of	20p 45.8 secs £15.72	20p 40.0 secs £18.00	20p 36.9 secs £19.50	30p 45.0 secs £24.00
SOILAGE CHARGES: An additional charge may be made in the event of SOILAGE OR FOULING OF THE VEHICLE	£40.00	£40.00	£40.00	£60.00

EXTRA CHARGES:

For every person in excess of one	20p
For every article of luggage carried outside the passenger compartment	20p
Any road toll or barrier charge incurred in the execution of the hiring	

COMPLAINTS

Any complaint of overcharging, or about this taxi or taxi driver, should be sent in writing to The Enforcement Section, Birmingham City Council, Phoenix House, Garretts Green Trading Estate, Valepits Road Birmingham B33 0TD, or by telephoning 0121 303 9611, quoting the number of the taxi and the number of the driver's badge. Enquiries regarding property accidentally left in a taxi should be made at the nearest West Midlands Police Station.

HO

JUNE 2012

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CITY OF
WOLVERHAMPTON
COUNCIL

Regulatory Committee

16 March 2022

Report title	Review of Fees and Charges for Hackney Carriage and Private Hire Licensing Functions for 2022-2023	
Wards affected	All wards	
Accountable director	John Roseblade, Director of City Housing and Environment	
Originating service	Licensing	
Accountable employee	Greg Bickerdike	Licensing Manager
	Tel	01902 554030
	Email	Greg.Bickerdike@wolverhampton.gov.uk
Report to be/has been considered by	None	

Recommendation for decision:

The Regulatory Committee is recommended to:

1. Approve the proposed fees and charges as set out in Appendix 1 with effect from 1 April 2022.

1.0 Purpose

- 1.1 To approve the proposed fees and charges for licences relating to Hackney Carriages, Private Hire vehicles, drivers, Private Hire vehicle operators and Council approved MOT testing facilities for 2022-2023.

2.0 Background

- 2.1 The Council is empowered by statute to levy fees and charges in respect of licences for Hackney Carriage and Private Hire vehicles, 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.
- 2.2 Council policy is that fees and charges should be reviewed annually and reflect the cost of providing the service.

3.0 Proposals for 2022-2023 Hackney Carriage and Private Hire Vehicle Driver Fees

- 3.1 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.
- 3.2 From 4 April 2022, licensing authorities must carry out certain checks on applications from individuals, companies and any type of partnership to make sure they are aware of their tax responsibilities or have completed a tax check. This will apply to driver and vehicle operator licences.
- 3.3 Checks will need to be undertaken to verify that new applicants are aware of their tax responsibilities. A tax check will need to be undertaken on existing drivers renewing their licence.
- 3.4 The Licensed Private Hire Car Association (LPHCA) estimates the industry is short of 160,000 of the previously 300,000-strong workforce, indicating that more than half of licensed private hire drivers have not returned to the trade since the pandemic.
- 3.5 This shortage of drivers could increase the risk to those that use licensed transport providers, as they have to wait longer for a driver. This risk is increased further by those waiting during the night time economy.
- 3.6 Therefore, whilst the impact of the coronavirus pandemic has been less compared to last year and further checks will need to be undertaken, to support the trade it is proposed that fees do not increase to ensure that there is not a greater barrier of entry to the industry and provide further financial support to those already in the trade.
- 3.7 To further support the drivers, it is proposed that renewal Dual Driver licence fees are reduced by £25 to £80 for a one-year renewal. This will achieve price parity with renewing a Hackney Carriage Driver licence and Private Hire Vehicle Driver licence

individually for one year. The number of drivers renewing their dual driver licence for one year is currently 34, meaning a reduced income of £850. However, this is expected to be mitigated by the reduced admin work for those drivers should they apply for these licences separately.

3.8 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. It is proposed that the fees remain at the current rates.

3.9 The proposed fees and charges for Hackney Carriage and Private Hire Vehicle Driver licences for 2022-2023 are set out in Appendix 1.

4.0 Proposals for 2021-22 Hackney Carriage and Private Hire Vehicle Fees

4.1 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.

4.2 The proposals for 2022-23 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.

4.3 All fees for Hackney Carriage and Private Hire vehicles shall remain the same as 2021-2022. The proposed fees and charges for Hackney Carriage and Private Hire Vehicle licences for 2022-2023 are set out in Appendix 1.

5.0 Proposals for 2021-22 Private Hire Vehicle Operator Fees

5.1 All fees for Private Hire Vehicle Operators shall remain the same as 2021-2022. The proposed fees for Private Hire Vehicle Operator licences for 2022-2023 are set out in at Appendix 1.

6.0 Proposals for Hackney Carriage and Private Hire Vehicle Testing Facilities

6.1 The fee for applying to become a Council-approved Ministry of Transport (MOT) testing station shall remain the same as 2021-2022, following the mid-term review. The proposed fee is set out in at Appendix 1.

7.0 Proposals for Offsite Private Hire Vehicle Inspections

- 7.1 In pursuit of excellent customer service, ad-hoc requests by Private Hire Vehicle Operators for vehicle inspections at bases outside of Wolverhampton have been granted. This has many benefits, predominantly convenience, time saving and greatly reduced fuel costs. Conducting appointments offsite can also free up appointments onsite for local vehicle proprietors.
- 7.2 Private Hire Vehicle Operators have welcomed this service and demand is growing. This report seeks to formalise the charges for offsite private hire vehicle inspections to enable cost recovery. Costs include officer time, subsistence, vehicle costs, mileage, accommodation (where necessary) and administration.
- 7.3 A 2016 Toyota Prius is a typical Private Hire Vehicle and has a fuel efficiency of 67.3mpg (14.8mpl) and 78g/km (48.5g/mi) CO₂ emissions. Typical petrol prices are currently £1.48 per litre. The benefits of dispatching officers in one vehicle offsite instead of the vehicles being inspected driving a round trip to Wolverhampton can be seen below:

Vehicles	Distance from Wolverhampton	Total CO ₂ emissions (kg)	Each vehicle's petrol (l)	Each driver's fuel cost	Total fuel cost
20	100 miles	194	13.5	£20	£400
	200 miles	388	27.0	£40	£800
	300 miles	582	40.6	£60	£1,200
40	100 miles	388	13.5	£20	£800
	200 miles	776	27.0	£40	£1,600
	300 miles	1164	40.6	£60	£2,400

- 7.4 The proposed fees are set out in at Appendix 1.

8.0 Mini-bus permits and disc

- 8.1 These were approved by the Regulatory Committee on 19 January 2022 and are included in Appendix 1 for information only.

9.0 Reserve Management

- 9.1 Licensing Services would normally look to reduce fees however, these are unprecedented times. Licensing Services planned prudential use of surplus reserve funding in 2021-22, however this was still much lower than expected. There is also ongoing uncertainty over whether losses caused by the pandemic will be fully reimbursed by Government.
- 9.2 It is unknown how significant the resource demand will be to undertake the tax conditionality checks. Whilst additional staff are being recruited to meet demand in

licence applications, it is estimated that the increase in demand due to these checks will not exceed 1 full time equivalent member of staff.

- 9.3 Given the difficulties that licensing authorities are having in processing applications, reducing fees now to an artificially low and unsustainable price may attract 'fee tourists', who apply to Wolverhampton from other areas due to its low fees.
- 9.4 Therefore, it is proposed that a larger than normal surplus be carried over this year, to be addressed next year by reducing fees.

10.0 Financial implications

- 10.1 The dual driver licencing fee reduction for one year renewal has an estimated loss of £850.
- 10.2 The Fees and Charges for offsite Private Hire Vehicle Inspection are formalised in this report. Charging is on a cost recovery basis.
- 10.3 The loss of income for COVID has been claimed but payment has not yet been made.
- 10.4 The Licencing Reserve is currently £1,759,596.
- 10.5 The Licencing Reserve operates as a 3 year rolling average. This is monitored throughout the year. Modelling to support the forecast planned strategy is being undertaken.

[SB/08032022/B]

11.0 Legal implications

- 11.1 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.
- 11.2 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.
- 11.3 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 2022.
- 11.4 The fees charged must be reasonable in relation to costs incurred in the issue, administration and enforcement of such licences.

[DA/07/03/2022/1]

12.0 Equalities implications

12.1 There are no equalities implications arising from this report.

13.0 All other Implications

13.1 Offsite private hire vehicle inspections greatly reduce CO₂ emissions, as those vehicles would have driven to the Council offices at Hickman Avenue. If one vehicle drives to the operator's base instead of 40 vehicles visiting Wolverhampton, that is a 97.5% reduction in journeys.

14.0 Schedule of background papers

14.1 Licensing Committee – 20 March 2019 - Review of Fees and Charges for Hackney Carriage and Private Hire Licensing functions for 2019-2020

14.2 Non-Statutory Licensing Committee - 22 January 2020 - Review of Fees and Charges for Hackney Carriage and Private Hire Licensing functions for 2020-2021

14.3 Non-Statutory Licensing Committee - 27 May 2020 - Revision of fees for Hackney Carriage and Private Hire Licensing functions for 2020-2021

14.4 Non-Statutory Licensing Committee - 9 September 2020 - Statutory Taxi & Private Hire Vehicle Standards

14.5 Non-Statutory Licensing Committee - 20 September 2020 - Statutory Taxi & Private Hire Vehicle Standards Consultation Response and Recommendations

14.6 Non-Statutory Licensing Committee - 20 January 2021 - Review of Fees and Charges for Hackney Carriage and Private Hire Licensing Functions for 2021-2022

15.0 Appendices

15.1 Appendix 1 - Proposed Fees and Charges for Hackney Carriage and Private Hire Licences 2022-2023

Proposed Fees and Charges for Hackney Carriage and Private Hire Licences 2022-2023

	Licence Type/Function		Fees and Charges For 2021-2022 £	Proposed Fees and Charges For 2022-2023 £
1.0	Drivers			
1.1	Hackney Carriage / Private Hire Vehicle Driver Licence	1 year licence New	64	64
1.2		1 year licence Renewal	40	40
1.3		3 year licence New	120	120
1.4		3 year licence Renewal	100	100
1.5	Dual Driver Licence (Hackney Carriage and Private Hire)	1 year licence Renewal	105	80
1.6		3 year licence Renewal	200	200
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	40
1.10	Hackney Carriage / Private Hire New Applicants Driver Training Immediate Re-test		15	15
1.11	Hackney Carriage / New Applicants Practical Driving Assessment		79	79
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

	Licence Type/Function		Fees and Charges For 2021-22 £	Proposed Fees and Charges For 2022-23 £
2.0 Hackney Carriage Vehicles				
2.1	1 year licence New / Renewal	Vehicle aged Under 10 years old	135	135
2.2		Vehicle aged Over 10 but under 16 years old	299	299
2.3	6 month licence Renewal	Vehicle aged Over 10 years old	169	169
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
2.6 Private Hire Vehicles				
2.7	1 year licence New / Renewal	Vehicle aged Under 10 years old	135	135
2.8		Vehicle aged Over 10 but under 12 years old	299	299
2.9	6 month licence Renewal	Vehicle aged Over 10 but under 12 years old	169	169
2.10	Application Fast Track New / Renewal		180	180
3.0 Small Private Hire Vehicle Operators (Up to 4 vehicles)				
3.1	1 year licence	New	1077	1077
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	1077	1077
3.6		Renewal	785	785
3.7	5 year licence	Renewal	3140	3140
4.0 Hackney Carriage / Private Hire Vehicle MOT Testing Facilities				
4.1	Application for Council approval of DVSA registered MOT garages		150	150
5.0 Mini-bus Permits and Disc				
5.1	5 year permit New / Renewal / Replacement		25	25

	Licence Type/Function		Fees and Charges For 2021-22 £	Proposed Fees and Charges For 2022-23 £
6.0	Offsite Private Hire Vehicle Inspections			
6.1	up to 20 inspections	100 miles from Wolverhampton	-	£405
6.2		200 miles from Wolverhampton	-	£719
6.3		300 miles from Wolverhampton	-	£1,061
6.4	21 to 40 inspections	100 miles from Wolverhampton	-	£664
6.5		200 miles from Wolverhampton	-	£1,197
6.6		300 miles from Wolverhampton	-	£1,788

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<p>CITY OF WOLVERHAMPTON COUNCIL</p>	<h2>Regulatory Committee</h2> <p>16 March 2022</p>
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Report title	Update on Taxi & Private Hire Protected Characteristics Mystery Shopper Exercise	
Wards affected	All	
Accountable director	John Roseblade, Director of City Housing and Environment	
Originating service	Licensing	
Accountable employee	Glen Moseley	Service Lead (Compliance)
	Tel	01902 550711
	Email	Glen.Moseley@Wolverhampton.gov.uk
Report to be/has been considered by	None	

Recommendations for noting:

1. The Regulatory Committee is asked to note the update on the mystery shopper exercise conducted to covertly assess licensed drivers' compliance with their duties under The Equalities Act.

1.0 Purpose

To update Councillors of the findings to date of mystery shopper exercises conducted around the operation, usage, accessibility, and equal access provided to individuals who identify as having a protected characteristic as defined under the Equality Act 2010 when using Hackney Carriages and Private Hire Vehicles.

2.0 Background

2.1 On 1 October 2010 the Equality Act 2010 came into force bringing together 116 separate pieces of legislation, including the Disability Discrimination Act 1995, which made it illegal to discriminate against any person because of:

- A. age
- B. gender reassignment
- C. being married or in a civil partnership
- D. being pregnant or on maternity leave
- E. disability
- F. race including colour, nationality, ethnic or national origin
- G. religion or belief
- H. sex
- I. sexual orientation

whether at work, in education, as a consumer, when using public services, when buying or renting property, as a member or guest of a private club or association.

2.2 The Council takes discrimination against passengers of its licensed vehicles very seriously. The Council's 'Guidelines Relating to Relevance of Convictions and Breaches of Licence Conditions' states,

5.1.16 Hate Crime

A hate crime is any criminal offence that is motivated by hostility or prejudice based upon the victim's disability, race, sexual orientation, transgender, religion or belief.

(a) First offence – will normally revoke or refuse to renew. A new licence will not normally be granted for 7 years following the date of conviction, caution or in the absence of these the date of offence or relevant incident.

(b) Repeat offences – will normally revoke or refuse to renew. A new licence will not normally be granted.

...

5.1.28 Disability and Discrimination Act - Breach of Licence Conditions / Byelaws

Condition 11 of the Conditions Relating To The Issue Of A Licence To Drive A Private Hire Vehicle provides; The licence holder must carry guide or other assistance dogs accompanying passengers, free of charge, unless the driver has a proven medical condition that would preclude such action. The Council medical exemption certificate issued in accordance with Section 37A of Disability and Discrimination Act 1995 must be displayed at all times to the windscreen of the Private Hire Vehicle, facing outwards. Private Hire Vehicle Drivers have a responsibility to ensure that their operator is aware of such medical condition when they are first employed. Breach of this condition is deemed serious and therefore shall normally result in revocation.

(a) First instance - A new licence will not normally be granted for 7 years following the date of conviction, caution or in the absence of these the date of offence or relevant incident or the outcome of any review hearing in relation to the incident, whichever is the later. The power to suspend or revoke immediately as set out in 2.2.2 may also be used in these circumstances if it is in the interests of public safety.

(b) Repeat offences - will normally revoke or refuse to renew. A new licence will not normally be granted.

- 2.3 Should a driver be found to have committed a hate crime or discriminated against a passenger, their licence would likely be reviewed in a hearing.
- 2.4 This exercise follows on from similar successful exercise conducted in 2020 which reported on report into the operation, usage, accessibility and equal access provided to people who are physically disabled when using Hackney Carriages and Private Hire Vehicles.
- 2.5 Previous successful mystery shopper exercises conducted in 2020 were aimed at testing provision made for disabled passengers and in particular wheelchair users. This exercise looked to extend that testing to other protected characteristics such as gender reassignment, sexual orientation and religion or belief.

3.0 Progress

- 3.1 Since November 2021, the Council has carried out four mystery shopper exercises in Wolverhampton and Birmingham.
- 3.2 On 8 November 2021, the Council carried out an operation to test discrimination against individuals who have undergone gender reassignment in Wolverhampton. This was done with the help of a local volunteer. The volunteer booked four journeys with Private Hire Vehicle Operators: ABC, Go Carz and Uber. There were no reported issues, with the volunteer rating each operator as good or very good.
- 3.3 On 4 December 2021, an operation was conducted in Birmingham to test discrimination against sexual orientation, again with a volunteer and a police officer. Five Uber drivers

were checked during the operation. No issues were reported; each driver was rated as good or very good.

- 3.4 On 20 January 2022 in Birmingham an operation to test discrimination against disability, using a disabled volunteer with an assistance dog was conducted. Four journeys were undertaken with Uber and again the volunteer reported no issues and rated the drivers as good or very good.
- 3.5 On 22 February 2022 in Wolverhampton we carried out a religion or belief operation in Wolverhampton, The volunteer carried out journeys with four companies, Uber, ABC, Go Carz and Wednesfield radio Cars and all drivers were rated as very good or excellent and there were no reported issues.
- 3.6 As we have only tested four of the nine protected characteristics so far, this will be an ongoing operation ensuring we are fulfilling our obligations in protecting persons from discrimination.

4.0 Financial implications

- 4.1 The compliance operations have so far cost £100 in fares and 36 hours of a Grade 6 officer time. The budget for these operations is part of existing revenue funding received from licence fees. This will be monitored as part of the Council's routine quarterly revenue monitoring. [SB/21022022/1]

5.0 Legal implications

- 5.1 Should a driver treat someone with a protected characteristic less favourably than someone without that characteristic, they can be guilty of discrimination under The Equality Act (2010).
- 5.2 Chapter 1 of the Equality Act outlines drivers' responsibilities for those with wheelchairs or accessibility dogs.
- 5.3 The Council is empowered under sections 51 and 61 of The Local Government (Miscellaneous Provisions) Act 1976 to suspend, revoke or refuse to renew a driver's licence. [DA/07/03/2022/4]

6.0 Equalities implications

- 6.1 By undertaking this exercise, the Council is fulfilling its duties in protecting those with protected characteristics from discrimination.

7.0 All other Implications

- 7.1 There are no other direct implications arising from this report.

8.0 Schedule of background papers

- 8.1 28 April 2017 - Equalities Outcomes Service Plan - Statutory Licensing Committee

8.2 27 May 2020 - Evaluation of Taxi & Private Hire Services Mystery Shopper Exercise –
Regulatory Committee

9.0 Appendices

9.1 None.

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