

AGENDA FOR
LICENSING AND SAFETY COMMITTEE



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To: All Members of Licensing and Safety Committee

Councillors : G McGill (Chair), N Boroda, N Bayley,
J Grimshaw, K Hussain, B Ibrahim, G Marsden, D Quinn,
I Rizvi, J Rydeheard and M Walsh

Dear Member/Colleague

Licensing and Safety Committee

You are invited to attend a meeting of the Licensing and Safety Committee which will be held as follows:-

Date:	Thursday, 20 July 2023
Place:	Council Chamber, Bury Town Hall
Time:	7.00 pm
Briefing Facilities:	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.
Notes:	

AGENDA

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

Members of the Licensing and Safety Panel are asked to consider whether they have an interest in any of the matters on the agenda, and if so, to formally declare that interest.

3 MINUTES OF THE PREVIOUS MEETING (Pages 3 - 8)

The minutes of the meeting held on the 8th June 2023 are attached. Members of the Licensing and Safety Committee are asked to consider whether these are a correct record of the meeting, and if so, to formally approve them.

4 PUBLIC QUESTION TIME

Questions are invited from members of the public present at the meeting on any matters for which this Panel is responsible.

Approximately 30 minutes will be set aside for Public Question Time if required.

5 OPERATIONAL REPORT (Pages 9 - 14)

A report from the Executive Director (Operations) is attached.

6 REPRESENTATIONS RECEIVED IN RESPECT OF THE PROPOSED INCREASE TO THE HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE LICENCE FEES AND PRIVATE HIRE OPERATOR LICENCE FEES (Pages 15 - 40)

A report from the Executive Director (Operations) is attached.

7 URGENT BUSINESS

Any other business, which by reason of special circumstances, the Chair agrees may be considered as a matter of urgency.

8 EXCLUSION OF PRESS AND PUBLIC

To consider passing the appropriate resolution under section 100 (A)(4) of the Local Government Act 1972 that the press and public be excluded from the meeting during consideration of the following item of business since it involves the likely disclosure of the exempt information stated.

9 SUSPENSION / REVOCATION OF PUBLIC / PRIVATE HIRE DRIVER

LICENCES (*Pages 41 - 58*)

A report from the Executive Director (Operations) is attached.

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- Minutes of:** LICENSING AND SAFETY COMMITTEE
- Date of Meeting:** 8th June 2023
- Present:** Councillor G McGill (in the Chair)
Councillors N Boroda, K Hussain, B Ibrahim, G Marsden,
D Quinn, I Rizvi, J Rydeheard and M Walsh
- Also in attendance:** M Bridge- Licensing Unit Manager
M Cunliffe – Democratic Services
O Osinuga – Legal Advisor
L Swann- Assistant Director of Operations Strategy
- Public Attendance:** No members of the public were present at the meeting.
- Apologies for Absence:** Councillor N Bayley and Councillor J Grimshaw
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LSP.1 APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillors N Bayley, J Grimshaw and the Head of Public Protection at Bury Council, B Thomson.

LSP.2 DECLARATIONS OF INTEREST

Councillor Rydeheard declared an interest that in his employment he had worked on a number of cases involving both Private Hire and Hackney Carriage drivers.

LSP.3 MINUTES OF THE PREVIOUS MEETING

Delegated decision:

That the Minutes of the last meeting held on the 17th of April 2023 be approved as a correct record and signed by the Chair.

LSP.4 PUBLIC QUESTION TIME

No questions had been pre submitted and no members of the public were in attendance at the meeting.

LSP.5 OPERATIONAL REPORT

The Executive Director (Operations) submitted a report advising Members on operational issues within the Licensing Service.

The report set out updates in respect of the following issues:

The Licensing Service had dealt with a number of compliance and enforcement Matters between the 10th of April and the 28th of May 2023.

IMMEDIATE REVOCATION OF A PRIVATE HIRE DRIVERS LICENCE

The Licensing Service received information from Greater Manchester Police in relation to a private hire drivers conduct which has resulted in him being charged for a serious offence. The driver concerned has been given a right of reply before the Head of Public Protection and the Chair of this Committee considered taking action in the interests of Public Safety under the Road Safety Act 2006. It was felt appropriate to immediately revoke his private hire drivers' licence on the 5th of May 2023.

NR3S- NATIONAL DATABASE FOR REFUSALS, REVOCATIONS AND SUSPENSIONS

Letters were sent out on 2nd May 2023 to all those whose historical data will go on the NR3S. Emails were sent to all other drivers on the same date to inform them that we have now started to use the system. Our historical data is due to be uploaded on the 31st of May 2023. All new and renewal applications for drivers are now being checked against the database.

LICENSING HEARINGS SUB-COMMITTEE HEARINGS SUMMARY REVIEW – TOPSHOP, 20 HURST STREET BURY

On the 24th of April 2023, Greater Manchester Police submitted an application to the Licensing Authority for a Summary Review in respect of Top Shop, 20 Hurst Street, Bury, BL9 7ER because they believe that the premises are associated with Serious Crime. As required by the legislation an interim steps hearing of the Licensing Hearings Sub-Committee was set up with 48 hours to consider what interim steps to take. Members decided to suspend the premises licence and remove the designated premises supervisor. A full review hearing took place on the 18th of May 2023 and members decided to revoke the premises licence and took a separate decision to leave the interim steps in place should the licence holder appeal the Council's decision.

GRANT OF A PREMISES LICENCE – NOVA WINES AND TAPAS, 3 AND 3A RADCLIFFE NEW ROAD, WHITEFIELD

The Licensing Service received an application for the grant of a new premises licence for the above premises. Representation was received from Greater Manchester Police in their capacity as a responsible authority and interested party. Discussions have taken place between the applicant and Greater Manchester Police and they have agreed conditions to be applied to the premises licence. The matter was considered by the Licensing Hearings Sub-Committee on the 19th of May 2023 and Members decided to Grant the application with conditions.

TRADE LIAISON MEETING

The Licensing Service held a Trade Liaison meeting with the taxi trade on the 11th of May 2023, this was attended by representatives of the trade. The minutes of the meeting have been published on the Council's website.

It was agreed:

That the report be noted.

LSP.6 REPRESENTATIONS RECEIVED IN RESPECT OF THE PROPOSED INCREASE TO THE HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE LICENCE FEES AND PRIVATE HIRE OPERATOR LICENCE FEES

The Executive Director (Operations) submitted a report relating to representation received from the Private Hire Drivers Association in relation to the recently advertised proposed increase to the Hackney Carriage and Private Hire Vehicle licence fees and Private Hire Operator License fees.

The Licensing Unit Manager and Assistant Director of Operations Strategy outlined the report to the committee. The Committee was informed that the proposed increased fees and charges had been agreed by Cabinet and that the statutory obligation to consult only applied to Private Hire/Hackney Carriage vehicle Licence and Private Hire Operator licenses. It was confirmed that all other fees and charges had been amended in line with the Cabinet decision in February 2023. It was stressed to the committee that Licensing must operate a cost recovery model and that even with the proposed increases there would still be a gap to break even, and the service would have to look at how this can be met.

Members asked a number of questions to Officer present at the meeting and requested that the Licensing Service liaise with the Finance department and obtain the additional financial information and present a further report to the next Licensing and Safety Committee for determination.

Delegated decision:

That the Licensing and Safety Committee deferred the decision on the proposed fees and charges increase and requested the following information to be added to the report ahead of the next Committee in July 2023 where it would be considered again: -

1. Why have charges been increased by the amounts stated in the report?
2. What additional income would it bring in this year as a result of the new fees?
3. A Full Equality Impact Assessment was required to be carried out.

LSP.7 OFFICER DELEGATION

The Executive Director (Operations) submitted a report requesting that the Committee approve delegation to officers to suspend Hackney Carriage and Private Hire Drivers Licences if they have not got a valid enhanced DBS certificate.

Delegated decision:

That the Head of Public Protection, Licensing Unit Manager and Deputy Licensing Officer have delegation to suspend Hackney Carriage and Private Hire Drivers Licences if they have not got a valid enhanced DBS certificate.

LSP.8 URGENT BUSINESS

No urgent business was reported at the meeting.

LSP.9 EXCLUSION OF PRESS AND PUBLIC

Delegated decision:

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items of business since it involved the likely disclosure of information relating to individuals who hold Licences granted by the Authority or Applicants for Licences provided by the Authority.

LSP.10 APPLICATION FOR THE GRANT OF A STREET TRADER CONSENT

The Executive Director (Operations) submitted a report relating to the application for the Grant of a street Trader consent. The applicant who was in attendance at the meeting alongside their representative. The Chair made introductions and the Council Solicitor outlined the procedure to be followed and clarified that all those present had read the report. The report, which was accepted by the applicant and presented by the Licensing Manager, set out the reasons for the application being before the Committee.

On the 30th of March 2023, the Licensing service received an email from Bolton Council with the applicant's details asking if he held a Consent with Bury Council. After a check of Bury's system it was confirmed that he did. Bolton Council then supplied Licensing with information that they had revoked his Street Trading Consent together with a copy of their minutes and reasons for the decision which was detailed in the private agenda packs.

The applicant had made a new application for a Street Trader Consent to Bury Council on the 2nd of April 2023.

Delegated decision:

The Committee carefully considered the report and oral representations by the applicant and his representative. The Committee noted the evidence provided in the agenda pack via the Officer's report and the statement provided concerning the applicant. A social media video circulated to the Committee had also been viewed by Members.

Taking into account the provisions of schedule 4 (6) (d) of the Local Government (Miscellaneous Provisions) Act 1982, the Committee resolved **to refuse the application**. The Committee did not believe the applicant to be a fit and proper person to hold a street trader consent.

The evidence presented at the committee had demonstrated the Applicant is unsuitable to hold a street trader consent.

LSP.11 SUSPENSION / REVOCATION OF PUBLIC / PRIVATE HIRE DRIVER LICENCES

Licence Holder 1/2023

The Executive Director (Operations) submitted a report relating to Licence Holder 1/2023 who was in attendance at the meeting. The Chair made introductions and the Council Solicitor outlined the procedure to be followed and clarified that all those present had read the report. The report, which was accepted by the Licence Holder and presented by the Licensing Manager, set out the reasons for the Licence Holder being before the Committee.

The report stated that the Licence Holder had held a private hire driver's licence continually since the 29th of May 2015. His most recent licence commenced on the 5th of June 2023 and was due to expire on the 16th of August 2025. Since 2015 the Licensing Service had noted 12 issues on this Licence Holder's record which were detailed in the private agenda packs.

Delegated decision:

The Committee carefully considered the report, and oral representations by the Licence Holder. The Committee noted the explanations provided but reminded the Licence Holder to adhere to the conditions of a licence and read any correspondence from the Council in relation to rules and advice.

Taking into account the Council's Conviction Policy and Guidelines and in accordance with the Local Government (Miscellaneous Provisions) Act 1976, the Committee resolved **to suspend the licence for a period of one month with immediate effect** on the grounds of public safety.

LSP.12 APPLICATION FOR PUBLIC / PRIVATE HIRE DRIVER LICENCES

The Executive Director (Operations) submitted a report relating to Applicant 2/2023 who was in attendance at the meeting. The Chair made introductions and along with the Legal Advisor outlined the procedure to be followed and clarified that all those present had read the report. The report, which was accepted by the Applicant and presented by the Licensing Unit Manager, set out the reasons for the Applicant being before the Committee.

This applicant was first granted a private hire driver's licence on the 23rd of May 2016 and his most recent licence expired on the 4th of November 2022.

The report informed the committee that a new application for a driver's licence was made on the 23rd of January 2023 and under the Local Government (Miscellaneous Provisions) Act 1976, he was before Members for consideration of this application.

Delegated decision:

The Committee carefully considered the report and oral representations made by the applicant at the meeting.

The Committee accepted that the applicant had shown genuine remorse for the error which was detailed in the private agenda packs and accepted it was a huge mistake. They also took into consideration the lack of any previous warnings and complaints.

Taking into account the Council's Conviction Policy and Guidelines and in accordance with the Local Government (Miscellaneous Provisions) Act 1976, and the statutory guidance issued by the Secretary of State under section 177 of the Policing and Crime Act 2017, the Committee resolved **to grant the application for a period of one year.**

COUNCILLOR G MCGILL
Chair

(Note: The meeting started at 7.00pm and ended at 9.52pm)



Classification	Item No.
Open / Closed	

Meeting:	Licensing & Safety Committee
Meeting date:	20 July 2023
Title of report:	Operational Report
Report by:	Executive Director (Operations)
Decision Type:	N/A Report for information only
Ward(s) to which report relates	N/A

Executive Summary:

A report to advise members on operational issues within the Licensing service.

Recommendation(s)

That the report be noted.

Key considerations

Not applicable

1.0 BACKGROUND

1.1 The report advises Members on operational issues within the Licensing service.

2.0 COMPLIANCE/ENFORCEMENT

2.1 The Licensing Service have dealt with the following compliance and enforcement matters for the following periods

2.2 **29 May – 4 June**

Client

Complaint 1

Enforcement 7

Premises

Multi Agency 16

Enforcement 4

Vehicle

Enforcement 11

2.3 **5 June – 11 June**

Client

Complaint 6

Enforcement 5

Operator

Complaint 2

Compliance 1

Enforcement 2

Premises

Advice 2

Compliance 11

Enforcement 24

Vehicle

Enforcement 91

2.4 **12 June – 18 June**

Client

Complaint 4

Premises

Complaint 2

Enforcement 9

Vehicles

Enforcement 3

2.5 **19 June – 25 June**

Client

Complaint 5

Enforcement 4

Operator

Complaint 2

Compliance 1

Premises

Complaint 2

Compliance 1

Enforcement 20

Multi agency 15

Vehicles

Enforcement 7

2.6 **26 June – 2 July**

Client

Complaint 2

Enforcement 2

Premises

Complaint 3

Compliance 1

Enforcement 4

Vehicles

Enforcement 3

3.0 **LICENSING HEARINGS SUB-COMMITTEE HEARING**

3.1 **Review – Club 66 24 Silver Street Bury**

On the 27 March 2023, Greater Manchester Police submitted an application to the Licensing Authority for a Review of the Premises Licence in respect of Club 66, 24 Silver Street, Bury. Members will recall that an urgent item was listed at the Meeting of the Licensing and Safety Committee on the 17 April 2023 to request that the period for the hearings be extended.

Under the relevant legislation, time limits can be extended where it is in the public interest to do so and that by reason of special circumstances relating to the local government election and timing of committee appointments, the Licensing Authority requested that the deadline for holding the hearing be extended until the week commencing the 12th June

2023. This would also allow for any new Members of the Licensing Committee to receive the appropriate training.

The Licensing Hearings Sub-Committee took place on the 13 June 2023, Members considered the application and appropriate evidence from Greater Manchester Police and decided to revoke the premises licence and to remove the designated premises supervisor.

- 3.2 The Licensing Service have received an application to Transfer the premises licence and to vary the designated premises supervisor at Club 66, 24 Silver Street, Bury. Greater Manchester Police have made representations to both of these applications which were scheduled to be considered by the Licensing Hearings Sub-Committee on the 4 July 2023.

The Licensing Service have been advised that the proposed designated premises supervisor no longer wishes to be named on the premises Licence and the new Limited company have confirmed that they do not wish the licence to be transferred to them. The premises licence has now reverted back to the previous owners.

4.0 PARKLIFE

- 4.1 Officers from the Licensing and Trading Standards Services locate with Public Protection worked on the 9 until 11 June covering the Courteeners and Parklife events held at Heaton Park. Officers dealt with issues relating to the following matters:-

- Illegal Street Trading
- Enforcement of Hackney Carriage and Private hire legislation.- 78 Vehicles licensed by other authorities identified for reporting for, various issues e.g. plying, damage, missing signs or refusing to move on and causing obstruction
- Checking of Pedlars Certificates
- Checking of Licensed Premises
- Unlicensed Takeaways
- Assisted GMP with seizure of a Private hire vehicle

Officers will feedback their findings at the debrief meeting that will be held in due course. A thank you has been received from Greater Manchester Police regarding the Officers from Public Protection for their hard work during the event and, keeping young people safe and looking after residents.

5.0 MULTI AGENCY VISITS – TOBACCO DOG

- 5.1 On Friday 23 June, Officers from Trading Standards, Licensing and Greater Manchester Police carried out visits alongside a dog handler from Wagtails, with a tobacco dog, to 5 premises across the Borough. From 5 premises visited, seizures were made from 4 of illegal vapes and illicit tobacco. In total 17,360 illicit cigarettes, 7.95 kg of hand rolling tobacco and 1876 illegal vapes were seized with a street value of £33,151. A fire and environmental health issue was also raised at one premise.

6.0 LEE RIGBY CHARITY FOOTBALL MATCH – BURY FOOTBALL CLUB

6.1 On Saturday 24 June, the Deputy Licensing Officer worked alongside the GMP Licensing Officer for the Lee Rigby charity football match taking place at Bury Football Club. Nine licensed premises in the town centre and three licensed premises closer to the stadium were visited, two were given advice. The football stadium was also visited, and the appropriate advice and guidance issued.

7.0 IMMEDIATE REVOCATION OF A PRIVATE HIRE DRIVERS LICENCE

7.1 Due to an article in the Bury Times entitled “Eight charged in connection with suspected county lines drugs network”, The Licensing Service became aware that a licensed private hire driver in Bury had been in court for drugs offences. On the 29 June 2023, the Licensing Service received confirmation from Greater Manchester Police about the private hire driver. On receipt of this information the Licensing Unit Manager in consultation with the Chair of the Licensing and Safety Committee decided to revoke with immediate effect his licence in the interests of Public Safety.

Community impact / links with Community Strategy

Not applicable

Equality Impact and considerations:

24. *Under section 149 of the Equality Act 2010, the ‘general duty’ on public authorities is set out as follows:*

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

25. *The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations and demonstrate that we are paying ‘due regard’ in our decision making in the design of policies and in the delivery of services.*

Equality Analysis	<i>Please provide a written explanation of the outcome(s) of either conducting an initial or full EA.</i>
<i>The Licensing Service have considered the Equality Act 2010 and due to each application being dealt with on its own merits there is no positive or negative on any of the protected characteristics.</i>	

Assessment of Risk:

The following risks apply to the decision:

Risk / opportunity	Mitigation
None	

Consultation:

Not applicable

Legal Implications:

Not applicable

Financial Implications:

Not Applicable

Report Author and Contact Details:

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Please include a glossary of terms, abbreviations and acronyms used in this report.

Term	Meaning
None	



Classification

Item No.

Open / Closed

Meeting:	Licensing and Safety Committee
Meeting date:	20 July 2023
Title of report:	Representations received in respect of the proposed increase to the hackney carriage and private hire vehicle licence fees and private hire operator licence fees
Report by:	Executive Director (Operations)
Decision Type:	Council
Ward(s) to which report relates	All

Executive Summary:

This report relates to representation received from the Private Hire Drivers Association in relation to the recently advertised proposed increase to the Hackney Carriage and Private Hire Vehicle licence fees and Private Hire Operator license fees.

Recommendation(s)

It is recommended that the Licensing and Safety Committee considers the following options:

- To approve the advertised fees without modifications
- To approve the advertised fees with modifications

1.0 BACKGROUND

1.1 Section 70(2) of the Local Government (Miscellaneous Provisions) Act 1976 gives authority to a District Council to set the fees in relation to the Licensing of Hackney Carriage and Private Hire Vehicles and Private Hire Operator licenses.

Having varied the fees, the Council is required to advertise them in a local newspaper to allow persons wishing to object to them a period of 28 days from the date of publication of the notice to object. The requirement does not apply to Hackney Carriage and Private Hire Drivers licence fees.

2.0 INTRODUCTION

2.1 In February 2023, Full Council approved increases in fees and charges for 2023/2024. The proposed increase are shown below and should have come into operation on the 4 May 2023.

2.2 Current Fees

Vehicles under 3 years old	£238.00 (£182.00 plus £56.00*)
Vehicles over 3 years old	£294.00 (£182.00 plus £112.00*)
Private Hire Operators 1-2 vehicles (One Year)	£288.00
Private Hire Operators 3 or more vehicles (One Year)	£410.00
Private Hire Operators 1-2 vehicles (5 Year)	£1401.00
Private Hire Operators 3 or more vehicles (5 Year)	£1955.00

2.3 Proposed Fees

Vehicles under 3 years old	£260 (£200.00 plus £60.00*) (+£22)
Vehicles over 3 years old	£320 (£200.00 plus £120.00*) (+£26)
Private Hire Operators 1-2 vehicles (One Year)	£315.00 (+£27)
Private Hire Operators 3 or more vehicles (One Year)	£450.00 (+£40)
Private Hire Operators 1-2 vehicles (5 Year)	£1540.00 (+£139)
Private Hire Operators 3 or more vehicles (5 Year)	£2250.00 (+£295)

2.4 *The vehicle test fee element of the respective vehicle licence fee payable by the Licensing Section to Bradley Fold garage is currently £56.00. The licensing service have been notified that this fee will increase to £60.00 **(+£4)** per vehicle inspection. It is the intention that the second approved testing station at Sunnybank Service Station will charge the same fee for the vehicle compliance test. Vehicle compliance test fees are payable to the testing station chosen by applicants therefore the costs are shown as an additional element. Vehicles under 3 years old require one compliance test per year (£60). Vehicles over 3 years old require two vehicle compliance tests (£120).

2.5 Members are advised that the vehicle compliance tests are conducted in accordance with the Councils Vehicle Testing manual which includes a full MOT inspection in accordance with the Ministry of transport inspection manual. The inspection of Hackney Carriage vehicles also includes their taxi meter being

tested over a fixed distance to determine the accuracy of the meter and other non-standard MOT checks being carried out.

3.0 Licensing Income and Expenditure: -

- 3.1 The total cost of the Taxi Licensing Service for the financial year 2022/23 was £372,000 and the total income received by the service was £327,000. This resulted in an under recovery of costs to the value of £45,000. The licensing service continue to work with the finance department to develop a full cost recovery model.
- 3.2 In addition, the cost of operating the service will increase in 2023/24 due to inflation therefore Council fees and charges need to be increased.
- 3.3 Each licensing authority considers their own fees and charges in line with the costs of operating their own service and the income received. It should be noted that Wolverhampton have significantly more vehicles licenses than Bury (in the region of 20,000) therefore a direct comparison cannot be made. Wolverhampton's current related fees are included in Appendix 1.

4.0 REPRESENTATIONS

- 4.1 There are currently 752 private hire vehicles, 33 hackney carriage vehicles and 28 Private Hire Operators licensed with this Authority. In accordance with the legislation the proposed fees were published in the Bury Times on 6 April 2023.
- 4.2 An objection to the increases in fees and charges was received by the Licensing Service on 3 May 2023 from the Private Hire Drivers Association who state the following:

There are several reasons why we are requesting a review of the current price structure for taxi licensing fees.

We understand that the cost of licensing is essential for the provision of regulatory resources and necessary services. However, we believe that charging significantly higher fees than Wolverhampton not justified and is making it difficult for our members and partners to continue operating the business

Firstly, we have conducted a thorough analysis of the fees charged by the bury licensing regulatory authority and discovered that our members and taxi trade partners are being charged significantly higher fees in comparison to Wolverhampton. This is causing financial strains on our members and partners while Wolverhampton license holder working in GM taking full advantage of low cost licensing structure

Secondly, we believe that a fair and reasonable charging structure is necessary for ensuring public safety while also enabling our members and partners to carry out their operations effectively. Therefore, we propose that

the current fee structure is reviewed to ensure that it aligns with Wolverhampton fees.

We believe that the regulatory authority should take into account the financial burden imposed by the licensing fees on our members and partners. A fair and reasonable fee structure will help businesses to thrive, ensuring that the public is provided with safe and reliable transportation services and we always encourage our members to stick to bury licensing

Overall full review of the current price structure for licensing fees is necessary to ensure that it is fair, reasonable, We hope that the bury licensing regulatory authority takes our proposal into consideration and takes appropriate measures to alleviate the financial strain experienced by our members and partners.

5.0 **LICENSING AND SAFETY COMMITTEE**

5.1 Members will recall that this matter was previously considered at the last meeting on the 8 June 2022. The Assistant Director of Operations Strategy and the Licensing Unit Manager outlined the report and the options available to the members contained within the report. Members considered the content of the report and resolved to defer the consideration of the report until the next meeting and Members requested that the following questions were answered:

5.2 **Why have we put charges up by the amounts we have?**

A council wide review of fees and charges took place across a number of service areas. Examples include, but are not limited to, replacement bins, Leisure Membership, Market Rents, Licensing administration costs. The review was undertaken by the Head of Commercial Services in conjunction with Finance and the proposed increases in fees and charges were considered by Full Council in February 2023.

The review considered the levels of fees and charges across other Greater Manchester Authorities to ensure any proposed increases were in line. The Licensing Service has since collated the current (July 2023) fees and charges that relate to this report from other GM Licensing Authorities and attached at Appendix 1. Due to variations of how each Local Authority sets and structures their fees, a direct like for like comparison is not able to be achieved, but the attached shows the fees for Bury are broadly in line with other authorities.

The decision noted at Full Council in February 2023 was:

"At the invitation of the Mayor, Councillor Gold, Cabinet Member for Finance and Communities, made a statement on the Budget for 2023/24. (i) It was moved by Councillor Gold and seconded by Councillor O'Brien that the recommendations contained in Minute CA.126 of the Cabinet meeting held on 15th February 2023 be approved and adopt the budget for 2023/24"

The review of all fees and charges for the financial year 2023/2024 ensured that any increase covered the cost of inflation. The increase in fees and charges ranged from 5% to 15%. The proposed increase covered in this report, namely, Hackney Carriage /Private Hire Driver licences and Private Hire Operator licences were set at a 10% increase and then rounded down. This increase is in line with inflation which in February 2023 was just over 10%.

5.3 What additional income will it bring in this year as a result of the new fees?

The Licensing Service have reviewed the Council's Database and have identified the number of Hackney Carriage and Private Hire Vehicle Licences and Private Hire Operators Licences that are due to expire between the 9 June 2023 and 31 March 2024.

If the above proposed fees and charges are approved and implemented on 20 July 2023, the total additional income that will be achieved from vehicle and private hire operator fees in 2023/24 will be £13,180.

5.4 Equality Impact Assessment (EIA).

The Licensing Service have conducted an EIA. The assessment concluded that the proposed Hackney Carriage / Private Hire Vehicles and Private Hire Operators fee increase did not require any amendments to address equality impacts and therefore the Licensing Authority has fulfilled its duties under Equalities Act 2010. The Licensing Authority will continue to monitor the impact of policies on different groups to assess impact on any aspect of protected equality characteristics.

A copy of the EIA is attached in Appendix 2

6.0 CONCLUSIONS

- 6.1 Members are requested to consider the objection from the Private Hire Drivers Association and to determine if the proposed fees are to be applied.

Key considerations

This is a Council Function that is delegated to the Licensing and Safety Committee by the Council's Constitution.

This paper is in the public domain.

Community impact / Contribution to the Bury 2030 Strategy

The Licensing service undertakes its statutory duty to ensure that the residents and visitors to Bury are reassured that the Hackney Carriage/Private Hire trade is properly regulated, and safety is paramount.

Equality Impact and considerations:

Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

The public sector equality duty requires us to consider how we can positively contribute to the advancement of equality and good relations and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.

The Licensing Service have conducted an EIA. The assessment concluded that the proposed Hackney Carriage / Private Hire Vehicles and Private Hire Operators fee increase did not require any amendments to address equality impacts and therefore the Licensing Authority has fulfilled its duties under Equalities Act 2010.

Assessment of Risk:

The following risks apply to the decision:

Risk / opportunity	Mitigation
There are no specific issues from the report other than potential costs/risks associated with legal appeals.	The Licensing and Safety Committee give consideration to the representation and determine accordingly.

Consultation:

The Licensing Service advertised in a local newspaper the proposed fees in line with Section 70(2) of the Local Government (Miscellaneous Provisions) Act 1976

Legal Implications:

Under the legislation the Council is required to determine representations. The report is in accordance with the appropriate legislation.

The costs of the Licensing function are funded through the fees and charges levied by the Council. There may be additional costs if appeals are lodged with the Magistrates and Crown Courts.

Members are advised that Licences are regarded as possessions within the terms of the Human Rights Act 1998. Under the Act everyone is entitled to the peaceful enjoyment of one's possessions and so actions interfering with those possessions must be lawful, reasonable and proportionate. It is lawful to impose reasonable conditions as a way of protecting the safety of the travelling public, so long as it is not out of proportion. It is a balancing act between the public interest and the individual's rights.

Financial Implications:

The cost of the licensing function is funded through the fees and charges levied by the Council. There may be additional costs if appeals are lodged with the Magistrates and Crown Courts.

Report Author and Contact Details:

Mr M Bridge
Licensing Office
3 Knowsley Place
Duke Street
Bury
Telephone No: 0161 253 5208
Email: m.bridge@bury.gov.uk

Background papers:

Representation from the Private Hire Drivers Association

Please include a glossary of terms, abbreviations and acronyms used in this report.

Term	Meaning
------	---------

EIA	Equality Impact Assessment
GM	Greater Manchester

APPENDIX 1: GREATER MANCHESTER FEE COMPARISON (Including Wolverhampton)

***** Please note that direct comparison of fees is not possible due to incomparable staffing levels, local authority costs, number of licenses etc which each individual Local Authority must take into account when determining their own local fee structures which, as required by legislation, must be via a cost neutral model *****

Authority	Vehicle Licence fees	Operator Licence fees												
Bury (Proposed)	<p>Proposed Fees</p> <p>Vehicles under 3 years old - £260 (£200.00 plus £60.00)</p> <p>Vehicles over 3 years old - £320 (£200.00plus £120.00)</p> <p>*Bury have two vehicle testing stations. Bradley Fold (Council) and Sunnybank Service Station (Independent). Vehicle compliance test fees are payable to the testing station chosen by applicants therefore the costs are shows as an additional element. Vehicles under 3 years old require one compliance test per year (£60). Vehicles over 3 years old require two vehicle compliance tests (£120).</p>	<p>Private Hire Operators</p> <table> <tr> <td>1-2 vehicles</td> <td>(1 Year)</td> <td>£315.00</td> </tr> <tr> <td>1-2 vehicles</td> <td>(5 Year)</td> <td>£1540.00</td> </tr> <tr> <td>3 or more vehicles</td> <td>(1 Year)</td> <td>£450.00</td> </tr> <tr> <td>3 or more vehicles</td> <td>(5 Year)</td> <td>£2250.00</td> </tr> </table>	1-2 vehicles	(1 Year)	£315.00	1-2 vehicles	(5 Year)	£1540.00	3 or more vehicles	(1 Year)	£450.00	3 or more vehicles	(5 Year)	£2250.00
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Bolton	<p>Hackney Carriage first Grant - £217</p> <p>Hackney Carriage Renewal - £213</p> <p>Private hire Vehicle first grant - £165</p> <p>Private Hire vehicle Renewal - £163</p>	<table> <tr> <td>1 Vehicle</td> <td>£307</td> </tr> <tr> <td>2-5 Vehicles</td> <td>£493</td> </tr> <tr> <td>6-10 vehicles</td> <td>£493</td> </tr> <tr> <td>11-15 Vehicles</td> <td>£584</td> </tr> <tr> <td>16-50 vehicles</td> <td>£584</td> </tr> <tr> <td>Over 50 vehicles</td> <td>£1416</td> </tr> </table>	1 Vehicle	£307	2-5 Vehicles	£493	6-10 vehicles	£493	11-15 Vehicles	£584	16-50 vehicles	£584	Over 50 vehicles	£1416
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Manchester	<p>Hackney Carriage</p> <p>These fees do not include the cost of vehicle test and any plates, stickers, other consumables or notice fees.</p> <p>Renewal: £302</p> <p>Vehicle test fees</p> <ul style="list-style-type: none"> Charged in addition to the above application fees: Vehicle <3 yrs old: One test/year = £60 	<p>New or renewal application or additional base:</p> <table> <tr> <td>5 year licence</td> <td>£2,790</td> </tr> </table>	5 year licence	£2,790										
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Oldham	<p>Hackney Carriage Vehicle Licence New / Renewal including one vehicle test £204 Including two vehicle tests £254 Including three vehicle tests £304</p> <p>Private Hire Vehicle Licence New / Renewal Including one vehicle test £244 Including two vehicle tests £294 Including three vehicle tests £344</p>		<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th style="text-align: right;">Annual Licence</th> <th style="text-align: right;">5 Year Licence</th> </tr> </thead> <tbody> <tr> <td>1 Vehicle -</td> <td style="text-align: right;">£223</td> <td style="text-align: right;">£572</td> </tr> <tr> <td>2-10 Vehicles</td> <td style="text-align: right;">£396</td> <td style="text-align: right;">£1433</td> </tr> <tr> <td>11-50 vehicles</td> <td style="text-align: right;">£816</td> <td style="text-align: right;">£3535</td> </tr> <tr> <td>51-99 Vehicles</td> <td style="text-align: right;">£1128</td> <td style="text-align: right;">£5093</td> </tr> <tr> <td>100-199 Vehicles</td> <td style="text-align: right;">£1275</td> <td style="text-align: right;">£5829</td> </tr> <tr> <td>200 – 299 Vehicles</td> <td style="text-align: right;">£1524</td> <td style="text-align: right;">£7075</td> </tr> <tr> <td>300 – 399 Vehicles</td> <td style="text-align: right;">£1807</td> <td style="text-align: right;">£8492</td> </tr> <tr> <td>400 + Vehicles</td> <td style="text-align: right;">£2101</td> <td style="text-align: right;">£9965</td> </tr> </tbody> </table>		Annual Licence	5 Year Licence	1 Vehicle -	£223	£572	2-10 Vehicles	£396	£1433	11-50 vehicles	£816	£3535	51-99 Vehicles	£1128	£5093	100-199 Vehicles	£1275	£5829	200 – 299 Vehicles	£1524	£7075	300 – 399 Vehicles	£1807	£8492	400 + Vehicles	£2101	£9965			
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Stockport	<p>Hackney Carriage £192</p> <p>Private Hire £183</p>		<p>Annual – Information not available</p> <p>5 Year – Information not available</p>																														

Tameside	New Vehicle <3 years old £282.00 New Vehicle >3 years old £189.00 Renewal of Plate <3 years old £265.00 Renewal of plate >3 years old £178.00	1-2 Vehicles £503.00 3-10 Vehicles £570.00 11-30 Vehicles £838.00 31-49 Vehicles £1,136.00 50-69 Vehicles £1,363.00 70+ Vehicles £1,432.00																									
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Wolverhampton		Hackney Carriage Vehicles		Annual Licence		5 Year Licence	
1.1	1 year licence	Vehicle aged Under 10 years old	95	0-4 vehicles	New Licence	£1000	
1.2	New / Renewal	Vehicle aged Over 10 but under 16 years old	190		Renewal	£150	£500
1.3	6 month licence Renewal	Vehicle aged Over 10 years old	N/A	Over 4 vehicles	New Licence	£1000	
1.4	Exceptional Condition Assessment of Hackney Carriage Vehicle aged 16 years and each subsequent 6 months		120		Renewal	£750	£3000
1.5	Application Fast Track New / Renewal		180				
		1.6 Private Hire Vehicles					
1.7	1 year licence	Vehicle aged Under 10 years old	95				
1.8	New / Renewal	Vehicle aged Over 10 but under 12 years old	N/A				
1.9	6 month licence Renewal	Vehicle aged Over 10 but under 12 years old	95				
1.10	Application Fast Track New / Renewal		180				
<p>All Hackney Carriage and Private Hire vehicles licensed by City of Wolverhampton Council must undertake an MOT from one of their approved testing station.</p>							

Appendix 2. Equality Impact Assessment

EQUALITY ANALYSIS

This Equality Analysis considers the effect of Bury Council/ Bury CCG activity on different groups protected from discrimination under the Equality Act 2010. This is to consider if there are any unintended consequences for some groups from key changes made by a public body and their contractor partners organisations and to consider if the activity will be fully effective for all protected groups. It involves using equality information and the results of engagement with protected groups and others, to manage risk and to understand the actual or potential effect of activity, including any adverse impacts on those affected by the change under consideration.

For support with completing this Equality Analysis please contact corporate.core@bury.gov.uk / 0161 253 6592

SECTION 1 – RESPONSIBILITY AND ACCOUNTABILITY	
Refer to Equality Analysis guidance page 4	
1.1 Name of policy/ project/ decision	<p>Increase in hackney carriage and private hire vehicle licence fees and private hire operator licence fees.</p> <p>In February 2023, Full Council approved increases in fees and charges for 2023/2024.</p> <p>An Equality Impact assessment was undertaken as part of the Councils budget report in February 2023: Budget Report – see Appendix 6</p> <p>Following an objection from the Private Hire Drivers Association to the increase in fees the matter is to be considered by the Licensing and Safety Committee on the 20 July 2023 and this EIA specially focuses on the increase in hackney carriage and private hire vehicle licence fees and private hire operator licence fees.</p>
1.2 Lead for policy/ project/ decision	Ben Thomson / Michael Bridge
1.3 Committee/Board signing off policy/ project/ decision	Licensing and Safety Committee
1.4 Author of Equality Analysis	<p><i>Name: Michael Bridge</i> <i>Role: Licensing Unit Manager</i> <i>Contact details: 0161 253 5209</i></p>
1.5 Date EA completed	<i>26/6/2023</i>
1.6 Quality Assurance	<p><i>Name: Sam McVaigh</i> <i>Role: Director of People & Inclusion</i> <i>Contact details: s.mcvaigh@bury.gov.uk</i> <i>Comments:</i></p>
1.7 Date QA completed	<i>04.07.23</i>
1.8 Departmental recording	<p><i>Reference:</i></p> <p><i>Date:</i></p>

1.9 Next review date

Annual

SECTION 2 – AIMS AND OUTCOMES OF POLICY / PROJECT

Refer to Equality Analysis guidance page 5

2.1 Detail of policy/ decision being sought

The proposed 10% increase (rounded down) in hackney carriage and private hire vehicle licence fees and private hire operator licence fees are shown below:

Current Fees

Vehicles under 3 years old

£238.00 (£182.00 plus **£56.00**)

Vehicles over 3 years old

£294.00 (£182.00 plus **£112.00**)

Private Hire Operators 1-2 vehicles (One Year)

£288.00

Private Hire Operators 3 or more vehicles (One Year)

£410.00

Private Hire Operators 1-2 vehicles (5 Year)

£1401.00

Private Hire Operators 3 or more vehicles (5 Year)

£1955.00

Proposed Fees (10% increase rounded down)

Vehicles under 3 years old

£260 (£200.00 plus **£60.00**) **(+£22)**

Vehicles over 3 years old

£320 (£200.00 plus **£120.00**) **(+£26)**

Private Hire Operators 1-2 vehicles (One Year)

£315.00 **(+£27)**

Private Hire Operators 3 or more vehicles (One Year)

£450.00 **(+£40)**

Private Hire Operators 1-2 vehicles (5 Year)

£1540.00 **(+£139)**

Private Hire Operators 3 or more vehicles (5 Year)

£2250.00 **(+£295)**

The vehicle test fee element of the respective vehicle licence fee (shown in brackets) is payable by the Licensing Section to Bradley Fold garage is currently £56.00. The licensing service have been notified that this fee will increase to £60.00 **(+£4)** per vehicle inspection. It is the intention that the second approved testing station at Sunnybank Service Station will charge the same fee for the vehicle compliance test.

Bury have two vehicle testing stations. Bradley Fold (Council) and Sunnybank Service Station (Independent). Vehicle compliance test fees are payable to the testing station chosen by applicants therefore the costs are shown as an additional element. Vehicles under 3 years old require one compliance test per year (£60).

	Vehicles over 3 years old require two vehicle compliance tests (£120).
2.2 What are the intended outcomes of this?	<p>As a licensing authority the Council should operate a cost neutral operating model with regarding to licensing fees, charges and functions. Currently there is a shortfall from income from licensing fees and charges and the purpose of the implementation of increased fees and charges is intended to help bridge the gap along with ongoing efficiencies.</p> <p>This review includes a proposed increase of 10% (rounded down) of the current charges, which are benchmarked to other Greater Manchester Authorities and show costs are broadly in line with other GM Authorities across the board, with Bury not the costliest. As Licensing Authority Service models are operated differently, direct comparisons must be taken with caution.</p> <p>The table at Appendix 1 details available information on relevant fees across GM.</p>

SECTION 3 – ESTABLISHING RELEVANCE TO EQUALITY & HUMAN RIGHTS		
Refer to Equality Analysis guidance pages 5-8 and 11		
Please outline the relevance of the activity/ policy to the Public Sector Equality Duty		
General Public Sector Equality Duties	Relevance (Yes/No)	Rationale behind relevance decision
3.1 To eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by Equality Act 2010	Yes	<p>A change in fees and charges could impact some communities negatively, because of differential representation amongst the licensed vehicle / operator community. The process considered GM charges as a basis with proposed changes being reviewed by the Head of Public Protection to understand that demand and impact.</p> <p>It is important to emphasise that increases in fees and charges are being applied equitably across the board and individuals protected characteristics are not a criteria here.</p>
3.2 To advance equality of opportunity between people who share a protected characteristic and those who do not.	No	
3.3 To foster good relations between people who share a protected characteristic and those who do not	No	
3.4 Please outline the considerations taken, including any mitigations, to ensure activity is not detrimental to the Human Rights of any individual affected by the decision being sought.		

The proposal has no impact on individual rights and the increase in fees and charges are not detrimental to the human rights of an individual. The proposed increased fees followed a defined robust and fair legal process which allowed concerns to be raised with members of the Licensing & Safety Committee. The proposal supports the delivery of statutory licensing authority which respects the rights of families and for a private life. The proposal does not discriminate against the enjoyment of other human rights. The proposal supports the Councils statutory Licensing Authority role which ensures the dignity of all providers and users of the hackney carriage and private hire trade securing everyone’s right for a private life.

SECTION 4 – EQUALITIES DATA			
Refer to Equality Analysis guidance page 8			
Protected characteristic	Outcome sought	Base data	Data gaps (to include in Section 8 log)
4.1 Age	No barriers to usage	Data available	Not all protected characteristic data is held for licence holders. Consideration to be given to future approach to data collection to allow monitoring/ review. Ongoing monitoring of live data including licence holders only.
4.2 Disability	No barriers to usage	Limited data available with some gaps	
4.3 Gender	No barriers to usage	Data available	
4.4 Pregnancy or Maternity	No barriers to usage	Not held	
4.5 Race	No barriers to usage	Not held	
4.6 Religion and belief	No barriers to usage	Not held	
4.7 Sexual Orientation	No barriers to usage	Not held	
4.8 Marriage or Civil Partnership	No barriers to usage	Not held	
4.9 Gender Reassignment	No barriers to usage	Not held	
4.10 Carers	No barriers to usage	Not held	
4.11 Looked After Children and Care Leavers	No barriers to usage	Not held	
4.12 Armed Forces personnel including veterans	No barriers to usage	Not held	
4.13 Socio-economically vulnerable	No barriers to usage Increases in fees and charges could impact negatively on communities and groups that are socio-economically vulnerable. However licence fees are consistently applied as required by statutory licensing application process.	Not held	

SECTION 5 – STAKEHOLDERS AND ENGAGEMENT		
Refer to Equality Analysis guidance page 8 and 9		
	Internal Stakeholders	External Stakeholders

<p>5.1 Identify stakeholders</p>	<p>Licensing Service within the Operations Department</p>	<p>Residents/Applicants/licence holders of Hackney Carriage/Private hire vehicles and Private Hire Operator</p>
<p>5.2 Engagement undertaken</p>	<p>Finance and all services advised through wider fees and charges implementation. Executive member and Chair of Licensing & Safety Committee updated at Monthly Committee meetings.</p>	<p>Legislative requirements require proposed increase to be advertised in the Bury Times to allow the external stakeholders/trade to raise objections. If no objections has been received, the proposed fees would have been implemented on the 4/5/2023. Following an objection, the democratic process led the objection was referred to the Council’s Licensing and Safety Committee on the 8/6/2023. Members decided to defer the implementation of the increase to the next meeting to allow further information to be obtained.</p>
<p>5.3 Outcomes of engagement</p>	<p>Measured and informed changes to fees and charges implemented and advertised (as required by legislation)</p>	<p>An objection to the increases in fees and charges was received by the Licensing Service on 3 May 2023 from the Private Hire Drivers Association who state the following: There are several reasons why we are requesting a review of the current price structure for taxi licensing fees.</p> <p>We understand that the cost of licensing is essential for the provision of regulatory resources and necessary services. However, we believe that charging significantly higher fees than Wolverhampton not justified and is making it difficult for our members and partners to continue operating the business.</p> <p>Firstly, we have conducted a thorough analysis of the fees charged by the bury licensing regulatory authority and discovered that our members and taxi trade partners are being charged significantly higher fees in comparison to Wolverhampton. This is causing financial strains on our members and partners while Wolverhampton license holder working in GM taking full advantage of low-cost licensing structure.</p>

		<p>Secondly, we believe that a fair and reasonable charging structure is necessary for ensuring public safety while also enabling our members and partners to carry out their operations effectively. Therefore, we propose that the current fee structure is reviewed to ensure that it aligns with Wolverhampton fees. We believe that the regulatory authority should take into account the financial burden imposed by the licensing fees on our members and partners. A fair and reasonable fee structure will help businesses to thrive, ensuring that the public is provided with safe and reliable transportation services and we always encourage our members to stick to bury licensing. Overall full review of the current price structure for licensing fees is necessary to ensure that it is fair, reasonable, We hope that the bury licensing regulatory authority takes our proposal into consideration and takes appropriate measures to alleviate the financial strain experienced by our members and partners.</p>
<p>5.4 Outstanding actions following engagement (include in Section 8 log)</p>	<p>Report to be considered by the Licensing and Safety Committee on the 20 July 2023.</p>	<p>Any increases in fees and charges will be communicated to external stakeholders and the community by the Licensing service via licence holders, trade representatives and publication on the Councils website.</p> <p>The only protected characteristic of relevance to the specific objection received is socio-economic vulnerability this is considered further in the information below.</p>

SECTION 6 – CONCLUSION OF IMPACT

Refer to Equality Analysis guidance page 9

Please outline whether the activity/ policy has a positive or negative effect on any groups of people with protected inclusion characteristics

Protected Characteristic	Positive/ Neutral Negative/	Impact (include reference to data/ engagement)
6.1 Age	Neutral	<p>Whilst the demographic make up of the community impacted by this change may include a higher proportion of people with certain protected characteristics, the 10% increase applies indiscriminately to all licence holders/applicants reflecting the operational costs of the Licensing service. As a statutory licensing authority the Council must ensure licence applications are received and processed without prejudice and deal with all application equally without any discrimination.</p> <p>The impact assessment will be reviewed during the process to consider any demographic adversely impacted or disadvantaged. As a statutory licensing authority we will monitor the impact to ensure that applications are processed with fairness, openness and transparency without any discrimination ensuing no one is disadvantaged due to a protected characteristic. We will ensure that the process is fair and equitable, and any relevant adjustments will be made if any disadvantage is identified. The licensing authority will further commit to ongoing accessible communication and engagement in terms with specific consideration to language and diversity and will utilise existing resources including the Business Engagement Officer to reach out and ensure no disadvantage to any protected characteristic group.</p>
6.2 Disability	Neutral	
6.3 Gender	Neutral	
6.4 Pregnancy or Maternity	Neutral	
6.5 Race	Neutral	
6.6 Religion and belief	Neutral	
6.7 Sexual Orientation	Neutral	
6.8 Marriage or Civil Partnership	Neutral	
6.9 Gender Reassignment	Neutral	
6.10 Carers	Neutral	
6.11 Looked After Children and Care Leavers	Neutral	
6.12 Armed Forces personnel including veterans	Neutral	
6.13 Socio-economically vulnerable	Neutral	
6.14 Overall impact - What will the likely overall effect of your activity be on equality, including consideration on intersectionality?		<p>There will be no detrimental equality impact.</p> <p>Any increase in the fees for Hackney Carriage / Private Hire Vehicles and Private Hire Operators do not impact on aspects of protected equality characteristics with the exception of Socio-economically vulnerable which is mitigated by the ability for the trade to consider increasing their own chargeable fees to take into account increased operational costs as incurred by the Licensing Authority.</p> <p>The impact assessment will be monitored to evaluate the impact on affected demographics and/or those with special characteristics to ensure they are not adversely impacted or disadvantaged. The Licensing Authority will ensure that the process is fair and equitable, and any relevant adjustments will be considered if any disadvantage is identified.</p>

	The proposed fees benchmark comparably with other GM Authorities and the increase is proportionate in line with inflation and associated increases in the operational costs of the Licensing Authority. In mitigation both private hire and hackney carriages have the ability to consider increasing their own fees with hackney carriages being legally required to make an application which is considered by the licensing authority and licensing & safety committee as evidence in an increase in 2022-23.
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SECTION 7 – ACTION LOG			
Refer to Equality Analysis guidance page 10			
Action Identified	Lead	Due Date	Comments and Sign off (when complete)
7.1 Actions to address gaps identified in section 4			
As a statutory licensing authority the Council must ensure licence applications are received and processed without prejudice and deal with all application equally without any discrimination The Licensing service will look at the data currently held and consider ways to better understand the demographics of the associated community.	B.Thomson (BT)	5/7/2023	Data Gaps - Not all protected characteristic data held for licence holders. Ongoing monitoring of live data including licence holders only. As a statutory licensing authority the Council must ensure licence applications are received and processed without prejudice and deal with all application equally without any discrimination As a statutory licensing authority the Council must ensure licence applications are received and processed without prejudice and deal with all application equally without any discrimination
7.2 Actions to address gaps identified in section 5			
Ongoing engagement with the Trade and community undertaken.	B.Thomson (BT)	5/7/2023	Licensing fees and charges relate to regulatory compliance and enforcement. They further relate to the provision of a wide range of regulatory services through the processing of formal application requests within the different disciplines including Licensing. The application and processing of all public protection work has no discriminatory factors in the implementation of these fees and charges.
7.3 Mitigations to address negative impacts identified in section 6			
Not Applicable			
7.4 Opportunities to further inclusion (equality, diversity and human rights) including to advance opportunities and engagements across protected characteristics			
No current action required.			

SECTION 8 - REVIEW			
Refer to Equality Analysis guidance page 10			
Review Milestone	Lead	Due Date	Comments (and sign off when complete)
Review of impact on demand once implemented	Ben Thomson	31/12/2023	Ongoing impact via monthly savings target reviews through finance and exec directors.
Further proposed Increase by Council.	Michael Bridge	Q4 2023/24	If further objections are received in respect of increases in the future

Please make sure that every section of the Equality Analysis has been fully completed. The author of the EA should then seek Quality Assurance sign off and departmental recording.

SECTION 9 – QUALITY ASSURANCE		
Refer to Equality Analysis guidance page x		
Consideration	Yes/No	Rationale and details of further actions required
Have all section been completed fully?	Yes	
Has the duty to eliminate unlawful discrimination, harassment, victimization and other conducted prohibited by the PSED and Equalities Act been considered and acted upon?	Yes	
Has the duty to advance equality of opportunity between people who share a protected characteristic and those who do not been considered and acted upon	Yes	
Has the duty to foster good relations between people who share a protected characteristic and those who do not, been consider and acted upon	Yes	
Has the action log fully detailed any required activity to address gaps in data, insight and/or engagement in relation to inclusion impact?	Yes	
Have clear and robust reviewing arrangements been set out?	Yes	
Are there any further comments to be made in relation to this EA	No	

APPENDIX 2.1: GREATER MANCHESTER FEE COMPARISON (Including Wolverhampton)

***** Please note that direct comparison of fees is not possible due to incomparable staffing levels, local authority costs, number of licenses etc which each individual Local Authority must take into account when determining their own local fee structures which, as required by legislation, must be via a cost neutral model *****

Authority	Vehicle Licence fees	Operator Licence fees												
Bury (Proposed)	<p>Proposed Fees</p> <p>Vehicles under 3 years old - £260 (£200.00 plus £60.00)</p> <p>Vehicles over 3 years old - £320 (£200.00plus £120.00)</p> <p>*Bury have two vehicle testing stations. Bradley Fold (Council) and Sunnybank Service Station (Independent). Vehicle compliance test fees are payable to the testing station chosen by applicants therefore the costs are shows as an additional element. Vehicles under 3 years old require one compliance test per year (£60). Vehicles over 3 years old require two vehicle compliance tests (£120).</p>	<p>Private Hire Operators</p> <table> <tr> <td>1-2 vehicles</td> <td>(1 Year)</td> <td>£315.00</td> </tr> <tr> <td>1-2 vehicles</td> <td>(5 Year)</td> <td>£1540.00</td> </tr> <tr> <td>3 or more vehicles</td> <td>(1 Year)</td> <td>£450.00</td> </tr> <tr> <td>3 or more vehicles</td> <td>(5 Year)</td> <td>£2250.00</td> </tr> </table>	1-2 vehicles	(1 Year)	£315.00	1-2 vehicles	(5 Year)	£1540.00	3 or more vehicles	(1 Year)	£450.00	3 or more vehicles	(5 Year)	£2250.00
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3 or more vehicles	(1 Year)	£450.00												
3 or more vehicles	(5 Year)	£2250.00												
Bolton	<p>Hackney Carriage first Grant - £217</p> <p>Hackney Carriage Renewal - £213</p> <p>Private hire Vehicle first grant - £165</p> <p>Private Hire vehicle Renewal - £163</p>	<table> <tr> <td>1 Vehicle</td> <td>£307</td> </tr> <tr> <td>2-5 Vehicles</td> <td>£493</td> </tr> <tr> <td>6-10 vehicles</td> <td>£493</td> </tr> <tr> <td>11-15 Vehicles</td> <td>£584</td> </tr> <tr> <td>16-50 vehicles</td> <td>£584</td> </tr> <tr> <td>Over 50 vehicles</td> <td>£1416</td> </tr> </table>	1 Vehicle	£307	2-5 Vehicles	£493	6-10 vehicles	£493	11-15 Vehicles	£584	16-50 vehicles	£584	Over 50 vehicles	£1416
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Over 50 vehicles	£1416													
Manchester	Hackney Carriage	<p>New or renewal application or additional base:</p> <table> <tr> <td>5 year licence</td> <td>£2,790</td> </tr> </table>	5 year licence	£2,790										
5 year licence	£2,790													

	<p>These fees do not include the cost of vehicle test and any plates, stickers, other consumables or notice fees. Renewal: £302 Vehicle test fees</p> <ul style="list-style-type: none"> • Charged in addition to the above application fees: • Vehicle <3 yrs old: One test/year = £60 • Vehicle 3-8 yrs old: Two tests/year = £120 • Vehicle >8 yrs old: Three tests/year = £180 <ul style="list-style-type: none"> ○ Private Hire Vehicle • New application: £148 excluding test fee • Renewal: £144 <u>Excluding</u> test fee <ul style="list-style-type: none"> ○ Private hire Vehicle Test fees • Vehicle <3 yrs old: One test/year = £60 • Vehicle 3-8 yrs old: Two tests/year = £120 • Vehicle >8 yrs old: Three tests/year = £180 		
Oldham	<p>Hackney Carriage Vehicle Licence New / Renewal including one vehicle test £204 Including two vehicle tests £254 Including three vehicle tests£304</p> <p>Private Hire Vehicle Licence New / Renewal Including one vehicle test £244 Including two vehicle tests £294 Including three vehicle tests£344</p>		<p>Annual Licence 5 Year Licence</p> <p>1 Vehicle - £223 £572 2-10 Vehicles £396 £1433 11-50 vehicles £816 £3535 51-99 Vehicles £1128 £5093 100-199 Vehicles £1275 £5829 200 – 299 Vehicles £1524 £7075 300 – 399 Vehicles £1807 £8492 400 + Vehicles £2101 £9965</p>
Rochdale	Annual fee: £339		<p>Annual Licence 5 Year Licence</p> <p>1 vehicle: £208 £1,042 for 5 years</p>

		2-10 vehicles: £396 11-20 vehicles: £556 21-30 vehicles: £713 31-40 vehicles: £872 41-50 vehicles: £1,028 51-60 vehicles: £1,184 61-70 vehicles: £1,340 71 or more vehicles: £1,495	£1,980 for 5 years £2,781 for 5 years £3,561 for 5 years £4,356 for 5 years £5,138 for 5 years £5,919 for 5 years £6,700 for 5 years £7,478 for 5 years
Stockport	Hackney Carriage £192 Private Hire £183	Annual - Information not available 5 Year - Information not available	
Tameside	New Vehicle <3 years old £282.00 New Vehicle >3 years old £189.00 Renewal of Plate <3 years old £265.00 Renewal of plate >3 years old £178.00	1-2 Vehicles £503.00 3-10 Vehicles £570.00 11-30 Vehicles £838.00 31-49 Vehicles £1,136.00 50-69 Vehicles £1,363.00 70+ Vehicles £1,432.00	
Trafford	Private Hire or Hackney Carriage vehicle £183 + Two 2 compliance tests (£106) = £289	Annual Licence (1 vehicle) £218 (2- 5 vehicles) £218 £41 per extra vehicle i.e. 2 vehicles = £841 (6-10 vehicles) £495 (11-29 vehicles) £495 (30+ vehicles) £683	5 Year Licence £800 £800 £2,080 £2,080 £2,846
Wigan	6 Month Licence £278 12 month Licence £340 Cost of test is £62.00	1 vehicle £253.00 plus Annual Fee of £218.00 2 to 5 vehicles £290.00 plus Annual fee of £256.00 6 to 15 vehicles £343.00 plus Annual fee of £310.00 16 to 30 vehicles £467.00 plus Annual fee of £437.00 31 to 60 vehicles £546.00 plus Annual fee of £517.00 61 to 100 vehicles £782.00 plus Annual fee of £758.00	

		Operators with over 101+ vehicles -887.00 plus Annual fee of £864.00 The above licences are now issued for 5 years. To avoid the need for applicants to pay a large fee covering the full 5 year period, we have made arrangements for the cost to be spread across the term of the licence. This will therefore result in the annual fee shown below being payable each year for the licence to remain in force.										
Wolverhampton	Hackney Carriage Vehicles		<table border="0"> <tr> <td></td> <td style="text-align: center;">Annual Licence</td> <td style="text-align: center;">5 Year Licence</td> </tr> <tr> <td>0-4 vehicles</td> <td>New Licence £1000</td> <td>Renewal £150 £500</td> </tr> <tr> <td>Over 4 vehicles</td> <td>New Licence £1000</td> <td>Renewal £750 £3000</td> </tr> </table>		Annual Licence	5 Year Licence	0-4 vehicles	New Licence £1000	Renewal £150 £500	Over 4 vehicles	New Licence £1000	Renewal £750 £3000
		Annual Licence		5 Year Licence								
	0-4 vehicles	New Licence £1000		Renewal £150 £500								
	Over 4 vehicles	New Licence £1000		Renewal £750 £3000								
	1.1	1 year licence New / Renewal		Vehicle aged Under 10 years old	95							
	1.2			Vehicle aged Over 10 but under 16 years old	190							
	1.3	6 month licence Renewal		Vehicle aged Over 10 years old	N/A							
	1.4	Exceptional Condition Assessment of Hackney Carriage Vehicle aged 16 years and each subsequent 6 months		120								
	1.5	Application Fast Track New / Renewal		180								
	1.6 Private Hire Vehicles											
	1.7	1 year licence New / Renewal		Vehicle aged Under 10 years old	95							
	1.8			Vehicle aged Over 10 but under 12 years old	N/A							
	1.9	6 month licence Renewal		Vehicle aged Over 10 but under 12 years old	95							
	1.10	Application Fast Track New / Renewal		180								
All Hackney Carriage and Private Hire vehicles licensed by City of Wolverhampton Council must undertake an MOT from one of their approved testing station.												

By virtue of paragraph(s) 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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