

CITY OF WOLVERHAMPTON COUNCIL	Regulatory Committee 25 September 2024
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Report title	Joint Authorisation of Taxi Compliance Officers	
Wards affected	All	
Accountable director	John Roseblade, Director of Resident Services	
Originating service	Licensing	
Accountable employee	Glen Moseley	Service Lead - Compliance
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Report has been considered by	Resident Services Leadership Team	20 August 2024
	Strategic Executive Board	27 August 2024

Recommendation for decision:

The Regulatory Committee is recommended to:

1. Approve the delegation of authority to Milton Keynes City Council.
2. Approve the delegation of authority to Rotherham Metropolitan Borough Council.
3. Approve the delegation of authority to South Derbyshire District Council.
4. Approve the delegation of authority to Halton Borough Council.
5. Approve the delegation of authority to Knowsley Metropolitan Borough Council.

1.0 Purpose

- 1.1 To seek approval from the Committee for authorisation of officers to other licensing authorities to undertake compliance functions under Section 68 and 73 of the Local Government (Miscellaneous Provisions) Act 1976, as amended.

2.0 Background

- 2.1 On 6 March 2024 the Regulatory Committee authorised the enforcement team lead of Milton Keynes City council to undertake some compliance functions in relation to private hire vehicles.
- 2.2 Section 5.3 of the Department for Transport's 'Taxi and private hire vehicle licensing best practice guidance for licensing authorities in England' states,

"Licensing authorities should, where the need arises, jointly authorise officers from other authorities so that compliance and enforcement action can be taken against licensees from outside their area. An agreement between licensing authorities to jointly authorise officers enables the use of compliance and enforcement powers regardless of which authority within the agreement employs the officer and which issued the licence. This will mitigate the opportunities for licensees to evade regulation. Such an agreement will enable those authorities to take action against vehicles and drivers that are licensed by the other authority when they cross over boundaries. A model for agreeing joint authorisation is contained in the LGA Councillors' handbook."

3.0 Milton Keynes Pilot

- 3.1 As of 4 September 2024, there are 171 private hire drivers and 105 private hire vehicles proprietors licensed by City of Wolverhampton Council who live in Milton Keynes.
- 3.2 Milton Keynes City Council were granted a 6 month authorisation of their officers, to allow for immediate suspensions of a vehicle licence. For example, where a vehicle is found to have tyre tread below the legal limit of 1.6mm.
- 3.3 The Regulatory Committee agreed that a report on the pilot scheme would be presented to the September committee, the results of the enforcement undertaken by Milton Keynes City Council are as follows – A total of 846 roadside checks on vehicles were conducted, of those 91 were Wolverhampton licensed vehicles and using the delegated from the pilot 2 vehicles were suspended.
- 3.4 It is proposed that this authorisation is extended indefinitely and to the following positions:
 - A. Enforcement Team Lead
 - B. Taxi Licensing Lead

C. Senior Enforcement Officer

D. Taxi Licensing Enforcement Officer

- 3.5 This authorisation maybe revoked at any time in writing by the council.
- 3.6 The authorisation would be for powers under Sections 68 and 73 of the Local Government (Miscellaneous Provisions) Act 1976, as amended. Section 68 relates to the fitness of a vehicle and section 73 relates to obstructing officers investigating offences under the Act.
- 3.7 It is proposed that City of Wolverhampton Council's Section Leader - Compliance receive an authorisation for the same powers from Milton Keynes City Council.
- 3.8 A letter of authorisation for each named officer will be provided and this can be shown to licensees. Copies of the licence conditions and relevant policies will be exchanged, as well as information on reporting enforcement action.
- 3.9 All licensees in Milton Keynes will be written to, advising of the joint authorisation.

4.0 Joint Authorisation with other licensing authorities

- 4.1 Following the positive publicity that the joint authorisation with Milton Keynes City Council received, several other Councils have contacted Wolverhampton for joint authorisation.
- 4.2 The authorisation would be for powers under Sections 68 and 73 of the Local Government (Miscellaneous Provisions) Act 1976, as amended. Section 68 relates to the fitness of a vehicle and section 73 relates to obstructing officers investigating offences under the Act.
- 4.3 It is proposed that this authorisation is granted to:
- 4.4 Halton Borough Council
- A. Taxi Enforcement Officer
- 4.5 Knowsley Metropolitan Borough Council
- A. Consumer Protection Manager
- B. Senior Licensing Enforcement Officer
- C. Licensing Enforcement Officer
- 4.6 Rotherham Metropolitan Borough Council
- A. Licensing Manager
- B. Principal Licensing Officer
- C. Licensing Enforcement Officer

4.7 South Derbyshire District Council

A. Senior Licensing Officer

4.8 This authorisation maybe revoked at any time in writing by the council.

4.9 It is proposed that City of Wolverhampton Council's Compliance Service Lead receive an authorisation for the same powers to the respective Councils.

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

4.11 All licensees in Halton, Knowsley, Rotherham and South Derbyshire will be written to, advising of the joint authorisation.

5.0 Financial implications

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

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

[SB/19072024/M]

6.0 Legal implications

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

[RS-31072024-3]

7.0 Equalities implications

7.1 There are no equalities implications.

8.0 All other Implications

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

9.0 Schedule of background papers

9.1 Joint Authorisation of Taxi Compliance Officers – Regulatory Committee – 6 March 2024