

GENERAL LICENSING COMMITTEE, 16.09.13

Present: Councillor W. Tudor Owen (Chairman)
Councillor Eryl Jones-Williams (Vice-chairman)

Councillors: Eddie Dogan, Huw Edwards, Annwen Hughes, Christopher O'Neal, Peter Read, Angela Russell, Ann Williams, Elfed W. Williams

Also Present: Aled Davies (Head of Regulatory Department), John Reynolds (Senior Public Protection Manager), Siôn Huws (Language and Compliance Manager), Gwenan M. Williams (Licensing Manager) and Lowri Haf Evans (Member Support and Scrutiny Officer).

Councillor W. Tudor Owen welcomed everyone to the Committee.

1. APOLOGIES: Councillor Gruffydd Williams

2. DECLARATION OF PERSONAL INTEREST

No declarations of personal interest were received from any members present.

3. URGENT BUSINESS

No item to consider.

4. MINUTES

The Chairman signed the minutes of the previous meeting of this committee held on 24 June 2013 as a true record.

5. MINUTES OF THE GENERAL LICENSING SUB-COMMITTEE

Submitted - for information, the minutes of a meeting of the General Licensing Sub-committee held on 22 July 2013.
Officers were thanked for their support at the Sub-committees.

RESOLVED TO ACCEPT THE INFORMATION.

6. PROPOSED HACKNEY CARRIAGE, PRIVATE HIRE AND OPERATORS LICENCE FEES

Submitted - the report of the Head of Regulatory Department.

A report had been submitted to this Committee on 24 June 2013 with a recommendation to approve the proposal of the Head of Regulatory

Department to increase all taxi licensing fees by 25%, and proceed towards reclaiming the costs associated with the service in full in 2014/15. The Council was required to review its fees in relation to hackney and private hire vehicle licences on a regular basis.

Sections 53 and 70 of the Local Government (Miscellaneous Provisions) Act 1976 allowed increasing fees on a level that was sufficient to reclaim the reasonable costs associated with processing applications for driver and hackney and private hire licences as well as operators' licences.

The fees charged had to be reasonable and it was the Council's decision whether or not the fees were set at a level which would allow for the reclamation of costs in full or in part. Historically, fees had been set at a low level in Gwynedd in comparison to other local authorities.

Costs not recovered through licence fees placed a burden on the service's resources, and ultimately, on the Council's taxpayers. A detailed cost analysis of income against expenditure on this function had revealed a significant budgetary deficit which could not be sustained any longer in the current financial climate. The fees would have to be raised by at least 37% in order to fully recover the costs.

Maintaining balanced expenditure against income was a challenge faced by all types of businesses, including the Council. For years, the Council had been subsidising the actual cost of taxi licensing from general revenue streams. With the cuts facing the Council at present, the situation could not be sustained without reducing the resources available to provide other services for residents. Subsidising licensing costs would not guarantee any benefit in the form of a price cut for Gwynedd residents as the industry was not duty bound to introduce any savings to its customers.

The recommendation to increase the fees had to be subject to a consultation with the industry as well as a statutory public consultation.

The Committee resolved to accept the recommendation of the Head of Regulatory Department to increase all licensing fees by 25% this year and to proceed to reclaim the costs in full in 2014/15 subject to a statutory consultation and assessing the costs of providing the service annually.

Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 stated that a public notice of the proposed fee changes must appear in the local press.

The notice had been placed in the local press on 17 July in accordance with the statutory requirements as well as on the Council's website. The consultation had remained open for 28 days.

In addition to the statutory consultation, a letter was sent to all taxi vehicle owners in Gwynedd (**380 letters**) explaining in full the reason for the need to increase the fees. The industry was reminded in this letter that there was an opportunity to submit formal observations during the consultation period.

The consultation ended on 15 August and **six letters had been received** from individuals in the taxi industry objecting to the increase in the cost of taxi licences. One of the letters had been sent on behalf of the Dwyfor Taxi Association and had been signed by 18 individuals.

No increase in fees would come into force until the letters of objection received had been considered by this Committee and until a final decision was made on the fee level.

The increase in the fees was objected to in the context of the substantial increase seen over the past few years in fuel and insurance costs.

Concern was expressed that the additional costs were going to be a threat to the livelihood of some operators, owners and drivers, as the increased costs affected the ability of companies to maintain the current level of service.

Some respondents were of the opinion that a reduced increase should be introduced for those with private hire licences that were restricted to school contracts work only.

Concerns were expressed that the customer would refuse the unavoidable increase in taxi hire costs following an increase in licence fees.

In addition, the Dwyfor Taxi Association had expressed its discontent in relation to the level of service available from the Pwllheli Office, as the officer was only in the office on Wednesdays. It was also of the opinion that an insufficient number of checks and inspections of vehicles and driver badges were carried out during the day and night, and that lack of action was taken regarding complaints. It had to be noted that acting on these suggestions was likely to lead to a further increase in licence costs, if the Council was to reclaim the costs of providing the service in full.

The Committee was requested to consider the objections received; as well as the evidence submitted previously to the Committee regarding the need to reclaim the costs of the service.

It was recommended that the General Licensing Committee increased all taxi licensing fees by 25% in accordance with what had been agreed by this Committee in June 2013 and consulted upon in order to proceed to reclaim the costs associated with the service in full in 2014/15. The recommendation was accepted.

In response to a question regarding maintaining a value for money service in Dwyfor, the Licensing Manager accepted the observation that there was a need to operate more effectively and consider suggestions to improve the provision. Although the licensing officer was only available in the office on Wednesday, it was possible to contact the officers through the Galw Gwynedd contact centre. In terms of responding to complaints, it was emphasised that evidence was required if action was to be taken against breaches of the law.

It was acknowledged that increasing the fees gradually would have been beneficial in the past; however, it was noted that the proposed fees remained at a low level in comparison to other local authorities.

Reference was also made to the very small percentage of individuals / companies that had responded to the consultation, drawing attention to the fact that no complaint had been received from Meirionnydd. It was asked whether or not this was because of the cuts made to public transport services in Meirionnydd. It was appropriate to note the response of the Head of Regulatory Department – transport companies were responsible for the changes to the commercial elements and that the Council had no control over this.

The request made for resources to sustain a more effective service was accepted; however, there would be a need to increase the costs if this was implemented.

RESOLVED TO INCREASE ALL TAXI LICENSING FEES BY 25% IN ACCORDANCE WITH WHAT THE COMMITTEE AGREED AT ITS MEETING IN JUNE 2013 AND CONSULTED UPON IN ORDER TO PROCEED TO RECLAIM THE COSTS ASSOCIATED WITH THE SERVICE IN FULL IN 2014/15.

Everyone was thanked for their contribution.

The meeting commenced at 10.30am and concluded at 11.15am.