



**Gwasanaeth Democraidd**  
**Democratic Service**  
Swyddfa'r Cyngor  
CAERNARFON  
Gwynedd  
LL55 1SH

Cyfarfod / Meeting

**PWYLLGOR TRWYDDEDU CYFFREDINOL**  
**GENERAL LICENSING COMMITTEE**

Dyddiad ac Amser / Date and Time

**DYDD LLUN, 23 MEHEFIN 2014**  
**(AR DERFYN Y PWYLLGOR TRWYDDEDU CANOLOG)**  
**MONDAY, 23 JUNE 2014**  
**(AT THE END OF THE CENTRAL LICENSING COMMITTEE)**

Lleoliad / Location

**SIAMBR HYWEL DDA,**  
**SWYDDFEYDD Y CYNGOR,**  
**CAERNARFON**

Pwynt Cyswllt / Contact Point

**LOWRI HAF EVANS**  
**(01286) 679 878**

[lowrihafevans@gwynedd.gov.uk](mailto:lowrihafevans@gwynedd.gov.uk)

Dosbarthwyd/Distributed 16.6.2014

**PWYLLGOR TRWYDDEDU CYFFREDINOL**

**GENERAL LICENSING COMMITTEE**

**Aelodaeth/Membership (15)**

**Plaid Cymru (7)**

Y Cynghorwyr/Councillors

Eddie Dogan      Huw Edwards

Annwen Hughes      Chris Hughes

W. Tudor Owen      Ann Williams

Sedd wag / vacant seat

**Annibynnol/Independent (4)**

Y Cynghorwyr/Councillors

Eryl Jones-Williams      Christopher O'Neal

Angela Russell      Elfed Williams

**Llais Gwynedd (4)**

Y Cynghorwyr/Councillors

Louise Hughes      Llywarch Bowen Jones

Dilwyn Lloyd      Peter Read

**Aelod Ex-officio/Ex-officio Member**

Is-Gadeirydd y Cyngor/Vice-Chairman of the Council

# RHAGLEN

## 1. CROESO AC YMDDIHEURIADAU

Derbyn unrhyw ymddiheuriadau am absenoldeb.

## 2. DATGAN BUDDIANT PERSONOL

Derbyn unrhyw ddatgan o fuddiant personol.

## 3. MATERION BRYD

Nodi unrhyw eitemau sy'n fater bryd ym marn y Cadeirydd fel y gellir eu hystyried.

## 4. COFNODION

Bydd y Cadeirydd yn cynnig y dylid llofnodi cofnodion cyfarfod diwethaf y pwyllgor hwn a gynhaliwyd ar 10 Mawrth 2014 fel rhai cywir.

(copi yma – papur **gwyn**)

## 5. FFI OEDD ARFAETHEDIG TRWYDDEDAU CERBYDAU HACNI, HURIO PREIFAT A GWEITHREDWYR

Cyflwyno adroddiad y Pennaeth Adran Rheoleiddio

(copi yma – papur **melyn**)

# AGENDA

**1. WELOCME AND APOLOGIES**

To receive any apologies for absence

**2. DECLARATION OF PERSONAL CONNECTION**

To receive any declaration of personal interest.

**3. URGENT ITEMS**

To note any items that are a matter of urgency in the view of the Chairman for consideration.

**4. MINUTES**

The Chairman shall propose that the minutes of the meeting of this Committee, held on 10 March 2014, be signed as a true record.

(copy herewith – **white** enclosure)

**5. PROPOSED HACKNEY CARRIAGE, PRIVATE HIRE AND OPERATORS LICENCE FEES**

To submit the report of the Head of Regulatory Department

(copy herewith – **yellow** paper)

---

## GENERAL LICENSING COMMITTEE, 10.03.14

---

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

Councillors: Eddie Dogan, Huw Edwards, Annwen Hughes, Louise Hughes, Dilwyn Lloyd, Peter Read, Angela Russell, Ann Williams, Elfed W. Williams.

**Also Present:** Siôn Huws (Compliance and Language 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:** Cllr Llywarch Bowen Jones, Gethin Glyn Williams.

2. **DECLARATION OF PERSONAL INTEREST**

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

3. **URGENT ITEMS**

No item to consider.

4. **MINUTES**

The Chairman signed the minutes of the previous meeting of this committee, held on 16 September, 2013, as a true record.

5. **MINUTES OF THE GENERAL LICENSING SUB-COMMITTEE**

Submitted – for information, minutes of the meetings of the General Licensing Sub-committee held on 16 September 2013, 28 October 2013 and 29 January 2014.

Officers were thanked for their support at the Sub-committees.

**RESOLVED TO ACCEPT THE INFORMATION.**

6. **UPDATING THE RELEVANT CONVICTIONS POLICY IN RESPECT OF THE LICENSING OF TAXI DRIVERS**

Submitted – the report of the Head of Regulatory Department. It was explained that the Authority had already adopted guidance on relevant convictions as part of the Taxi Policy – the guidelines were used by officers

and Members in the determination of applications for driver licences from individuals who have relevant convictions on their DBS reports. The Council now reviewed their guidelines in relation to relevant convictions and had decided through the Licensing Technical Panel to propose an appropriate update for current situations in the taxi licensing field. It was noted that adopting these amended guidelines would ensure consistency with other Counties.

The main aim of the policy was to protect the public and try to provide guidance to anyone interested in public and private hire licensing.

In a case where licensing officers and the Licensing Sub-committee panel would use / address these guidelines to make a decision, it was outlined that each case would be considered on its individual merits. If circumstances required, the officer / panel could depart from those guidelines.

The Committee was asked to accept the update to the relevant guidelines. The new guidelines would be adopted by the Licensing Committee when the entire Taxi Licensing Policy had been reviewed.

In response to a question regarding the timetable of reviewing the Taxi Licensing Policy, the Licensing Manager elaborated that the Licensing Department would review the policy this year. It was reported that recommendations had not been released by the Law Commission. It was noted that the existing legislation was complex and dated, therefore, there was a need to adopt a policy that was relevant to current circumstances.

Other councils reviewing their policies – some undertaking small reviews while others were waiting for recommendations from the Law Commission. Collaboration and ensuring importance of local circumstances were a must when formulating a policy.

Main observations from the discussion:

There was a need to:

- update and modernise the guidelines;
- undertake regular checks on vehicles that were over ten years old to ensure they were suitable to transport passengers;
- issue penalty points to taxi drivers who did not e.g. display a badge or carry a fire extinguisher;
- penalise drivers who avoid health and safety issues by not maintaining their vehicles on a regular basis;
- be more thorough and firm with car checks. Reviews had been undertaken with garages; work to re-draw new and comprehensive guidelines was in the pipeline to ensure consistency;
- ensure consistency in the areas of Arfon, Dwyfor and Meirionnydd;
- have more than one Licensing Enforcement Officer in Gwynedd – the Council needed to behave in a reactive rather than in a preventative manner;
- gather the observations of taxi drivers. There would be an opportunity to consult with the industry when the entire taxi policy would be reviewed.

- It was proposed that drivers should be invited to the Committee to convey their observations. Agreed;
- ensure that the policy included detailed guidelines and that there were no inconsistencies.

It was resolved to accept the update to the relevant guidelines. The Compliance and Language Manager was asked to verify whether or not it would be possible to use the amended guidelines before a review of the Licensing Policy would be completed.

Everyone was thanked for their contribution.

The meeting commenced at 10:00am and concluded at 11:00am.

<b>COMMITTEE:</b>	<b>CENTRAL LICENSING COMMITTEE</b>
<b>DATE:</b>	<b>23 JUNE 2014</b>
<b>TITLE:</b>	<b>PROPOSED HACKNEY CARRIAGE, PRIVATE HIRE AND OPERATORS LICENCE FEES</b>
<b>PURPOSE:</b>	<b>FOR DECISION</b>
<b>AUTHOR:</b>	<b>HEAD OF REGULATORY DEPARTMENT</b>

## **BACKGROUND**

1. The Council is required to review its fees in respect of the licensing of hackney carriages and private hire vehicles on a regular basis.
2. Sections 53 and 70 of the Local Government (Miscellaneous Provisions ) Act 1976 provide that fees may be charged at a level sufficient to cover reasonable costs -
  - For the grant of a drivers licence for hackney carriage or private hire vehicle – costs associated with processing, administration and issue of licence.
  - For the grant of a vehicle and operators licence – inspection costs, hackney carriage stands, public notices, control and supervision of vehicles; and any other costs associated with processing an application.
3. The fees levied must be reasonable, and it is at the Council’s discretion whether or not the fees are set at a level to enable full or partial cost recovery. Historically, fees have been set at a low level in Gwynedd in comparison to other local authorities.
4. Costs not met by the levy of fees become a burden on the Service and, ultimately, on the Council tax payer. A detailed cost analysis of income against expenditure on this function in 2013 revealed a significant budgetary deficit and it was determined that the fees would have to be raised by at least 37% in order to achieve full cost recovery.
5. In a report to the Central Licensing Committee on 24<sup>th</sup> June 2014, an increase of 25% on all taxi fees was proposed; with a further increase to move towards full cost recovery in 2014/15. The report also stated that, in future, the costs of providing the service will be assessed annually.
6. The proposed increase was approved by the Committee, subject to statutory consultation, on 24<sup>th</sup> June 2013 and was subsequently confirmed on the 16<sup>th</sup> September 2013.
7. An assessment of the cost of providing those parts of the taxi licensing function in respect of which the Council is permitted to recover reasonable costs in 2013/14 indicates the following:

Gross expenditure	£126,705
Income from fees, etc	£106,122
Net expenditure	£ 20,593



8. For cost recovery to be achieved, based upon the most recent figures available, fees therefore need to be raised by 19.78%.

### **PROPOSAL**

9. **A increase of 19.78% is proposed on all taxi fees; to achieve full cost recovery. The proposed increase, if approved, will be subject to statutory consultation.**
10. The full list of current and proposed fees is attached to this report

### **CONSULTATION WITH THE TRADE**

11. The intention to raise fees to move towards cost recovery has been consulted upon with the Cabinet Member, Councillor John Wyn Williams. The proposed fees have also been consulted upon internally with the Head of Finance. Once this Committee makes a decision on the proposed fees a thorough public consultation will commence in accordance with the statutory requirements.
12. S70 of the Local Government (Miscellaneous Provisions ) Act 1976 requires that a public notice of the proposed fee variations appear in the local press. The notice will be placed in the local press on or before the 16<sup>th</sup> of July 2014, and the taxi trade will also be directly consulted before this date; allowing for sufficient opportunity for any concerns to be addressed. This notice must include a date which the fees become operational, 28 days after the date of the notice; if there are no objections to the fees. Any objections to the fees would have to be considered by this Committee during it's next meeting on September the 15<sup>th</sup> 2014, and the fee levels determined accordingly. New fees will not become operational until a final decision is made by this Committee.

### **CONSIDERATION OF RISKS**

13. There are potential risks to the financial viability of the taxi and private hire trades in respect of raising taxi fees; but there are also risks to other Council services associated with not achieving cost recovery.
14. In the current economic context it is appreciated that any increases in fees will be seen as an additional burden on the taxi trade. However, the increase equates to an additional £20.27 for a taxi driver's licence and £22.75 for a vehicle licence. For an owner/driver with one vehicle, the increase will be less than one pound per week. If full cost recovery is achieved this year, in future years changes in the fees will only need to reflect changes in the cost of providing the service.
15. After consideration of all the relevant factors it is submitted that cost recovery is the most equitable way of balancing the interests of the taxi and private hire trades with those of the residents and council tax payers of Gwynedd..

## **RECOMMENDATION**

16. The Committee is requested to consider and approve the proposal of the Head of Regulatory department to increase all taxi fees by **19.78%**.
17. The proposed increase if approved will be subject to statutory consultation and the costs of providing the service will be assessed annually.

PROPOSED FEES – TAXI LICENCES		2013/14 FEES			PROPOSED FEES 2014/15			
		Ffi/Pris Eithrio TAW / Fee/Charge excluding VAT	TAW / VAT @ 20%	Ffi/Pris yn cynnwys TAW lle'n berthnasol / Fee/Charge including VAT where applicable	Ffi/Pris Eithrio TAW / Fee/Charge excluding VAT	TAW / VAT @ 20%	Ffi/Pris yn cynnwys TAW lle'n berthnasol / Fee/Charge including VAT where applicable	Cynnydd/ Increase
<b>Hacni a Hurio Preifat</b>	<b>Hackney and Private Hire</b>							
Trwydded Gyrrwr Cerbyd Hacni a Hurio Preifat	Hackney Carriage and Private Hire Drivers Licence	£102.50	£0.00	£102.50	£122.77	£0.00	£122.77	19.78%
Trwydded Gweithredwr Hurio Preifat	Private Hire Operators Licence	£136.25	£0.00	£136.25	£163.20	£0.00	£163.20	19.78%
Trwydded Gweithredwr Hurio Preifat - Cludiant Ysgolion	Private Hire Operators Licence - School Transport	£67.50	£0.00	£67.50	£80.85	£0.00	£80.85	19.78%
Trwydded Hacni Ceffyl a Char	Horse Drawn Hackney Carriage Licence	£115.00	£0.00	£115.00	£137.75	£0.00	£137.75	19.78%
Trwydded Cerbyd Hurio Preifat	Private Hire Vehicle Licence	£115.00	£0.00	£115.00	£137.75	£0.00	£137.75	19.78%
Trwydded Cerbyd Hurio Preifat - Cludiant Ysgolion	Private Hire Vehicle Licence - School Transport	£67.50	£0.00	£67.50	£80.85	£0.00	£80.85	19.78%
Adnewyddu Bathodyn Adnabod Gyrrwr	Replacement Drivers ID Badge	£11.25	£0.00	£11.25	£13.48	£0.00	£13.48	19.78%
Plat Trwydded Cerbyd (Par)	Vehicle Licence Plate (Pair)	£26.25	£0.00	£26.25	£31.44	£0.00	£31.44	19.78%
Braced Plat Trwydded Cerbyd (Par)	Vehicle Licence Place Bracket (Pair)	£26.25	£0.00	£26.25	£31.44	£0.00	£31.44	19.78%
Trosglwyddo Trwydded i gerbyd arall - Cerbyd Hacni neu Cerbyd Hurio Preifat	Transfer of Licence to replacement vehicle - Hackney Carriage or Private Hire Vehicle	£56.25	£0.00	£56.25	£67.38	£0.00	£67.38	19.78%
Trosglwyddo Trwydded i Perchennog newydd - Cerbyd Hacni neu Cerbyd Hurio Preifat	Transfer of Licence to new Proprietor - Hackney Carriage or Private Hire Vehicle	£56.25	£0.00	£56.25	£67.38	£0.00	£67.38	19.78%
Plat Cerbyd (Yr un)	Vehicle Plate (Each)	£13.75	£0.00	£13.75	£16.47	£0.00	£16.47	19.78%
Plat Mewnol	Internal Plate	£12.50	£0.00	£12.50	£14.97	£0.00	£14.97	19.78%
Llawes Plat Mewnol	Internal Plate Sleeve	£3.75	£0.00	£3.75	£4.49	£0.00	£4.49	19.78%
Sticer Drws Cerbyd Hurio Preifat (Yr un)	Private Hire Door Sticker (Each)	£13.75	£0.00	£13.75	£16.47	£0.00	£16.47	19.78%
Gwiriad y Gwasanaeth Datgelu a Gwahardd	Disclosure and Barring Service Check							
Ffi Statudol	Statutory Fee	£44.00	£0.00	£44.00	£44.00	£0.00	£44.00	0.00%
Ffi Weinyddol	Admin Fee	£6.00	£0.00	£6.00	£7.19	£0.00	£7.19	19.78%