

# Contents

Agenda	2
2 - Chairing the Central Licensing Committee and the General Licensing Committee	7
4 - Minutes of the previous meeting	8
6 - Minor Amendments to the wording of the Hackney and Private Hire Vehicles Licensing Policy	11
Appendix 1	13
7 - Proposed Hackney Carriage, Private Hire and Operatoris Licence Fees	26
Appendix 1	29
Appendix 1a	32
Appendix 2	33
Appendix 3	34
Appendix 4	38



**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, 15 MEDI 2014**  
**(AR DERFYN Y PWYLLGOR TRWYDDEDU CANOLOG)**  
**MONDAY, 15 SEPTEMBER 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 8.9.2014

**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

Llywarch Bowen Jones

Dilwyn Lloyd      Peter Read

**Aelod Unigol (1)**

Y Cynghorydd / Councillor

Louise Hughes

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

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



# AGENDA

**1. ELECT CHAIRMAN**

To elect a Chairman for 2014/15

**2. CHAIRING THE CENTRAL LICENSING COMMITTEE AND THE GENERAL LICENSING COMMITTEE**

To submit the report of the Senior Solicitor

(copy herewith **green** paper)

**3. ELECT VICE – CHAIRMAN**

To elect a Vice-chairman for 2014/15

**4. WELCOME AND APOLOGIES**

To receive any apologies for absence

**5. DECLARATION OF PERSONAL CONNECTION**

To receive any declaration of personal interest.

**6. URGENT ITEMS**

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

**7. MINUTES**

The Chairman shall propose that the minutes of the meeting of this Committee, held on 23 June 2014, be signed as a true record.

(copy herewith – **white** enclosure)

**8. MINOR AMENDMENTS TO THE WORDING OF THE HACKNEY & PRIVATE HIRE VEHICLES LICENSING POLICY**

To submit the report of the Head of Regulatory Department

(copy herewith – **pink** paper)

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

To submit the report of the Head of Regulatory Department

(copy herewith – **yellow** paper)

<b>Committee</b>	<b>The General Licensing Committee</b>
<b>Date :</b>	<b>15 September 2014</b>
<b>Title</b>	<b>Chairing the Central Licensing Committee and the General Licensing Committee</b>
<b>Author</b>	<b>Senior Solicitor</b>
<b>Action :</b>	<b>To consider the options</b>

## **1. Background**

1.1 In its previous meeting the committee expressed its dissatisfaction at the fact that it could not appoint the same member to the chair of both the Central Licensing Committee and the General Licensing Committee.

1.2 The Central Licensing Committee's role is to consider matters under the Licensing Act 2003 and the Gambling Act 2005. It is a statutory requirement to establish this committee, but it cannot consider anything else. Consequently, the Council has established the General Licensing Committee to decide on other licensing matters.

1.3 Constitutionally therefore these are two separate committees that meet separately. However the Council has also decided that the same members should serve on both committees, and this is provided for in the Constitution.

1.4 The Council's Constitution also provides that a member cannot chair more than one committee. Under the present circumstances it is not possible therefore to appoint the same member as Chair of both committees.

1.5 The committee might therefore consider, as the membership of the committees is constitutionally identical, whether there would be a benefit in allowing the same member to be Chair of both.

1.6 If the committee decides in favour of this option, it would involve amending the constitution and a recommendation would therefore have to be presented to a meeting of the Full Council.

## **2. Recommendation**

2.1 The committee is asked for its views.

---

## GENERAL LICENSING COMMITTEE, 23.06.14

---

**Present:** Councillors Eddie Dogan, Huw Edwards, Annwen Hughes, Louise Hughes, W. Tudor Owen, Angela Russell, Ann Williams, Elfed W. Williams, Eryl Jones-Williams

**Also Present:** Siôn Huws (Compliance and Language Manager), Gwenan M. Williams (Public Protection Manager (Health and Safety and Licensing)), John Reynolds (Senior Public Protection Manager) and Lowri Haf Evans (Member Support and Scrutiny Officer)

\*\*\*\*\*

In accordance with the Council's Constitution (Part 4/ Procedural Rules/10 Para 1, 2 and 5) it was noted:

"The same member shall not serve as chairman of more than one committee. This provision will not prevent a member who is a committee chair from taking the chair at a committee if the persons appointed are absent; a meeting of a committee or sub-committee must appoint from amongst the voting members present and who are members of the Council, a person to preside over that meeting."

The Compliance and Language Manager outlined the need to appoint a Chairman and Vice-chairman for the General Licensing Committee. The arrangement seen for the period from 2012-2014 was that one Chairman chaired the Central Licensing Committee and the General Licensing Committee. However, Members' attention was drawn to the need to deal with the two committees as two separate committees (although membership was the same). It was noted that only one allowance was available for the Licensing Committees.

In order to deal with the matter appropriately, Members of the Committee requested that the Compliance and Language Manager provided a report in writing in order to discuss the matter in detail at the next meeting of the Licensing Committee on 15.9.14.

**In accordance with the above rule, Councillor Eryl Jones-Williams was appointed as Chairman for this meeting only.**

### **1. WELCOME AND APOLOGIES**

Everyone was welcomed to the meeting. Apologies were received from Councillors Dilwyn Lloyd, Llywarch Bowen Jones, Chris O'Neal and Peter Read.

### **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 meeting held on 10 March 2014, as a true record.

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

Submitted – the report of the Head of Regulatory Department, requesting the Committee to consider and approve the proposal to raise all taxi fees by 19.78%. It was noted that the proposed increase would be dependent on a statutory consultation with the taxi industry and the costs of providing the service would be assessed annually.

It was highlighted that the fees raised had to be reasonable and the Council's decision was to set the fees at a level that would enable the Council to recover the full or partial costs.

In a report to the General Licensing Committee on 24.6.2013, an increase of 25% on all taxi fees was recommended with a further increase for the purpose of moving towards the full recovery of costs in 2014/15.

Following direct consultation with the taxi industry, any objections to the fees would have to be considered by the Committee at their next meeting (15.9.2014) and a decision would have to be made on fee levels in accordance with that.

In response to a question by Members, the Public Protection Manager (Health and Safety and Licensing) noted the costs for Gwynedd (£260.52), compared with other counties in Wales, which varied from Anglesey (£196.00), to Swansea (£399.00).

Members noted that when consulting with the taxi industry, the situation had to be explained clearly with a request for the Communications Unit to engage effectively with the industry and the public to promote the fact that the Council had kept costs low over the preceding years.

It was acknowledged that the situation was difficult and that the increase was substantial. Nevertheless, it was impossible to carry the financial loss. The service had to be protected to ensure support for the industry.

It was proposed and seconded that information regarding the comparative costs in Wales be sent to Committee Members and to the taxi industry.

It was proposed and seconded that officers of the Licensing Unit should examine flexible options to address the needs of applicants to pay for

licences.

It was proposed and seconded that the Cabinet Member, John Wyn Williams be invited to the next meeting on 15 September 2014.

#### **RESOLVED**

- **To support the recommendation of the Head of the Regulatory Department to increase the fees conditional on the results of the statutory consultation.**
- **To distribute comparative information to Committee Members and the taxi industry.**
- **To request the Licensing Unit to consider flexible options to address the applicant's needs when paying for a licence.**
- **To invite the Cabinet Member to the next meeting.**

The meeting commenced at 10.45am and concluded at 11.45am.

<b>COMMITTEE:</b>	<b>GENERAL LICENSING COMMITTEE</b>
<b>DATE:</b>	<b>15 SEPTEMBER 2014</b>
<b>TITLE:</b>	<b>MINOR AMENDMENTS TO THE WORDING OF THE HACKNEY AND PRIVATE HIRE VEHICLES LICENSING POLICY</b>
<b>PURPOSE:</b>	<b>FOR DECISION</b>
<b>AUTHOR:</b>	<b>HEAD OF REGULATORY DEPARTMENT</b>

## **BACKGROUND**

The current hackney and private hire vehicles licensing policy was adopted on 22/10/2010; it came into force on 1 December 2010.

The Law Commission has been undertaking a review of the law in relation to taxi licensing since 2012 and Gwynedd Council and every other Licensing Authority has awaited the outcome of the Commission's findings in the context of amending taxi policies. The Commission submitted its report in May of this year along with a Taxis and Private Hire Vehicles Draft Bill.

In the meantime, the Westminster Government's Deregulation Bill introduces some proposed measures in relation to taxi licensing. Proposed amendments are submitted in relation to matters such as the length of the licence of drivers and Taxi Company Operatives, along with introducing a process of approving agreements for sub-contracting vehicle driving by Operators.

Once the situation is clarified in terms of identifying which of the proposed measures are likely to appear finally on the statute book in relation to taxi licensing law, Gwynedd Council, along with every other Local Authority will press ahead to consult on reviewing the full policy.

In the meantime, minor amendments need to be made to the wording of the policy to update it so that it complies with the current taxi licensing administrative arrangements.

## **DETAILS OF THE CHANGES**

The changes include: Deleting the out of date contact details of officers in the Licensing Unit Amending every reference to 'vehicle licensee' to 'vehicle proprietor'

In addition to this, clause (d) of condition 9 is deleted entirely as it refers to a process of transferring a licence from one vehicle to another vehicle. Legal advice was sought recently not to permit the transfer of a licence from one vehicle to another vehicle as there is no provision in relevant legislation to allow such a process.

See attachment for the amended policy.

## **RECOMMENDATION**

**The Committee is requested to approve the minor amendments to the wording of the Hackney and Private Hire Licensing Policy.**





## **GWYNEDD COUNCIL**

### **REGULATORY DEPARTMENT - PUBLIC PROTECTION SERVICE.**

# **HACKNEY CARRIAGE and PRIVATE HIRE VEHICLE LICENSING POLICY**

**A WELSH VERSION OF THIS POLICY IS AVAILABLE**

ADOPTED BY THE COUNCIL - 22.10.2010  
COMMENCES - 1.12.2010.  
REVISED – 6.7.2014

## **HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE LICENCES – STANDARD CONDITIONS OF LICENCE**

### **A – LEGAL STATUS**

1. These Conditions were made pursuant to Sections 47 and 48 of the Local Government (Miscellaneous Provisions) Act 1976 and adopted by the Gwynedd Council on 22<sup>nd</sup> October 2010 and any subsequent modifications are noted where appropriate by reference to date.
2. Breach of one or more of these Conditions may lead to suspension, revocation or refusal to renew the licence pursuant to Section 60 of the said Act.

### **B – INTERPRETATION**

1. In these Conditions the following words shall bear the meanings ascribed to them below:-

“the Act of 1847”	-	The Town Police Clauses Act 1847.
“the Act”	-	the Local Government (Miscellaneous Provisions) Act 1976.
“the Council”	-	the Gwynedd Council.
“the licence”	-	a licence granted in respect of hackney carriage vehicle granted pursuant to Section 37 of the Act of 1847 or a licence granted in respect of a private hire vehicle pursuant to Section 48 of the Act.
“the proprietor”	-	the owner of the licensed vehicle.
“private hire vehicle”	-	a vehicle in respect of which there is a licence in force under Section 48 of the Act.

“hackney carriage”	-	a vehicle in respect of which there is a license in force under Section 37 of the Act 1847.
“vehicle licence number”	-	the number allocated by the Council to a licence granted for a private hire vehicle or a hackney carriage.
“licensed vehicle”	-	a private hire vehicle or a hackney carriage.
“speciality vehicle”	-	a Stretched Limousine/ Fire Engine, which is capable of carrying up to, but not exceeding, eight passengers.
"vehicle plate"	-	the plate provided by the Council for affixing to a hackney carriage pursuant Section 38 of the of the Act 1847 and to a private hire vehicle pursuant to Section 48(5) of the Act.
"BCF"	-	<i>bromo-chloro-difluoro-methane.</i>

2. References to the male gender shall be construed as including reference to the female gender where appropriate.
3. All other words and phrases in these Conditions shall bear the meanings ascribed to them (if any) in the Act and the Act of 1847.

**GENERAL:**

- (a) All vehicles to be licensed as a Private Hire Vehicle for the first time must be between new and under six years old at time of licensing.
- (b) All vehicles to be licensed as a Hackney Carriage in Dwyfor and Meirion for the first time must be between new and under six years old at time of licensing.
- (c) All vehicles to be licensed as a Hackney Carriage in Arfon for the first time must be between new and under three years old at time of licensing and be a side loading wheel chair accessible vehicle.
- (d) In Arfon the first 98 Hackney issued plates will still retain their ‘Grandfathers Rights’ until the time that plate has been surrendered or revoked.
- (e) There will be a maximum age limit of 12 years placed on these vehicles.
- (f) On attaining the age of 10 yrs from date of first registration, that vehicle will be

subject to the annual MOT, together with two annual Gwynedd Council Mechanical Check, thereafter.

- (g) The ZONES of Arfon, Dwyfor, Meirion will be retained as at present.
- (h) All vehicles – Hackney Carriage and Private Hire will be issued with a Maintenance Log Book by their respective proprietors. This book will remain in the vehicle at all times and made available for inspection on request by an Authorised Officer of the Council or Police. **This Maintenance Log Book will have daily records of the following checks** – physical check of engine, radiator, oil, bodywork, tyres, first aid box, fire extinguisher.
- (i) The Hackney Carriage or Private Hire Vehicle Licence will be valid for 12 months from the date of issue.
- (j) All vehicles carrying a wheelchair must be capable of clamping/strapping the wheelchair safely within the vehicle, and in addition the occupant of that wheelchair safely strapped in with a legal safety belt.
- (k) A Penalty Point System is now in operation which will penalise any infringements of any rules; conditions; enactments, appertaining to Proprietors and vehicles.(Copy attached).

### **PART C - THE CONDITIONS**

1. Where a proprietor needs to transfer his interest in a licensed vehicle to a person other than the proprietor named in the licence, both parties must complete a transfer form, when thereafter the licence shall be deemed to have been transferred to the new owner of that vehicle.
2. The proprietor shall not permit a licensed private hire vehicle or a licensed hackney carriage vehicle to be driven by anyone who does not hold a current Combined Hackney Carriage/Private Hire Vehicle Driver's Licence issued by the Council, except a qualified mechanic, taking a licensed vehicle to or from an MOT test, or carrying out a road test as part of his normal duties.
3. **On expiry, surrender/change of vehicle, revocation or suspension of the licence (Sec 68), or after 21days(Appeal time Sec 60), the proprietor shall forthwith return the vehicle plates to the Council.**
4. The proprietor shall ensure that
  - (a) a current vehicle excise licence is displayed on the vehicle at all times and
  - (b) shall ensure that at all times there is in force in respect of the vehicle a motor insurance policy complying with the road traffic legislation and bearing an endorsement of its use for public hire in the case of hackney



carriages and for private hire in the case of a private hire vehicle and the proprietor shall produce the same to an authorised officer of the Council or Constable for inspection on request along with the registration documents.

(c) There is valid MOT certificate issued to that vehicle.

5. The proprietor shall ensure that the licensed vehicle conforms throughout the currency of the licence with the Council's mandatory technical specifications as outlined below:-

(a) a licensed vehicle shall be equipped with four road wheels the tyres of which shall be of the same size and conform to all legal requirements. The vehicle, if licensed to carry not more than ONE passenger may have two doors, if licensed to carry TWO OR MORE passengers must have at least four doors except that London type taxi-cabs may have three doors.

(b) a licensed vehicle shall be right hand drive.(Except a Stretched Limo which can be a left hand drive)

(c) a licensed vehicle shall not carry more than eight passengers in addition to the driver. Each seat shall be deemed to provide seating for one person irrespective of age.

(d) minibuses which are licensed to carry eight passengers shall not contain seating for more than eight passengers and, for this purpose, where separate seats are fitted each seat shall be deemed to provide for one passenger (irrespective of age) and where continuous seats are fitted each complete length of 40 centimetres measured in a straight line lengthwise on the front of each seat shall be deemed to provide for one passenger.

(d) minibuses which were fitted with more than eight passenger seats, at the time of manufacture, shall remove the excess seating and be replaced with a fitted rear cage-type structure for the purpose of carrying luggage, which has been approved by the Council.

(e) In the case of estate type vehicles or hatchbacks where the parcel shelf has been removed, a grille shall be fitted adequate to prevent luggage carried in the rear compartment from coming into contact with persons using the rear seat.

- (f) a licensed vehicle shall be fitted with seat belts which comply with and are installed in accordance with British Standards and current legal requirements.
6. The proprietor shall ensure that the licensed vehicle at all times carries a spare wheel of the same size as the road wheels unless a factory fitted space saver wheel is fitted. The wheel shall comply with current legal requirements (paying particular attention to depth of tread). The proprietor shall also ensure the carrying of a jack and wheel brace. Where the spare wheel is removed to facilitate the fitting of a liquefied petroleum gas (LPG) tank by a LPGA authorised agent, then a pressurised foam repair kit is to be carried. In such a circumstance, however, the vehicle shall not be driven at a speed or distance than that dictated by the manufacturer of the foam spray, and both the tyre and foam canister shall be replaced immediately after use. Where a pressurised foam repair kit is carried, there is no requirement to carry a jack and spare wheel.
7. The proprietor shall keep the licensed vehicle and all its fittings in a safe, efficient, clean and tidy condition and shall permit an authorised officer of the Council or a Constable to inspect it on request and in that event the proprietor:-
- (a) shall comply with any notice served on him under Section 68 of the Act by such officer or Constable suspending the licence and requiring him to present the vehicle for inspection or testing at such reasonable time and place as may be specified for the purpose of ascertaining its fitness.
- (b) shall ensure that the vehicle is not used to carry passengers for hire or reward until its fitness has been ascertained.
8. In addition to the Gwynedd Council Mechanical Check, which shall be required prior to the grant or, change of vehicle, the proprietor shall present the licensed vehicle for inspection and testing on one occasion during the currency of the licence, (or twice when the vehicle has attained the age of 10 yrs), at a time and place designated by the Council for the purpose of ascertaining its fitness and any vehicle which fails the test:-
- (a) shall be submitted for a re-test at a place designated by the Council within fourteen days of the date of the original test, or such longer period as may be agreed by the Council.
- (b) shall not be used to carry passengers for hire or reward until its fitness has been ascertained on re-test.
9. The vehicle plate shall be affixed to the front and rear bumpers (or by means of an available bracket) of all licensed vehicles. In the case of private hire vehicles, further door stickers shall be affixed by means of self-adhesive material (**not magnetic**) to the front or rear offside/nearside doors, located just

under the windows. Where a Trailer is being drawn for the purpose of carrying luggage an additional plate will be fixed on its rear as described above. The proprietor shall ensure that:-

- (a) all vehicle plates are clean visible and legible at all times.
- (b) loss of a vehicle plate is immediately reported to the Council and that a replacement is obtained on payment of such reasonable fee as the Council may prescribe.
- (c) the interior vehicle plate issued by the Council is displayed in a prominent position within the vehicle so as to be visible to passengers and is maintained in a clean and legible condition.

10 The proprietor of the said licensed Hackney vehicle shall:

- (a) not wilfully or negligently cause or suffer any such licence number to be concealed from public view while the carriage is standing or plying for hire.
- (b) Not cause, or permit, the carriage to stand or ply for hire with any such sticker display so defaced that any figure or material particular is illegible.

11. A hackney carriage shall always be fitted with a taximeter and every taximeter, shall comply with the following requirements:-

- (a) the taximeter shall be fitted with a key, flag or other device, the turning of which brings the machinery or the taximeter into operation and causes the word "HIRED" to appear on the face of the taximeter.
- (b) such key, flag or other device shall be capable of being locked in a position so that the machinery of the taximeter is not in operation and that no fare is recorded on the face of the taximeter.
- (c) when the machinery of the taximeter is in operation there shall be recorded on the face of the taximeter in clearly legible figures a fare not exceeding the rate of fare which has been set by this authority as duly notified in writing to the operator.
- (d) the word "FARE" shall be printed on the face of the taximeter in plain letters so as to relate clearly to the fare recorded on it.
- (e) the taximeter shall be so placed that all letters and figures displayed on it are at all times plainly visible to any person being conveyed in the licensed vehicle, and for that purpose the letters and the figures shall be capable of being suitably illuminated during any period of hiring.

- (f) the taximeter and all ancillary fittings shall be affixed to the licensed vehicle with seals or other appliances at the time of fitting so that it shall not be practicable for any persons to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances. The meter shall be used for each and every run. The fare charged shall not be more than that displayed on the meter.
  - (g) the taximeter must be maintained in a satisfactory working condition and must be presented for inspection at the place designated by an authorised officer of the Council or a Constable if so required by a notice under Section 68 of the Act or to comply with Condition 9 above.
- 12. A hackney carriage shall always be equipped with a roof mounted sign bearing the work "TAXI" in plain capital letters at least 5 centimetres in height and, except where the key, flag or other device connected to the taximeter and bearing the words "FOR HIRE" is plainly visible through the front windscreen of the vehicle, a further illuminated sign bearing the words "FOR HIRE" in plain capital letters shall be positioned within the hackney carriage so as to be plainly visible through the front windscreen and connected to the taximeter to enable it to be extinguished during the carrying of a fare whilst the taximeter is in operation.
- 13. No private hire vehicles will be equipped with any form of 'ROOF SIGN'.
- 14. No sign, advertisement, notice, device or livery (whether painted on, affixed to or carried within the vehicle), shall be displayed on the licensed vehicle without the prior written consent of the Council with payment of appropriate fee and shall, if such approval has been obtained, appear wholly below the vehicle's window level.
- 15. The proprietor shall keep any radio equipment installed in the vehicle in good working order but shall not install in the vehicle:-
  - (a) any two-way radio equipment (including Citizens Band Radio) without first notifying the insurers of the vehicle and having their confirmation endorsed on the certificate of motor insurance.
  - (b) any radio equipment which is capable of scanning more than one frequency.
- 16. The proprietor shall ensure that the licensed vehicle carries within it at all times:-
  - (a) a 1.5 kg or larger dry powder/carbon dioxide fire extinguisher which must be secured with clips in a safe position which renders it readily available for use and shall be maintained in good working order.

- (b) a first aid kit which conforms to "Industrial Size No. 1 Kit" as a minimum standard and shall be maintained in good order for use by the driver only.
  - (c) both above to be clearly marked with the Gwynedd Council Vehicle Licence Number of the vehicle carrying that particular equipment.
17. The proprietor shall ensure that a table of fares for any journeys undertaken by the vehicle as a Hackney Carriage is displayed prominently in the vehicle at all times so as to be easily read by any person entering the vehicle.
18. The proprietor shall notify the Council within 72 hours of :-
- (a) any accident involving the licensed vehicle.
  - (b) any change of address of the proprietor.
19. In the event of any accident resulting in damage which materially affects the safety, performance or appearance of the licensed vehicle the proprietor shall be required to submit the vehicle for inspection and testing in accordance with Condition 9 above and shall not use the vehicle to carry passengers for hire or reward until its fitness has been ascertained.
20. Licensed Private hire and Hackney carriage drivers must carry a guide dog or assistance dog belonging to a passenger free of charge unless the driver has a proven medical condition that would preclude such action. Drivers have a responsibility to ensure that their company is aware of such condition when they are first employed

.....

**CONDITIONS APPLIED TO CONDITIONAL PRIVATE HIRE VEHICLES.**

These conditions, made under the Local Government (Miscellaneous Provisions) Act, 1976, are specific to Private Hire Vehicles governed by a specific contract, which has a start and end date of not less than seven days, and not use other than for those specific contracts. The purpose of these conditions are for public protection.

**They apply in addition to the Gwynedd Council standard conditions.**

**GENERAL:**

Conditional Private Hire vehicles do not have to be of a specific colour, but must be carrying out a specific contract, as above, before this section can apply.

**CONDITIONS:**

1. Conditional Private Hire will not be supplied with external front/rear plates or door stickers, it will be supplied with an internal plate with 'Conditional Private Hire' thereon, and this will be exhibited in the windscreen with the above wording clearly visible to the public/police/ authorised officer of the Council.
2. The vehicle will also exhibit a written notice issued under Sec75(3) of LG(MP)Act 1976, whilst carrying out a specific contract.
3. The driver must also be the holder of a Local Authority Driver Licence.

### **CONDITIONS APPLIED TO STRETCHED LIMOUSINES** **(SPECIALITY VEHICLES)**

These conditions made under the Local Government (Miscellaneous Provisions) Act 1976 are specific to a vehicle adapted by lengthening the wheelbase of a standard, factory built vehicle. The purpose of these conditions is to protect public safety. **They apply in addition to the Authority's standard conditions** and take account of the fact that stretched limousines will:

- i) travel generally at slower speeds than normal taxis
- ii) not normally overtake other vehicles
- iii) be easily recognisable by the hirer
- iv) be heavier and considerably longer than standard cars
- v) usually be adapted or converted by someone other than the original manufacturer.

#### **1. GENERAL**

- 1.1 These conditions apply to stretched limousines as defined in paragraphs 1.2 and 1.3 below, where the vehicle is constructed or adapted to seat up to 8 passengers, only.
- 1.2 A "stretched limousine", is a saloon type vehicle that has undergone an increase in length by extending the wheelbase after manufacture. Gwynedd Council will only licence a vehicle having an extension of not more than 120 inches.
- 1.3 An "American stretched limousine" is a stretched limousine imported from the USA and typically will have been manufactured originally by Lincoln (Ford) or Cadillac.
- 1.4 For the purposes of calculating the seating capacity of a vehicle the minimum width of a passenger seat is 400mm. In the case of an 'L' shaped seat, sufficient space must be made available in the corner to prevent the passenger on one side of the corner encroaching on the passenger on the other side.

## 2. CONDITIONS

2.1 In the case of a stretched limousine, or American stretched limousine, originals of the following documentation will be required by the Council before an application can be properly considered:

- (a) Completed importation documentation where applicable and single vehicle approval (SVA) certificate. (Note a Minister's Approval Certificate is not acceptable).
- (b) DVLA Registration Document (V5).
- (c) Valid Certificate of Insurance, with cover for hire and reward.
- (d) Current MOT certificate issued by an approved Testing Station.
- (e) Where applicable, an installation certificate from a Liquefied Petroleum Gas Association (LPGA) Approved UK Vehicle Conversion Company, in the case of vehicles converted to run on LPG.
- (f) Valid Road Vehicle Excise licence disc.

2.2 The Vehicle shall comply with the following:

- (a) Be equipped with a minimum of four road wheels and a full sized spare wheel.
- (b) Be equipped with tyres designed and manufactured to support the maximum permitted axle weight for the axle when the vehicle is driven at the maximum speed. Applicant to provide evidence of tyre suitability if requested.
- (c) Seat belts, where fitted, must be fitted in accordance with the current Road Vehicle (Construction and Use) Regulations.
- (d) The maximum length of the stretch conversion (measured between the rear edge of the front door and the front edge of the rear door) shall not exceed 120 inches.

2.3 Where alcoholic drink is supplied in the vehicle, the proprietor shall deposit a copy of his or her liquor licence with the Local Authority. No person, under the age of 18 years, being conveyed in a stretched limousine shall be allowed to consume alcohol.

2.4 Tinted glass shall conform to the legal requirements of the current Road Vehicle (Construction and Use) Regulations.

2.5 Children under the age of 16 years shall not be carried in a stretched limousine unless accompanied by the parent or guardian of at least one of the children.

2.6 It is the driver's responsibility to ensure that passengers use seat belts provided when the vehicle is in motion.

2.7 A Stretched Limousine may:

- (e) be left hand drive.
- (f) have some side facing seats.
- (g) have tinted glass.
- (h) will be exempt from displaying Gwynedd Council Doors Stickers.
- (i) must have all passenger seats fitted with seat belts.

2.8 The following activities are prohibited:

- (a) Striptease.
- (b) Lap Dancing
- (c) Pole Dancing.
- (d) Any other activity or performance of a like kind.

2.9 As well as an annual MOT a Stretched Limousine will be required to be submitted for a Gwynedd Council Mechanical Check as follows

- (a) up to 5yrs old – twice annually.
- (b) over 5 years and up to 12 years – three times annually.

\*\*\*\*\*

## **CONDITIONS FOR FIRE ENGINE** **(SPECIALITY VEHICLES)**

---

The vehicle is licensed in accordance with the Standard Terms and Conditions as laid down for Hackney Carriage/Private Hire Vehicles. The following additional Conditions also apply for this type of vehicle:

1. The vehicle shall be examined and issued with a certificate of fitness (MOT or HGV equivalent) prior to initial licensing and then a further test will be required during the 12-month period of validity of the certificate at the discretion of the licensing Authority.
2. The driver shall hold a full driving licence suitable for this type of vehicle.
3. Whenever passengers are entering or leaving the vehicle, physical assistance shall be provided by the operator/crew to ensure their safety.
4. Additional foot-steps shall be carried and used on the vehicle to facilitate access and egress from the passenger compartment of the vehicle.
5. All passengers shall be required to enter/leave the vehicle via the passenger doorway adjacent to the pavement.



6. Passengers shall be advised at the time of booking and again on the day of hire that they must not embark or disembark from the vehicle without assistance from the operator/crew.
7. Where the seating arrangements have been changed from the original specification then those seats shall be securely anchored to the floor of the vehicle.
8. Seatbelts shall be provided for all passengers which conform to current British Standards.
9. Suitable signage shall be prominently displayed in the passenger compartment advising all passengers to wear seatbelts.
10. It is the driver's responsibility to ensure that all children under the age of 14 years are wearing seatbelts at all times when the vehicle is in motion.
11. All external "lockers" of the vehicle shall be secured to prevent access by passengers or members of the public.
12. The floor area of the vehicle shall be kept clear and unobstructed at all times.
13. All "blue" lights, siren, flashing lights, reflective tape, ladders and any lettering which may give the public the impression that the vehicle is a fire engine are to be permanently removed.
14. No person involved in the operation of the vehicle may wear a uniform or helmet that may lead a member of the public to believe that that person is a member of the North Wales Fire and Rescue Services.
15. An audible alarm system shall be fitted to the rear passenger compartment doors and shall be in a working condition whenever the vehicle is carrying passengers.

<b>COMMITTEE:</b>	<b>GENERAL LICENSING COMMITTEE</b>
<b>DATE:</b>	<b>15 SEPTEMBER 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. A report was submitted to this Committee on 23 June 2014 with a recommendation to approve the proposal of the Head of Regulatory Department to increase all taxi licensing fees by 19.78% in order to recover the costs associated with the service in full in 2014/15. (See the Committee report dated 23 June 2014 in full in Appendix 1, and a table of the proposed fees).
2. The Council is required to review its fees in the context of the licensing of hackney and private hire vehicles on a regular basis.
3. Sections 53 and 70 of the Local Government (Miscellaneous Provisions) Act 1976 allows increasing fees on a level that is sufficient to reclaim the reasonable costs associated with processing applications for driver and hackney and private hire licences as well as operators' licences.
4. Costs not recovered through licence fees place 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 has revealed a significant budgetary deficit which cannot be sustained any longer in the current financial climate.
5. The balancing of expenditure against income is a challenge which all businesses, including the Council, have to face. The Council has for several years been subsidizing the actual cost of taxi licensing from its general revenue streams but with the cuts that the Council is currently facing, this is not a situation which can continue unless the resources available for providing other services to residents are to be reduced. Subsidizing licensing costs does not ensure any direct benefit in the form of lower fares for the residents of Gwynedd, as any savings do not have to be passed on to the customers.
6. The recommendation to increase the fees must be subject to a consultation with the industry as well as a statutory public consultation.

## **COMMENTS OF THE HEAD OF FINANCE DEPARTMENT**

7. The Head of Finance Department supports increasing the fees for the purposes of full cost recovery as it is no longer possible to sustain the annual budget deficit associated with the service.

## **THE COMMITTEE'S DECISION ON THE 23 JUNE 2014**

8. The Committee resolved to accept the recommendation of the Head of Regulatory Department to increase all taxi licensing fees by 19.78%, so as to achieve full cost recovery subject to a statutory consultation and assessing the costs of providing the service on an annual basis.

## **PUBLIC CONSULTATION**

9. Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 states that a public notice of the proposed fee changes must appear in the local press.
10. The notice was placed in the local press on 16 July 2014 in accordance with the statutory requirements as well as on the Council's website. The consultation remained open for 28 days. (see appendix 2 Public notice)
11. In addition to the statutory consultation, a letter was sent to all taxi vehicle owners in Gwynedd explaining in full the reason for increasing the fees. The industry was reminded in this letter that there was an opportunity to submit formal representations during the consultation period. (see appendix 3 )
12. The consultation ended on 13<sup>th</sup> of August and 1 letter was received from an individual in the taxi industry objecting to the increase in the cost of taxi licences.(Appendix 4)
13. Increase in fees will not come into force until the objection received is considered by this Committee when a final decision will be made on the fee level.

## **THE GROUNDS FOR OBJECTION**

14. The objection to the increase in fees is made in the context of the substantial increases that have already been applied in previous years to the cost of taxi licensing fees.
15. Concern is expressed that the additional costs will prohibit the employment of new drivers; and could even make it difficult to sustain currently employed drivers.
16. The Committee is requested to consider the objection received; as well as the evidence previously submitted in respect of the need to secure cost recovery for the service.

## **DELETION OF FEE TO TRANSFER LICENCE TO A REPLACEMENT VEHICLE**

17. Legal advice has been received recently to discontinue the process of transferring a licence from one vehicle to a replacement vehicle; as there is no provision within the relevant legislation to allow such a process. The industry was informed of this in the letter sent as a part of the fees consultation.
18. Following receipt of this legal advice, you will note that the fee in respect of this process has been deleted from the table of taxi licencing feels attached to this report (appendix 1)

## **RECOMMENDATION**

**19. To increase all taxi licensing fees by 19.78% in accordance with the resolution of this Committee, and what was consulted upon for the purpose of achieving full cost recovery in respect of the service.**

## Appendix 1

<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 its 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.

FFIOEDD ARFAETHEDIG – TRWYDDEDAU TACSIS		FFIOEDD 2013/14			FFIOEDD ARFAETHEDIG 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 Gyrwr 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 Gyrwr	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 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%



**CYNGOR GWYNEDD****DEDDF LLYWODRAETH LEOL (DARPARIAETHAU AMRYWIOL) 1976  
FFIOEDD DIWYGIEDIG AR GYFER TRWYDDEDAU CERBYDAU HACNI A  
CHERBYDAU HURIO PREIFAT A THRWYDDEDAU GWEITHREDWYR 2014/15**

Hysbysir drwy hyn, yn unol ag adran 70(2), Deddf Llywodraeth Leol (Darpariaethau Amrywiol) 1976, bod Cyngor Gwynedd wedi penderfynu bod y ffioedd i ganiatáu ac adnewyddu trwyddedau cerbydau hacni a cherbydau hurio preifat yn cael eu diwygio fel a ganlyn:

- (a) **Trwydded Gyrrwr (Cerbyd Hacni a Cherbyd Hurio Preifat) £122.77 y flwyddyn**
- (b) **Trwydded Cerbyd (Cerbyd Hacni a Cherbyd Hurio Preifat) £137.75 y flwyddyn**
- (c) **Trosglwyddo trwydded ( i berchennog arall) £67.38**
- (d) **Trwydded Gweithredwr Hurio Preifat £163.20**

Yn ogystal, mae'r Cyngor wedi penderfynu amrywio ffioedd a threfniadau gweinyddu eraill yn ymwneud â thrwyddedu tacsis a cherbydau hurio preifat nad yw'n ofynnol iddynt fod yn destun hysbysiad cyhoeddus.

Yn unol â gofynion adran 70(3) (b) y Ddeddf a enwir uchod, gellir archwilio copïau o'r hysbysiad am ddim am gyfnod o 28 niwrnod wedi cyhoeddi'r hysbysiad hwn yn -  
Siop Gwynedd, Swyddfeydd y Cyngor, Stryd y Jêl, Caernarfon, Gwynedd LL55 1SH  
Siop Gwynedd, Swyddfeydd y Cyngor, Ffordd y Cob, Pwllheli, Gwynedd, LL53 5AA  
Siop Gwynedd, Swyddfeydd y Cyngor, Cae Penarlâg, Dolgellau, Gwynedd, LL40 2YB

Bydd yr hysbysiad hefyd ar gael ar safle we Cyngor Gwynedd (tudalen Ymgynghori) am 28 niwrnod wedi cyhoeddi'r hysbysiad hwn. **[www.gwynedd.gov.uk](http://www.gwynedd.gov.uk)**

Gellir cyflwyno unrhyw wrthwynebiad i'r amrywiadau a nodir uchod yn ysgrifenedig a'i anfon o fewn y 28 niwrnod a nodwyd at **Wasanaeth Gwarchod y Cyhoedd, Swyddfa Ardal Arfon, Penrallt, Caernarfon, Gwynedd, LL53 1BN.**

Daw'r amrywiadau uchod i rym 28 niwrnod o ddyddiad yr hysbysiad hwn. Pe derbynnir gwrthwynebiadau mewn ymateb i'r hysbysiad hwn, yna ar ddyddiad ddim hwyrach na 2 fis wedi i'r cyfnod 28 niwrnod ddiweddu, bydd yr amrywiadau'n dod i rym, gan gynnwys diwygiadau neu hebddynt, ar ôl ystyried y gwrthwynebiad.

Dyddiedig: 16/07/2014

Aled Davies, Pennaeth Gwasanaethau Rheoleiddio  
Cyngor Gwynedd, Stryd y Jêl, Caernarfon, Gwynedd, LL55 1SH

**GWYNEDD COUNCIL****LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976  
REVISED LICENCE FEES FOR PRIVATE HIRE VEHICLES AND HACKNEY  
CARRIAGE VEHICLES AND OPERATORS 2014/15**

Notice is hereby given in accordance with section 70(2) of the Local Government (Miscellaneous Provisions) Act 1976 that Gwynedd Council has determined that the fees in respect of the grant and renewal of private hire and hackney carriage licences be varied as follows:

- (a) **Drivers Licence ( Hackney and Private Hire) £122.77 per year**
- (b) **Vehicle Licence ( Hackney and Private Hire) £137.75 per year**
- (c) **Transfer of licence (to another proprietor) £67.38**
- (d) **Private Hire Operators Licence £163.20**

The Council has also determined variations in other fees and administration arrangements in connection with taxi and private hire licensing which are not required to be the subject of a public notice.

As required by section 70(3)(b) of the said Act, copies of this notice may be inspected free of charge for a period of 28 days from the publication of this notice at -  
Siop Gwynedd, Council Offices, Shirehall Street, Caernarfon, Gwynedd, LL55 1SH  
Siop Gwynedd, Council Offices, Ffordd y Cob, Pwllheli, Gwynedd, LL53 5AA  
Siop Gwynedd, Council Offices, Cae Penarlâg, Dolgellau, Gwynedd, LL40 2YB

A copy of this notice will also be available on the Gwynedd Council website (Consultation page) for 28 days from the publication of this notice. **[www.gwynedd.gov.uk](http://www.gwynedd.gov.uk)**

Any objections to the variations specified above may be made in writing and sent within the said 28 days to the **Public Protection Service, Arfon Area Office, Penrallt, Caernarfon, Gwynedd, LL55 1BN.**

The above variations will come in to effect 28 days from the date of this notice. If any objections are received in response to this notice, then on a date not later than 2 months from the expiration of the 28 days period, the variations shall come in to force with or without modifications after consideration of the objection.

Dated: 16/07/2014

Aled Davies, Head of Regulatory Services  
Gwynedd Council, Shirehall Street, Caernarfon, Gwynedd, LL55 1SH

Gofynnwch am/Ask for: Gwenan M Williams

☎(01766) 771000

📠(01758) 613265

✉ Trwyddedu@gwynedd.gov.uk

Ein Cyf / Our Ref: 093014/GMW

Eich Cyf / Your Ref:

10/07/2014

Annwyl Syr/Madam

**FFIOEDD TRWYDDEDAU 2014/15**

**a**

**NEWIDIADAU I'R DREFN TROSLWYDDO  
TRWYDDED CERBYD**

Ysgrifennaf i'ch hysbysu o benderfyniad y Pwyllgor Trwyddedu Cyffredinol ar y 23 Mehefin 2014, parthed ffioedd trwyddedau tacsis, ac i egluro paham fod y penderfyniad anodd wedi ei gymryd i gynyddu ffioedd eto eleni.

Fe fyddwch yn ymwybodol fod, pan gymeradwydd y Pwyllgor Trwyddedu yn 2013 i gynyddu ffioedd trwyddedau tacsis, penderfynwyd hefyd i adennill costau a ganiateir sy'n gysylltiedig â thrwyddedu tacsis yn y dyfodol.

Mae'r Cyngor wedi gwneud adolygiad pellach o'r costau sydd ynghlwm a thrwyddedu cerbydau hacni a hurio preifat a chanfuwyd nad oedd y ffioedd a godir am y trwyddedau yn adlewyrchu costau llawn o brosesu'r trwyddedau hyn gan y Cyngor.

Mae'r costau nad ydynt yn cael eu hadennill o ffioedd trwyddedau yn rhoi pwysau ar adnoddau'r Cyngor, ac yn y pendraw, ar y talwr Treth y Cyngor. Nid yw yn bosib i'r Cyngor barhau i ysgwyddo baich y diffyg cyllidebol blynyddol o dan yr amgylchiadau economaidd presennol.

Penderfynodd y Pwyllgor i godi'r ffioedd sydd ynghlwm a thrwyddedu tacsis o 19.78% y flwyddyn hon; yn ddarostyngedig i ymgynghoriad llawn gyda'r diwydiant tacsis yng Ngwynedd, a'r cyhoedd.

Yn ymarferol, golyga hyn y bydd y ffioedd ar gyfer trwydded gyrrwr yn cynyddu o £20.27 ac o £22.75 ar gyfer trwydded cerbyd. Gweler manylion llawn y cynnydd mewn ffioedd ynghlwm a'r llythyr hwn.

Yn hanesyddol, roedd ffioedd trwyddedau tacsis wedi cael eu cadw ar lefelau cymharol isel o'i gymharu â Chynghorau eraill ers sawl blwyddyn

Dear Sir/Madam

**LICENCE FEES 2014/15**

**and**

**CHANGES TO VEHICLE LICENCE  
TRANSFER ARRANGEMENTS**

I write to inform you of the decision of the General Licensing Committee on the 23 June 2014, in respect of taxi licence fees, and to explain why this difficult decision had to be taken to increase the fees again this year.

You will be aware that, when in 2013 the Licensing Committee approved an increase in taxi licensing fees, a decision was also taken to recover the allowable costs associated with taxi licensing in the future.

The Council has undertaken a further review of the costs associated with the licensing of hackney and private hire vehicles and it was found that the fees charged for the licences do not reflect the full costs of processing these licences by the Council.

Costs which are not recovered by the licence fees are a burden on the resources of the Council, and ultimately, on the Council Tax payer. It is not possible for the Council to continue shouldering the burden of this annual budgetary deficit in the current economic climate.

The Committee decided to increase the fees associated with taxi licensing by 19.78% this year; subject to a full consultation with the taxi industry in Gwynedd and the public.

In practice, this means the fees for a driver's licence will increase by £20.27 and £22.75 for a vehicle licence. The full details of the increased fees are attached to this letter.

Taxi licence fees have historically been maintained at a relatively low level in

Swyddfa Ardal Dwyfor,  
Ffordd y Cob, Pwllheli,  
Gwynedd. LL53 5AA  
01766 771000  
www.gwynedd.gov.uk

bellach. Hyd yn oed gyda'r cynnydd sydd wedi ei gymeradwyo gan y Pwyllgor, mae ffioedd trwyddedau tacsis Gwynedd yn parhau i fod yn weddol isel o'i gymharu â siroedd eraill yng Nghymru (gweler y tabl a atodir i'r llythyr hwn).

Yn unol ag adran 70 o'r Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1976, mae'n ofynnol fod y Cyngor yn hysbysebu unrhyw newidiadau yn y ffioedd trwyddedau tacsis yn y wasg leol. Hoffwn eich hysbysu y bydd y ffioedd newydd yn cael eu hysbysebu mewn Rhybudd Cyhoeddus yn y papurau lleol ar yr 16 o Orffennaf 2014.

Fe fydd cyfle i chwi fel aelod o'r fasnach, ac i'r Cyhoedd, yn ystod cyfnod o 28 diwrnod yn dilyn cyhoeddi'r hysbyseb, i roi eich barn yn ysgrifenedig i'r adran hon ar y ffioedd newydd.

Os derbynir gwrthwynebiadau ysgrifenedig i'r ffioedd newydd, oddi fewn i gyfnod o 28 diwrnod o ddyddiad y Rhybudd Cyhoeddus, fe fydd yn rhaid i'r gwrthwynebiadau gael eu hystyried gan y Pwyllgor Trwyddedu Cyffredinol yn y cyfarfod nesaf ar 15 Medi 2014.

#### **NEWIDIADAU I'R TREFN TROSLWYDDO TRWYDDED CERBYD**

Yn ddiweddar fe dynnwyd sylw yr adran at y ffaith nad oes darpariaeth yn y ddeddfwriaeth sydd yn caniatáu trosglwyddo unai Trwydded Cerbyd Hacni na Thrwydded Cerbyd Hurio Preifat i gerbyd arall. Ni fydd y trosglwyddiadau hyn bellach ar gael; ac fe ddylid anwybyddu'r ffi a ddangosir ar y tabl amgaeedig mewn perthynas â 'Trosglwyddo Trwydded i gerbyd arall - Cerbyd Hacni neu Gerbyd Hurio Preifat'.

Bydd yn dal yn bosibl i drosglwyddo trwydded cerbyd i berchennog arall.

Os oes genych unrhyw ymholiad parthed y materion uchod, cysylltwch â'r adran hon.

comparison to other Councils for some years. Even with the increases approved by the Committee, Gwynedd taxi licence fees remain relatively low in comparison to other counties in Wales (see table attached to this letter).

In accordance with section 70 of The Local Government (Miscellaneous Provisions) Act 1976, the Council is required to advertise any changes to taxi licence fees in the local press. I wish to inform you that the new fees will be in advertised in a Public Notice in the local press on the 16 July 2014.

There will be an opportunity for you, as a member of the trade, and the public in the 28 days following this notice to give your opinion on the new fees, in writing to this department.

If written objections to the new fees are received within a period of 28 days following the date of publication of the notice, the objections will have to be considered by the General Licensing Committee at its next meeting on 15 September 2014.

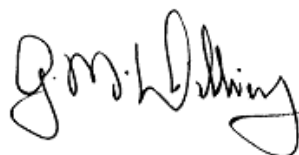
#### **CHANGES TO VEHICLE LICENCE TRANSFER ARRANGEMENTS**

It has recently been brought to the attention of the Department that there is no provision in the legislation which permits the transfer of either a Hackney Carriage Licence or a Private Hire Vehicle Licence to another vehicle. These transfers will therefore no longer be available and the fee which is shown in the enclosed table in respect of 'Transfer of Licence to replacement vehicle - Hackney Carriage or Private Hire Vehicle' should be disregarded.

It will still be possible to transfer a vehicle licence to another proprietor.

If you have any enquiry regarding the above matters, please contact this department.

Yn gywir/Yours faithfully



**Gwenan Mai Williams**  
**Rheolwr Gwarchod y Cyhoedd (Iechyd & Diogelwch a Thrwyddedu)**  
**Public Protection Manager (Health & Safety and Licensing)**

FFIOEDD ARFAETHEDIG – TRWYDDEDAU TACSIS PROPOSED FEES – TAXI LICENSING		FFIOEDD 2013/14 2013/14 FEES			FFIOEDD ARFAETHEDIG 2014/15 2014/15 PROPOSED FEES			
		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 Gyrwr 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 Gyrwr	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 Ffi Statudol	Disclosure and Barring Service Check 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%

**FFIOEDD TRWYDDEDAU TACSI/TAXI LICENSING FEES 2014/15**

<b>CYNGOR/ COUNCIL</b>	<b>GYRRWR/ DRIVER</b>	<b>CERBYD HACNI/ HC VEHICLE</b>	<b>CERBYD HURIO PREIFAT/ PH VEHICLE</b>	<b>GWEITHREDWR HURIO PREIFAT/ PRIVATE HIRE OPERATOR</b>
<b>ANGLESEY</b>	£110.00 Newydd/New £67.00 Adnewyddu/Renewal	£138.00 Newydd/New £129.00 Adnewyddu/Renewal	£138.00 Newydd/New £129.00 Adnewyddu/Renewal	£129.00
<b>CONWY</b>	£145.00 Newydd/New £80.00 Adnewyddu/Renewal	£220.00 Newydd/New £200.00 Adnewyddu/Renewal	£220.00 Newydd/New £200.00 Adnewyddu/Renewal	£130.00 Newydd/New £115.00 Adnewyddu/Renewal
<b>DENBIGH</b>	£140.00	£200.00	£200.00	£200.00
<b>FLINTSHIRE</b>	£64.00 Newydd/New £56.00 Adnewyddu/Renewal	£320.00 - £346.00	£320.00 - £346.00	£136.00 - £248.00
<b>WREXHAM</b>	£99.00	£190.00 Newydd/New £174.50 Adnewyddu/Renewal	£243.00 Newydd/New £199.00 Adnewyddu/Renewal	£133.00 - £296.00
<b>CEREDIGION</b>	£132.00 Newydd/New £95.00 Adnewyddu/Renewal	£174.00	£132.00	£186.00
<b>POWYS</b>	£123.70 Newydd/New £104.00 Adnewyddu/Renewal	£138.75	£128.75	£94.80
<b>NEWPORT</b>	£100.00	£129.00 - £310.00	£129.00 - £310.00	£300.00 - £450
<b>SWANSEA</b>	£79.00 Newydd/New £69.00 Adnewyddu/Renewal	£320.00	£310.00	£500.00
<b>CARDIFF</b>	£249.00 Newydd/New £43.00 Adnewyddu/Renewal	£163.00	£140.00 Newydd/New £102.00 Adnewyddu/Renewal	£143.00

**FFIOEDD ARFAETHEDIG/PROPOSED FEES**

<b>GWYNEDD</b>	£122.77	£137.75	£137.75	£163.20
----------------	---------	---------	---------	---------

15 Y Grugan  
Y Groeslon  
Caernarfon  
Gwynedd  
LL54 7TA  
15/07/2014

John C Reynolds  
Regulatory Department  
Swyddfa Ardal Dwyfor  
Ffordd y Cob  
Pwllheli  
Gwynedd  
LL53 5AA

Dear Mr Reynolds

With reference to your recent circular in relation to reviewing Licence fees for drivers and operators. I would like to object to the level of those price rises yet again this year.

Gwynedd Taxi Driving Licence and operator fees have increased by a staggering amount since 2012

2011	£59
2012 + 35%	£80
2013 + 28%	£102.50
2014 + 20%	£122.77 (proposed)

### **A percentage rise in three years of 108%**

You claim in your circular that Gwynedd Council have undertaken a further review of the costs associated with the licensing of hackney and private hire vehicles. Under the Freedom of Information Act I would request that I receive a copy of that review. It is my intention to refer these proposed rises to the Local Government Ombudsman.

As a fee paying taxi operator I am not getting value for money from the Council, an annual letter informing me that charges are increasing is my only correspondence from your department. It would be far more beneficial for my business to know why **some operators** have been issued with Arfon Hackney Plates???

Why has no circular been sent about something so important, and which is totally contrary to the Council's latest guidelines and devalues all our businesses by thousands of pounds?

A policy of re-issuing hackney plates will greatly reduce the provision for disabled persons in Arfon, why would I spend a premium in getting a purpose

Atodiad /appendix 4

built vehicle (12 months ago I spent £16000) when I can pay £900 for any category C car from a salvage agent as some operators are doing.

I would like to employ more drivers but the increasing costs that the council are imposing on the industry makes that task of enrolling drivers and even keeping drivers more difficult.

We need the Council were seen to be pro-active in supporting the industry in Gwynedd, policing the rules and regulations that we are all supposed to abide by. Gwynedd Council and its Officers have no idea what is going on within the taxi industry, but it is about time that they were made accountable for their inaction.

I hope that the Licensing Committee take notice of the points that I have tried to make.

Yours Faithfully

*John Pritchard*

John H Pritchard