



Complete Agenda

Democratic Services
Swyddfa'r Cyngor
CAERNARFON
Gwynedd
LL55 1SH

Meeting

GENERAL LICENSING COMMITTEE

Date and Time

10.00 am, MONDAY, 10TH SEPTEMBER, 2018

Location

**Siambr Hywel Dda, Council Offices,
Caernarfon, Gwynedd. LL55 1SH**

Contact Point

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(DISTRIBUTED 3 September 2018)

GENERAL LICENSING COMMITTEE

MEMBERSHIP (15)

Plaid Cymru (8)

Councillors

Steve Collings
Dafydd Owen
Rheinallt Puw
Elfed Williams

Annwen Hughes
Edgar Wyn Owen
Peter Read
Annwen Daniels

Independent (4)

Councillors

John Brynmor Hughes
Jason Wayne Parry

Eryl Jones-Williams
Angela Russell

Llais Gwynedd (1)

Councillor
Gareth Williams

Individual Member (2)

Councillor

Sion W. Jones
Vacant Seat - Individual Member

Ex-officio Members

Chair and Vice-Chair of the Council

A G E N D A

1. APOLOGIES

To receive any apologies for absence.

2. DECLARATION OF PERSONAL INTEREST

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

4 - 6

The Chairman shall propose that the minutes of the meeting of this Committee, held on June 11th 2018 be signed as a true record.

5. GENERAL LICENSING SUB-COMMITTEE MINUTES

7 - 15

To submit, for information, minutes of the General Licensing Sub-committee meeting held on the following date –

- a) 22.05.2018
- b) 17.07.2018
- c) 24.07.2018

6. PROPOSED TAXI LICENCE FEES 2018/19

16 - 22

To consider the report of the Head of Environment

Agenda Item 4

GENERAL LICENSING COMMITTEE, 11.06.18

Present: Councillors, Steve Collings, Annwen Daniels, Annwen Hughes, Eryl Jones-Williams, Dafydd Owen, Edgar Wyn Owen, Jason Wayne Parry, Peter Read, Angela Russell, Elfed W. Williams and Gareth Williams.

Also in Attendance: Gareth Jones (Senior Planning and Public Protection Manager), Gwenan Mai Roberts (Licensing Manager), Siôn Huws (Solicitor) and Lowri Haf Evans (Member Support Officer).

1. ELECTION OF CHAIR

Resolved to re-elect Councillor Peter Read as Chair of this Committee for the period 2018 - 2019

2. ELECTION OF VICE-CHAIR

Resolved to re-elect Councillor Elfed Williams as Vice-chair of this Committee for the period 2018 - 2019

3. APOLOGIES

Apologies were received from Councillor John Brynmor Hughes, Siôn Jones and Rheinallt Puw.

A concern was highlighted about the attendance of some Members of the political groups as a result of a recent change in the political balance. It was suggested to refer the observation to the Monitoring Officer.

4. DECLARATION OF PERSONAL INTEREST

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

5. URGENT ITEMS

None to note

6. MINUTES OF THE PREVIOUS MEETING

The Chair signed the minutes of the previous meeting of this committee held on 5 March 2018 as a true record.

7. MINUTES OF THE GENERAL LICENSING SUB-COMMITTEE

Submitted - for information, the minutes of a meeting of the General Licensing Sub-committee that took place on 13.03.2018.

8. REQUEST TO CHANGE THE PORTHMADOG MARKET DAY

The Solicitor highlighted that the Licensing Committee had no constitutional right to make a decision on the matter and that this was a matter for the Cabinet. The Senior Planning and Public Protection Manager was of the opinion that Members' attention needed to be drawn to the matter because of their terms of reference and it would be appropriate to include their observations in a report to the Cabinet.

Submitted - a report by the Head of Environment Department in response to a request by one of the Porthmadog market representatives to change the market day from Friday to Thursday. It was explained that a consultation had been held and that the result of that consultation had been included in the report on a format of reasons for and against the change.

Attention was drawn to e-mails received since publishing the report, where the Local Member stated that he had discussed the situation with the traders and that the vast majority of them were against changing the day.

In response to a question regarding the total places for traders in Porthmadog, it was noted that the location was confined and therefore up to 12 places could be accommodated comfortably. As it had been noted that up to 18 traders had responded to the consultation, it was suggested that traders who did not attend the Porthmadog market had made observations.

In response to a question regarding the fixed daily or annual charge, it was noted that traders signed an annual contract (with some possible exemptions). It was reiterated that the cost varied in terms of the stall size, with casual traders paying slightly more as they were not regular traders.

During the ensuing discussion, the following points were highlighted by individual Members:

- It was disappointing that only one trader had submitted an application
- Moving to Thursday would have a detrimental impact on Barmouth market day
- It was clear that most traders wanted to keep the day as it was

It was proposed and seconded to recommend to the Cabinet to keep the Porthmadog market day on Friday.

The Members were thanked for the opportunity to give their observations on the matter.

9. PROPOSED TAXI LICENCE FEES 2018/19

Submitted - the report of the Head of Environment Department, asking the Committee to approve the proposal to increase the fees, subject to consultation with the taxi industry and consultation through public notice. It was explained that an increase in fees needed to be logical and set on a level to fully or partially recover costs (in accordance with Sections 53 and 70 of the Local Government (Miscellaneous Provisions) Act 1976).

The Members were reminded that the General Licensing Committee had decided, at a meeting held on 24.6.13, that the fees had to be reviewed to fully recover the costs. It was noted in the report that the taxi fees had increased 25% in 2013 and 19.78%, and 10.78% in 2015 in order to fully recover the costs. The fees were not increased at all in 2016/17 or in 2017/18.

The impact of recent legislative changes on licensing process was referred to, which has created an increase in licensing processing work. Reference was also made to the financial assessment made of the proposed fees by the Treasurer's Department.

The current costs and the proposed costs were outlined, which included the cost of sending renewal reminder letters and the administration work associated with advising and communicating before and during the process of submitting an application. It was explained that the fees would need to be increased on an average of 28% in order to fully recover the costs.

During the ensuing discussion, the following points were highlighted by individual Members:

- Much work had been done to meet and protect the industry in the past
- Needed to consider setting up a monthly direct debit payment provision rather than one annual full payment
- The industry needed to present their opinion formally during the consultation
- An application for a three-year licence was ultimately cheaper than a one-year licence and that the saving was substantial.

In response to a question regarding regional and national discussions about reconciling fees, it was emphasised that most authorities had seen an increase in costs since introducing a three-year licence. It was reiterated that the financial assessment had been made with the input of the Treasurer's Department which challenged the need to increase the cost of a three-year licence. It was noted that the decision had been made on the grounds that there was not much difference in costs between administering a three-year licence and a one-year licence following the initial work.

In response to a question regarding escalating enforcement matters, it was emphasised that it was not possible to use money from the costs to do so.

RESOLVED to approve the proposal to raise the fees to the recommended level, subject to consultation with the taxi industry and consultation through public notice.

The meeting commenced at 10.00am and concluded at 11.00am

GENERAL LICENSING SUB-COMMITTEE 22.05.2018

Present: Councillor Elfed Williams (Chair), Councillors John Brynmor Hughes and Jason W Parry

Officers: Geraint B. Edwards (Solicitor), Cheryl Morgan (Licensing Officer) and Lowri Haf Evans (Member Support Officer).

1. APOLOGIES

Apologies were received from Gwenan Roberts (Licensing Manager)

2. DECLARATION OF PERSONAL INTEREST

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

3. URGENT ITEMS

None to note

4. EXCLUSION OF PRESS AND PUBLIC

RESOLVED to exclude the press and public from the meeting during the discussion on the following items due to the likely disclosure of exempt information as defined in paragraphs 12 and 13, Part 4, Schedule 12 A, of the Local Government Act 1972. These paragraphs applied as the individuals in question were entitled to privacy and there was no overriding public interest that required the disclosure of personal information relating to those individuals, nor their identities. Consequently, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

5. APPLICATION FOR A HACKNEY / PRIVATE HIRE DRIVER'S LICENCE- Mr A

The Chairman welcomed everyone to the meeting. He highlighted that the decision would be made in accordance with Gwynedd Council's licensing policy. It was noted that the purpose of the policy was to set guidelines for the criteria when considering the applicant's application and the aim was to protect the public by ensuring that:

- A person is a fit and proper person
- The person does not pose a threat to the public
- That the public are safeguarded from dishonest persons
- The safeguarding of children and young people
- The safeguarding of vulnerable persons
- The public have confidence in their use of licensed vehicles.

The Licensing Officer presented the written report on the application received from Mr A for a hackney/private hire driver's licence. The Sub-committee was requested to consider the application in accordance with the DBS record, and the guidelines on relevant criminal offences and convictions.

The applicant's prospective employer was invited to expand on the application and provide information about the background of the offences. He noted that the applicant had been working with scaffolding for over twenty years, however, now he needed less laborious work. He highlighted that the applicant had never had a day off work due to illness, he was an honest man and it would be advantageous to his company if the licence was approved because of his willingness to work unsociable hours. He added that the applicant had

received a medical examination and an eye test. He asked the panel to consider the application favourably despite the historical convictions.

In response to a question regarding implementing random drug tests on the drivers of his company (following a recent incident), he stated that he did not have a device to conduct the tests and therefore he tried to employ drivers wisely and trusted that his drivers were honest.

The applicant and his prospective employer withdrew from the room while the Sub-committee members discussed the application.

RESOLVED that the applicant was a fit and proper person to be issued with a hackney vehicle/private hire driver's licence from Gwynedd Council.

In reaching their decision, the Sub-committee considered the following:

- the requirements of the 'Gwynedd Council's Licensing Policy for Hackney Carriages and Private Hire Vehicles'
- the applicant's application form
- verbal observations presented by the applicant during the hearing
- the Licensing Department's report along with the DBS statement disclosing convictions

Specific consideration was given to the following matters.

The applicant had received a conviction from Caernarfon Youth Court (July 1975) on four charges of burglary, contrary to the Theft Act 1968. He received a supervision order for two years and an order to pay damages. The applicant received a conviction from Caernarfon Magistrates' Court (December 1984) for a charge of burglary, again contrary to the Theft Act 1968, and he received a community service sentence and an order to pay damages of £150.00. The applicant received a conviction from Caernarfon Magistrates' Court (February 1985) on two charges of theft, contrary to the Theft Act 1968, with a fine of £50 and an order to pay damages. The applicant received a conviction from Caernarfon Magistrates' Court (July 1985) on two charges regarding a class B drug, cannabis, contrary to the Misuse of Drugs Act 1971, and he received a fine of £180 and a forfeiture and destruction order. The applicant received a conviction from Caernarfon Magistrates' Court (January 1986) on two charges of using electricity dishonestly contrary to the Theft Act 1968, and one charge of criminal damage contrary to the Criminal Damage Act 1971. He received a fine of £25, payment of damages and a bail order for a year.

It was highlighted that the applicant had received three penalty points for speeding (November 2017).

Paragraph 2.2 of the Council's Policy was considered, this states that a person with a conviction for a serious offence need not be automatically barred from obtaining a licence, but would normally be expected to remain free of conviction for an appropriate period as stated in the Policy, and to show evidence that he or she was a fit and proper person to hold a licence.

It was highlighted that paragraph 4.5 of the Council Policy stated that a Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) Order 2002 allowed the Sub-committee to take into account all convictions recorded against an applicant, whether spent or otherwise under the 1974 Act.

Paragraph 8.2 was considered, which states that an application will be refused if the applicant has a conviction(s) during the last three years for a dishonesty offence (this includes trying to obtain property by deception). Furthermore, paragraphs 9.2 and 9.3

state that an application will normally be refused if an applicant has more than one conviction concerning drugs and has not been free of conviction(s) for at least 5 years.

It was accepted that the 1985 July conviction included an offence regarding drugs, however, as this had occurred 32 years ago (over 5 years ago) the Sub-committee was of the view that the offence was not a reason to refuse.

Paragraph 13.2 was considered and it states that when an applicant has one conviction for a minor driving offence this would not usually lead to an application refusal or prevent a licence.

Paragraph 16.1 was considered, which states that an application will be refused if there is a history or re-offending. Although there was evidence of re-offending (that indicates a lack of respect for the welfare of others or property); in this case, offences of dishonesty (1975 - 1986), the Sub-committee was of the opinion that these offences were not a reason to refuse the licence as they were historical convictions (over 10 years old).

The Solicitor reported that the decision would be confirmed formally by letter to the applicant.

The meeting commenced at 10.00am and concluded at 10.35am.

GENERAL LICENSING SUB-COMMITTEE 17.07.2018

Present: Councillor Eryl Jones Williams (Chair), Councillors Angela Russell and Edgar Wyn Owen

Officers: Geraint B. Edwards (Solicitor), Gwenan Mai Roberts (Licensing Manager), Rhian Jones (Licensing Officer) and Lowri Haf Evans (Member Support Officer).

1. **APOLOGIES**

None to note

2. **DECLARATION OF PERSONAL INTEREST**

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

3. **URGENT ITEMS**

None to note

4. **EXCLUSION OF PRESS AND PUBLIC**

RESOLVED to exclude the press and public from the meeting during the discussion on the following items due to the likely disclosure of exempt information as defined in paragraphs 12 and 13, Part 4, Schedule 12 A, of the Local Government Act 1972. These paragraphs applied as the individuals in question were entitled to privacy and there was no overriding public interest that required the disclosure of personal information relating to those individuals, nor their identities. Consequently, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

5. **APPLICATION FOR A HACKNEY / PRIVATE HIRE DRIVER'S LICENCE- Mr A**

The Chairman welcomed everyone to the meeting. He highlighted that the decision would be made in accordance with Gwynedd Council's licensing policy. It was noted that the purpose of the policy was to set guidelines for the criteria when considering the applicant's application and the aim was to protect the public by ensuring that:

- A person is a fit and proper person
- The person does not pose a threat to the public
- That the public are safeguarded from dishonest persons
- The safeguarding of children and young people
- The safeguarding of vulnerable persons
- The public have confidence in their use of licensed vehicles.

The Licensing Officer presented the written report on the application received from Mr A for a hackney/private hire driver's licence. The Sub-committee was requested to consider the application in accordance with the DBS record, and the guidelines on relevant criminal offences and convictions.

The applicant was invited to expand on the application and provide information about the background of the offences. He noted that he had been offered a job with a local company and he had completed a medical examination. He added that the latest conviction had occurred during a very difficult period of his life, however, he was now in a more stable period. He highlighted that he had recently lost his job with a local company and was seeking employment. He noted that he had extensive experience of driving for the

companies that he worked with and he submitted a reference that supported his application.

The applicant withdrew from the room whilst the Sub-committee members discussed the application.

RESOLVED that the applicant was not a fit and proper person to be issued with a hackney vehicle/private hire driver's licence from Gwynedd Council.

In reaching their decision, the Sub-committee considered the following:

- the requirements of the 'Gwynedd Council's Licensing Policy for Hackney Carriages and Private Hire Vehicles'
- the applicant's application form
- verbal observations presented by the applicant during the hearing
a reference in support of his application
- the Licensing Department's report along with the DBS statement disclosing the convictions

Specific consideration was given to the following matters.

The applicant had received a conviction from Gwyrfai Magistrates Court (November 1982) on a charge of burglary, contrary to the Theft Act 1968. He received a fine and an order to pay costs. In July 1988, he was found guilty by Caernarfon Magistrates Court on one charge of theft from an employee, contrary to the Theft Act 1968. For this crime he received a fine and an order to pay damages.

The applicant received a conviction from Bangor Magistrates' Court (October 1998) for drink driving and use of a vehicle without insurance. He was banned from driving for 18 months, he received 6 penalty points on his licence, fines and costs. In April 2009, he was banned from driving for 12 months starting on 3 April 2009, with a fine and costs.

Paragraph 2.2 of the Council's Policy was considered, this states that a person with a conviction for a serious offence need not be automatically barred from obtaining a licence, but would normally be expected to remain free of conviction for an appropriate period as stated in the Policy, and to show evidence that he or she was a fit and proper person to hold a licence.

Paragraph 4.5 of the Council policy was considered which stated that the Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) Order 2002 allowed the Sub-committee to take into account all convictions recorded against an applicant, whether spent or otherwise under the 1974 Act.

Paragraph 11.2 states that applicants with more than one conviction for driving under the influence of alcohol are unlikely to be granted a licence unless a period of 10 years has elapsed after the restoration of the licence following the last conviction.

Paragraph 11.2 states that an application will normally be refused where an applicant has a record of repeat offending which shows a lack of regard for property, unless a period of at least 10 years has elapsed since the most recent conviction.

The Sub-committee concluded that the burglary conviction (1982) and theft (1988) indicated a pattern of repeat offending dealing with dishonesty, and therefore a lack of regard for property. However, as the most recent of these convictions had occurred 30 years ago, the ban under 16.1 of the Policy did not stand and therefore there were no grounds to refuse the application.

In considering both convictions for drink driving, paragraph 11.2 of the Policy was also considered, and the ban of the most recent conviction had ended in April 2010 with the restoration of the licence on 3 April 2010. The applicant confirmed that he had not completed the course that would have reduced the length of the ban. There was only a little over eight years since April 2010 and therefore under the circumstances, 10 years had not elapsed since the restoration of the licence and the ban under paragraph 11.2 was relevant to this application.

Although the policy is only a guide and the Sub-committee were aware that it was possible to depart from it if there was justification, having considered the evidence submitted by the applicant they were uncomfortable with the two drink driving convictions. Although he was just over the drink driving threshold on both occasions, these were not reasons that could be considered. The Sub-committee was also uncomfortable with the idea of issuing a licence, contrary to policy, to someone with two convictions for drinking and driving with over 18 months to go before the 10 years had elapsed since the last ban.

Although the Sub-committee sympathised with the applicant, members were of the view that this application had been submitted a little too early. The likelihood of being issued with a licence would have been higher if the application had been deferred by about 6-9 months.

The Solicitor reported that the decision would be confirmed formally by letter to the applicant and that he also had the right to appeal against the Sub-committee's decision within 21 days of receiving the letter.

The meeting commenced at 3.20pm and concluded at 4.00pm.

GENERAL LICENSING SUB-COMMITTEE 24.07.2018

Present: Councillor Elfed Williams (Chair), Councillors John Brynmor Hughes and Dafydd Owen

Officers: Geraint B. Edwards (Solicitor), Gwenan Mai Roberts (Licensing Manager), Rhian Jones (Licensing Officer) and Lowri Haf Evans (Member Support Officer).

1. **APOLOGIES**

None to note

2. **DECLARATION OF PERSONAL INTEREST**

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

3. **URGENT ITEMS**

None to note

4. **EXCLUSION OF PRESS AND PUBLIC**

RESOLVED to exclude the press and public from the meeting during the discussion on the following items due to the likely disclosure of exempt information as defined in paragraphs 12 and 13, Part 4, Schedule 12 A, of the Local Government Act 1972. These paragraphs applied as the individuals in question were entitled to privacy and there was no overriding public interest that required the disclosure of personal information relating to those individuals, nor their identities. Consequently, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

5. **APPLICATION FOR A HACKNEY / PRIVATE HIRE DRIVER'S LICENCE- Mr A**

The Chairman welcomed everyone to the meeting. He highlighted that the decision would be made in accordance with Gwynedd Council's licensing policy. It was noted that the purpose of the policy was to set guidelines for the criteria when considering the applicant's application and the aim was to protect the public by ensuring that:

- A person is a fit and proper person
- The person does not pose a threat to the public
- That the public are safeguarded from dishonest persons
- The safeguarding of children and young people
- The safeguarding of vulnerable persons
- The public have confidence in their use of licensed vehicles.

The Licensing Officer presented the written report on the application received from Mr A for a hackney/private hire driver's licence. The Sub-committee was requested to consider the application in accordance with the DBS record, and the guidelines on relevant criminal offences and convictions.

The applicant was invited to expand on the application and provide information about the background of the offences. He noted that he no longer owned a gun and did not have a gun licence. He highlighted that a local company had offered him a job if his application was successful.

The applicant withdrew from the room whilst the Sub-committee members discussed the application.

RESOLVED that the applicant was a fit and proper person to be issued with a hackney vehicle/private hire driver's licence from Gwynedd Council.

In reaching their decision, the Sub-committee considered the following:

- the requirements of the 'Gwynedd Council's Licensing Policy for Hackney Carriages and Private Hire Vehicles'
- the applicant's application form
- verbal observations presented by the applicant during the hearing
- the Licensing Department's report along with the DBS statement disclosing convictions.

Specific consideration was given to the following matters.

The applicant had received a conviction from Caernarfon Magistrates Court (April 1999) on two offences regarding a gun, contrary to the Firearms Act 1968. For these offences he was sentenced to a period in a young offenders' institution.

The applicant received a conviction from Manchester Magistrates' Court (September 2001) for criminal damage contrary to section 1 of the Criminal Damage Act 1971. He was given a fine of £100.00 and an order to pay costs and damages.

Paragraph 2.2 of the Council's Policy was considered, this states that a person with a conviction for a serious offence need not be automatically barred from obtaining a licence, but would normally be expected to remain free of conviction for an appropriate period as stated in the Policy, and to show evidence that he or she was a fit and proper person to hold a licence.

Paragraph 4.5 of the Council policy was considered which stated that the Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) Order 2002 allowed the Sub-committee to take into account all convictions recorded against an applicant, whether spent or otherwise under the 1974 Act.

Paragraph 6.4 of the policy states that an application will normally be refused where the applicant has a conviction that is less than 10 years prior to the date of application, concerning 'possession of a firearm'.

Paragraph 6.5 states that an application for a licence will normally be refused where the applicant has a conviction that is less than 3 years prior to the date of the application concerning criminal damage.

The Sub-committee concluded that the conviction regarding the possession of a firearm had occurred in 1998, nearly 20 years ago. It was considered that the ban under paragraph 6.4 was not relevant and was not a basis to refuse the licence.

When considering the conviction concerning a serious offence that had occurred in 2001 (over 16 years ago), the ban under paragraph 6.5 was not relevant and therefore the Sub-committee was satisfied that this historical conviction should not be a reason to refuse the licence.

The Sub-committee was also grateful to the applicant for being open and honest when he explained the circumstances of the convictions.

The Solicitor reported that the decision would be confirmed formally by letter to the applicant and that he also had the right to appeal against the Sub-committee's decision within 21 days of receiving the letter.

The meeting commenced at 10.15am and concluded at 11.00am.

Agenda Item 6

COMMITTEE	GENERAL LICENSING COMMITTEE
DATE:	10 SEPTEMBER 2018
TITLE:	PROPOSED TAXI LICENCE FEES 2018/19
PURPOSE:	APPROVE PROPOSED FEES TO BE IMPLEMENTED FROM 1 OCTOBER 2018
AUTHOR:	HEAD OF ENVIRONMENT DEPARTMENT

1.0 BACKGROUND INFORMATION

- 1.1 You will recall that at a meeting of this Committee on 11th June 2018, there was a recommendation to increase the fees of taxi licences in order to ensure that costs associated with the administration of these fees are recovered in full. See the table in Appendix 1 of the report for full details of the proposed fees.
- 1.2 The Council is required to review its fees in respect of taxi licensing (i.e. hackney carriage licences, private hire vehicle licences, private hire operator and driver licences) on a regular basis. On 24 June 2013, this Committee resolved to review taxi fees annually.
- 1.3 Sections 53 and 70 of the Local Government (Miscellaneous Provisions) Act 1976 provide that fees may be charged at a level sufficient to pay reasonable costs; and in order to recover the costs fully the fees need to be increased by an average of 28%.

2. CONSULTATION WITH THE INDUSTRY

- 2.1 This Committee's decision in June to approve increasing the taxi licence fees was subject to a full public consultation, in accordance with the statutory requirements.
- 2.2 The industry has received a letter outlining the changes to the fees and the reasons for the increase; in order to allow enough time to highlight any concerns about the increase in fees (see Appendix 2). In accordance with Section 70 Local Government (Miscellaneous Provision) Act 1976, a public notice of proposed changes to fees appeared in the local press on 2nd August. There is a specific timetable for public consultations; and proposed changes will not come into force until responses to the formal consultation have been considered by this Committee.
- 2.3 The notice in the press (see Appendix 3) included a date upon which the fees would come into force, 28 days after the date of the notice, on condition that there are no objections to the fees. The new fees will not come into force until 1st of October 2018; if this Committee determines and gives its final approval.
- 2.4 The 28 days of consultation expired on 30 August; and we can confirm that no objections or written representations have been received. One local company has mentioned in an e-mail that it would be an idea to review the fares that the industry can charge customers. This is a fair point; as there has been no request for some years to review what the industry can charge. There is a statutory process and procedure for charging fares; and a written request is required from an industry representative in order to formally commence the process.

RECOMMENDATION

That the Committee finally approve the proposal to increase the fees to be operational from 1st October 2018, to the level recommended; in accordance with the procedure outlined following the public consultation.

**FFIOEDD SY'N DESTUN I YMGYNGHORIAD YN UNOL AG ADRAN 70 O DDEDDF LLYWODRAETH LEOL (DARPARIAETHAU AMRYWIOL) 1976.
FEES THAT ARE SUBJECT TO PUBLIC CONSULTATION IN ACCORDANCE WITH SECTION 70 OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976.**

FFIOEDD TRWYDDEDU TACSI	TAXI LICENSING FEES	FFI/FEES: OCTOBER 2015	CYNNIG/PROPOSAL: 2018/2019
Trwydded Cerbyd Hurio	Hackney Carriage Vehicle Licence		
FFIOEDD SYDD DDIM YN DESTYN I YMGYNGHORIAD CYHOEDDUS			
Ffi Trwydded	Licence Fee	£152.60	£180.84
Trwydded Cerbyd Hurio preifat	Private Hire Vehicle Licence		
Ffi Trwydded	Licence Fee	£152.60	£180.84
Ffi trosglwyddo cerbyd Hacni i berchennog newydd	Transfer of Hackney licence to new proprietor	£74.60	£75.00
Ffi trosglwyddo cerbyd HP i berchennog newydd	Transfer of PH licence to new proprietor	£74.60	£75.00
Trwydded cerbyd HP – Cludiant Ysgolion	Private Hire Vehicle Licence – School Transport	£89.60	£171.00
Trwydded Gweithredwr Hurio Preifat (Gan gynnwys Gweithredwr Hurio Preifat amodol)	Private Hire Operators Licence (Including School Transport Operators)	1 blwyddyn/ year: £180.80 3 mlynedd years: £238.70 5 mlynedd/years: £297.80	1 blwyddyn/ year: £236.00 3 mlynedd years: £275.00 5 mlynedd/years: £329.00

FEES THAT ARE NOT SUBJECT TO PUBLIC CONSULTATION

Trwydded Gyrrwr Cerbyd Hacni a Hurio Preifat Ffi Trwydded (cynnwys bathodyn)	Hackney Carriage and Private Hire Drivers Licence Licence Fee (incl ID badge fee)	1 blwyddyn/ year: £136.00 3 mlynedd years: £174.00	1 blwyddyn/ year: £233.00 3 mlynedd years: £270.00
Archwiliad Swyddfa Cofnodion Troseddol	Disclosure & Barring Service	Ffi Statudol/Statutory Fee: £44.00 Ffi Weinyddol/Admin Fee: £9.50	Ffi Statudol/Statutory Fee: £44.00 Ffi Weinyddol/Admin Fee: £9.50
Trwydded Hacni Ceffyl a Char	Horse Drawn Hackney Carriage Licence	£152.60	£152.60
Plât Trwydded Cerbyd (Par)	Vehicle Licence Plate (Pair)	£34.80	£34.80
Braced Par Trwydded Cerbyd (Par)	Vehicle Licence Plate Bracket (Pair)	£34.80	£34.80
Plât allanol cerbyd (Yr un)	External Vehicle Plate (Each)	£18.25	£18.25
Plât Mewnol Cerbyd	Internal Vehicle Plate	£16.60	£16.60
Llawes Plât Mewnol	Internal Plate Sleeve	£5.00	£5.00
Sticer Drws Cerbyd Hurio Preifat (Yr un)	Private Hire External Door Sticker (Each)	£18.25	£18.25
Bathodyn Gyrrwr	Driver ID Badge	£14.90	£14.90
Ail-eistedd Prawf Gwybodaeth Gyrrwr	Driver Knowledge Test Re-sit	£9.50	£9.50

Adran Amgylchedd Environment Department

Gwasanaeth Cynllunio a Gwarchod y Cyhoedd Planning and Public Protection Service Uwch Reolwr/Senior Manager – Gareth Jones

Gofynnwch am/Ask for: Gwenan M Roberts

☎(01766) 771000

✉ Trwyddedu@gwynedd.llyw.cymru

Ein Cyf / Our Ref: GMW

Eich Cyf / Your Ref:

Annwyl Syr/Madam

FFIOEDD TRWYDDEDAU GYRRWYR, CHERBYDAU HACNI, HURIO PREIFAT A GWEITHREDWYR 2018/19

Hoffwn eich hysbysu bod y Cyngor yn bwriadu diwygio ffioedd mewn perthynas â thrwyddedau tacsï o'r 1af o Hydref 2018.

Mae adran 53 a 70 o Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1976 yn darparu y caiff y ffioedd eu codi ar lefel ddigonol i adennill costau rhesymol.

Penderfynodd Pwyllgor Trwyddedu Cyffredinol y Cyngor ar y 24 o Fehefin 2013 y byddai ffioedd tacsï yn cael eu hadolygu yn flynyddol ac yn cael eu gosod ar lefel ddigonol i adennill costau rhesymol.

Mae'r Cyngor wedi cynnal adolygiad blynyddol o'r costau ac wedi penderfynu fod lefel y ffioedd presennol yn annigonol i adennill y gost o ddarparu'r gwasanaeth Trwyddedu tacsï ar gyfer 2018/19.

Ni chynyddwyd y ffioedd o gwbl yn 2016/17 nac ychwaith yn 2017/18. Er mwyn adennill y costau; bwriedir cynyddu'r ffioedd o tua 28% ar gyfartaledd. o 1 Hydref 2018

Gweler atodiad i'r llythyr hwn am y rhestr lawn o ffioedd cyfredol a'r ffioedd arfaethedig. Noder, fod diwygio rhai ffioedd yn destun ymgynghoriad statudol. Fe fydd yr ymgynghoriad statudol yn cychwyn drwy gyhoeddi Rhybudd Cyhoeddus yn y papurau lleol ar **2 Awst 2018**

Bydd copi o'r rhybudd ar gael iw archwilio am ddim yn Siop Gwynedd Caernarfon, Siop Gwynedd Pwllheli, a Siop Gwynedd Dolgellau am gyfnod o 28 diwrnod o'r 2il o Awst 2018

Dear Sir/Madam

LICENCE FEES FOR HACKNEY AND PRIVATE HIRE DRIVER, VEHICLE AND OPERATORS 2018/19

I wish to inform you that the Council proposes to amend the fees in respect of taxi licensing from the 1st of October 2018.

Sections 53 and 70 of the Local Government (Miscellaneous Provisions) Act 1976 provide that fees may be charged at a level sufficient to recover reasonable costs. The Council's General Licensing Committee decided on 24 of June 2013 that Taxi licensing fees would be reviewed annually and be set at a level sufficient to recover the reasonable costs.

The Council has undertaken its annual review of costs and determined that the current fee levels are insufficient to recover the costs of providing the taxi licensing services for 2018/19.

The fees were not increased at all during 2016/17 or 2017/18. So as to achieve cost recovery; it is proposed that the fees will increase by approximately 28% on average. from 1 October 2018.

The full list of the current and proposed fees is attached to this letter. Please note, the varying of certain fees is subject to statutory consultation. The statutory consultation will begin with the publication of a Public Notice in local newspapers on **2 August 2018**.

A copy of the notice will be available for inspection free of charge at Shop Gwynedd Caernarfon, Shop Gwynedd Pwllheli and Shop Gwynedd Dolgellau for a period of 28 days

Swyddfa Ardal Dwyfor
Pwllheli
Gwynedd. LL53 5AA
01766 771 000
www.gwynedd.llyw.cymru

ymlaen

Rhaid gwneud unrhyw sylwadau ar y diwygiadau arfaethedig yn ysgrifenedig ; a'i anfon o fewn 28 diwrnod o ddyddiad cyhoeddi'r rhybudd i'r cyferiaid isod neu drwy e bost at Trwyddedu@Gwynedd.llyw.cymru

starting on the 2nd of August 2018.

Any comments on the proposed amendments must be made in writing, and sent within 28 days of the publication date of the notice to the address shown below or by email to Licensing@Gwynedd.llyw.cymru

Yn gywir/Yours faithfully



Gwenan Mai Roberts
Rheolwr Gwarchod y Cyhoedd (Rheolaeth Llygredd a Thrwyddedu)
Public Protection Manager (Pollution Control and Licensing)

CYNGOR GWYNEDD**GWYNEDD COUNCIL****DEDDF LLYWODRAETH LEOL (DARPARIAETHAU AMRYWIOL) 1976 FFOIEDD
DIWYGIEDIG AR GYFER TRWYDDEDU CERBYDAU HACNI, CHERBYDAU HURIO
PREIFAT A GWEITHREDWR HURIO PREIFAT 2018/2019****LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 REVISED
LICENCE FEES FOR HACKNEY CARRIAGE VEHICLES PRIVATE HIRE VEHICLES
AND PRIVATE HIRE OPERATOR'S 2018/2019**

Hysbysir drwy hyn, yn unol ag adran 70, Deddf Llywodraeth Leol (Darpariaethau Amrywiol) 1976, bod Cyngor Gwynedd yn bwriadu diwygio ffioedd trwyddedau cerbydau hacni, cerbydau hurio preifat a gweithredwyr hurio preifat fel a ganlyn:

Notice is hereby given, pursuant to section 70, Local Government (Miscellaneous Provisions) Act 1976, that Gwynedd Council proposes to amend the fees for Hackney Carriage vehicle, Private Hire vehicle and Private Hire Operator licences as follow:

	Ffi	Hyd
Trwydded Cerbyd (Hacni a Hurio Preifat)	£180.84	1 Blwyddyn
Trwydded Gweithredwr Hurio Preifat	£236.00 £275.00 £329.00	1 Blwyddyn 3 Mlynedd 5 Mlynedd

	Fee	Duration
Vehicle Licence (Hackney Carriage & Private Hire)	£180.84	1 Year
Private Hire Operator's Licence	£236.00 £275.00 £329.00	1 Year 3 Years 5 Years

Gellir archwilio copi 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

A copy 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, Swyddfeydd y Cyngor, Ffordd Y Cob, Pwllheli, Gwynedd LL53 5AA
Siop Gwynedd, Swyddfeydd y Cyngor, Cae Penarlag, Dolgellau, Gwynedd LL40 2YB
Gellir cyflwyno unrhyw sylwadau i'r digwyddiadau a nodir uchod yn ysgrifenedig a'i anfon o fewn y 28 niwrnod o ddyddiad y rhybudd hwn at Trwyddedu@gwynedd.llyw.cymru neu **Adran Amgylchedd, Stryd Y Jêl, Caernarfon, Gwynedd LL55 1SH.**

Siop Gwynedd, Council Offices, Ffordd Y Cob, Pwllheli, Gwynedd LL53 5AA
Siop Gwynedd, Council Offices, Cae Penarlag, Dolgellau, Gwynedd LL40 2YB
Any comments on the amendments specified above can be made in writing and sent within 28 days of this notice to Licensing@gwynedd.llyw.cymru or **Environment Department, Shirehall Street, Caernarfon, Gwynedd LL55 1SH.**

Yn ddarostyngedig i ystyriaeth o unrhyw sylwadau a dderbynnir o fewn 28 o ddyddiad y rhybudd hwn, bwriedir gweithredu ar y newidiadau uchod ar y 1 Hydref 2018.

Subject to consideration of any comments received within 28 days of this notice, it is proposed that the above changes will be implemented on 1 October 2018.

Dyddiedig: 2/8/2018 Dafydd W Williams, Pennaeth Gwasanaethau Amgylchedd, Cyngor Gwynedd, Stryd y Jêl, Caernarfon, Gwynedd LL55 1SH

Dated: 2/8/2018 Dafydd W Williams, Head of Environment Services, Gwynedd Council, Shirehall Street, Caernarfon, Gwynedd LL55 1SH.

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