

GENERAL LICENSING COMMITTEE 1/12/25

Attendance:

Councillors: Anwen Davies, Alan Jones Evans, Gwilym Evans, Annwen Hughes, John Brynmor Hughes, Gareth Tudor Jones, Edgar Wyn Owen, Huw Rowlands, Elfed Williams, Gwynfor Owen, Arwyn Herald Roberts, Meryl Roberts, Angela Russell, Hefin Underwood and Gareth Williams

Officers: Gwenan Mai Roberts (Licensing Manager), Nia Grisdale (Legal Services Manager), Andrew Parry (Trading Standards and Licensing Manager) and Lowri Haf Evans (Democracy Services 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. MINUTES

The Chair signed the minutes of a meeting of the committee held on 30 June 2025 as a true record

5. GENERAL LICENSING SUB-COMMITTEE MINUTES

The minutes of the General Licensing Sub-Committee held on 8 October 2025 were submitted and accepted for information as a true record.

6. REVIEW OF CYNGOR GWYNEDD TAXI POLICIES

Submitted - a report highlighting the proposed changes to policies and suitability criteria for taxi drivers and operators. A request was made for the Committee to adopt the changes without delay to include them in the new Unified Taxi Licensing Policy which would be subject to public consultation following reviews of guidelines, procedures and policies.

It was explained that the current Suitability Criteria had been developed in 2014 in conjunction with Welsh Licensing Authorities to develop consistency between Councils in determining the suitability of applicants and licensees. It was noted that there was no definitive interpretation in the Act of the expected standard to prove an individual's

suitability and safety to hold a taxi licence, and as a result the Institute of Licensing had issued guidance in 2018 to assist Licensing Authorities in determining an individual's suitability. That guidance had been adopted by the Licensing Committee as official additional guidance to be considered at hearings, alongside Cyngor Gwynedd's Convictions Policy.

The guidance had been reviewed in 2024 and a revised document had now been published which allowed officers and Members to consider wider issues affecting a person's suitability and safety to hold a taxi licence. It was reiterated that the guidance addressed in detail considerations such as child protection concerns and vulnerable people.

Attention was drawn to the Suitability Criteria noting that the main principles remained the same but that the proposed changes focussed on aligning the Council's Criteria Policy with the Institute of Licensing's Suitability Guidelines, along with policies implemented in other Councils.

The members thanked the officer for the report.

Observations arising from the ensuing discussion:

- Welcomed additional guidance and robust guidance.
- Agreed with the decision to refuse a licence if a driver was found guilty twice for driving under the influence of alcohol or drugs – this was a more definitive guideline.
- The increase in the time was welcomed – this strengthened the power to ensure safety and for the applicant to learn lessons.
- Suggested abolishing 'by driving' in the sentence 'where crimes have resulted in death by driving'.

In response to a question:

- as to when the changes would come into force, it was confirmed that, if approved by the Committee, the changes would come into force on 1 January 2026. It was reiterated that the Licensing Department would publish the documents on the applications page to inform the taxi industry of the changes and explained that they better aligned with the requirements of the national industry.
- if the change to a time period was going to have an impact on licences that had already been granted, it was noted that only a few offences would fall into the 'suitability of a person' category.
- in relation to the sharing of information with other Councils, it was noted that the Councils had access to checks on the national crime records database and that officers were entitled to record information on this database e.g., cases where they had revoked a licence. It was reiterated that the checks and cross-references were carried out thoroughly and the database was often used to avoid potential applications from one Authority to another. Information shared by the Police or other Councils may be information that went beyond what was contained on the DBS.
- where there was a period of time awaiting the date of a Court hearing and the possibility of a sentence, it was noted that the Sub-Committee, when making a decision, had the right to consider any relevant information in the context of

a person's effectiveness? With the Act being open-ended in terms of providing a definite interpretation of 'suitability', the Sub-Committee would be entitled to consider all the circumstances of the applicant. It was reiterated that the Police had a responsibility to share or inform the Licensing Authority of any relevant disclosure / allegation against the applicant. The officers would have the right to decide to suspend a licence for a period or issue a permanent revocation in accordance with the decision of the licensing Sub-Committee.

- regarding information shared on the national database, it was confirmed that the database contained information across the United Kingdom.
- regarding the necessity for applicants to disclose Police cautions, it was noted that the applicant had a responsibility to disclose this.

RESOLVED

- **To welcome the report which offers sound guidance and aligns the Council's Criteria Policy with the Institute of Licensing's Suitability Guidance and other Councils' policies.**
- **To accept the proposals in terms of reviewing the 'Suitability Criteria for Drivers and Operators' and approve them to be implemented from 1 January 2026, subject to deleting the words 'by driving' in paragraph 3.1 of the report - *Licence applications should not be considered under any circumstances where offences have resulted in death caused by driving.***
- **To approve the adoption of the latest guidance by the Institute of Licensing - *Guidance on determining the suitability of applicants and licensees in the hackney carriage and private hire industry 2024*, and any subsequent updates as additional official guidance to be considered alongside the Council's Suitability Criteria convictions policy.**

The meeting commenced at 10.00 am and concluded at 10.45 am

CHAIRMAN