



Complete Agenda

Democratic Services
Swyddfa'r Cyngor
CAERNARFON
Gwynedd
LL55 1SH



Mae'r ddogfen hon hefyd ar gael yn Gymraeg.

This document is also available in Welsh.

Meeting

GENERAL LICENSING COMMITTEE

Date and Time

MONDAY, 9TH MARCH, 2026

TO FOLLOW ON FROM CENTRAL LICENSING COMMITTEE

Location

Virtual Meeting

NOTE

*** For public access to the meeting, please contact us***

Contact Point

Lowri Haf Evans

01286 679 878

lowrihafevans@gwynedd.llyw.cymru

(DISTRIBUTED Friday, 27 February 2026)

GENERAL LICENSING COMMITTEE

MEMBERSHIP (15)

Plaid Cymru (10)

Councillors

Alan Jones Evans
Gareth Tudor Jones
Gwynfor Owen
Huw Rowlands
Gwilym Evans

Annwen Hughes
Edgar Wyn Owen
Arwyn Herald Roberts
Elfed Williams
Meryl Roberts

Independent (5)

Councillors

Gareth Williams
Anwen J. Davies
Hefin Underwood

Angela Russell
John Brynmor Hughes

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 the 1st of December 2025, be signed as a true record.

5. GENERAL LICENSING SUB-COMMITTEE MINUTES

7 - 10

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

a) 05-11-2025

GENERAL LICENSING COMMITTEE 01-12-2025

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 OF THE PREVIOUS MEETING

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

5. MINUTES OF THE GENERAL LICENSING SUB-COMMITTEES

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 - Relevant Convictions Policy – Suitability Criteria for Drivers and Operators – The Institute of Licensing’s Suitability Guidance Document – Guidance on determining the suitability of applicants and licensees in the Hackney Carriage and Private Hire industry.

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 started at 10:00am and ended at 10:45am

GENERAL LICENSING SUB-COMMITTEE 05-11-25

Attendance:

Councillors: Gwynfor Owen (Chair), Arwyn Herald Roberts and Elfed Williams

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

Item 5: Applicant Mr A and his representative

1. APOLOGIES

None to note

2. DECLARATION OF PERSONAL INTEREST

None to note

3. URGENT ITEMS

None to note

4. EXCLUSION OF PRESS AND PUBLIC

It was **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 12A 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, or their identities. Consequently, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

5. APPLICATION FOR RENEWAL OF HACKNEY / PRIVATE HIRE VEHICLE DRIVING LICENCE – Mr A

The Chair welcomed everyone to the meeting. He highlighted that the decision would be made in accordance with Cyngor Gwynedd'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, with the aim of protecting the public by ensuring that:

- The person is a fit and proper person
- The person does not pose a threat to the public
- The public are safeguarded from dishonest persons
- Children and young people are protected
- Vulnerable persons are protected
- The public can be confident in the use of licensed vehicles

The Licensing Manager submitted a written report on an application by Mr A to renew a hackney/private hire vehicle driving licence. Two CCTV videos of the accident of which the applicant had been accused were shown – both videos had been submitted as evidence by the applicant. The Sub-committee was asked to consider the application in

accordance with what related to an individual's suitability to be a hackney/private hire vehicle driver.

The Licensing Authority recommended that the Sub-committee should refuse the application.

In response to a question regarding whether a letter was sent to hackney/private hire vehicle drivers reminding them that their licence was expiring, it was confirmed that the Licensing Unit had an arrangement in place, but in this case the applicant had recently moved house. It was added that it was a legal requirement for the applicant to notify the Unit of any changes in circumstances.

In response to a question about the speed of the car when it hit a member of the public, it was noted that although there was no evidence of the speed, evidence from the person who was hit noted that 'the driver was not driving unreasonably'.

The applicant's representative was invited to elaborate on the application providing information about the background of the driving offence of which the applicant was accused, and his personal circumstances. He stated that he had pleaded guilty to the charge and accepted the seriousness of the situation – if he lost his licence, he would lose his job. He reiterated that he had been a hackney/private hire vehicle driver for over 15 years and had a clean driver's licence and had not received any complaints about his work.

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

- **Reason:** When an applicant for a hackney and private hire vehicle driver's licence has any criminal convictions or cautions, the application will be referred to the General Licensing Sub-committee for a decision. The task of the Sub-committee is to determine whether the applicant is a fit and proper person to hold a licence. In coming to that decision, the Sub-committee is required to consider Cyngor Gwynedd's Hackney Carriage and Private Hire Vehicle Licensing Policy. However, each application will be decided on its own merits where circumstances require the Sub-committee to deviate from any recommendations set out in the Policy.

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

- The requirements of Cyngor Gwynedd's 'Hackney Carriage and Private Hire Vehicle Licensing Policy'
- Individual Suitability Guidelines
- The Licensing Department's report
- The applicant's application form
- Applicant's DBS – no record of convictions
- The report of the Driver and Vehicle Licensing Agency
- North Wales Police charge sheet
- UK Government guidance on penalty points
- References in support of the applicant
- Verbal representations by the candidate and his representative

Specific consideration was given to the following matters:

Background

In November 2025 the applicant received 6 penalty points and a £390 fine for driving without due care and attention in contravention of Section 3 of the Road Traffic Act 1988 and Schedule 2 of the Road Traffic Offenders Act 1988.

In September 2025 it was found that the applicant's hackney/private hire vehicle licence had expired in July 2025.

RELEVANT CLAUSES OF THE POLICY

Paragraph 2.2 of the Council's Policy was considered, which states that a person with a conviction for a serious offence need not be automatically barred from obtaining a licence, but they will be expected to have been free of any conviction for an appropriate period as stated in the Policy, and to show evidence that they are a fit and proper person to hold a licence. The onus was on the applicant to prove that he was a fit and proper person. Paragraph 2.4 states that when an applicant has a conviction(s) or there are other associated matter(s) to be considered, the Council cannot review the merits of that conviction or other matter.

Paragraph 4.5 was considered which states that the Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) Order 2002 allows the Sub-committee to take into account all convictions recorded against an applicant, whether spent or not, under the 1974 Act.

Section 13 relates to minor traffic offences and mainly refers to offences that are not listed in paragraph 12.2 of the Policy. Paragraph 13.1 defines a 'minor traffic offence' as an offence that incurs between 1 and 3 penalty points. Paragraph 13.3 was considered, which states that "More than one minor traffic conviction or other matter to be considered may result in a refusal, particularly where there are several convictions or other matters to be considered for the same offence, e.g. speeding. A licensed driver may be referred to the Licensing Committee where there are more than two offences and/or a total of 6 points on their licence.

The Institute of Licensing Document 2024 (adopted by the Licensing Committee as additional guidance to support the Council's Conviction Policy – Fitness Criteria for Drivers and Operators 2014), provides additional guidance for Members to consider where there are no convictions on the applicant's DBS certificate, but where there are additional issues to consider before deciding if an individual is a fit and proper person to hold a taxi driver's licence. Public protection is the most crucial factor in assessing an applicant's suitability to hold a taxi driver's licence.

Clause 4:50 of the Institute of Licensing's document states that drivers of hackney and private hire vehicles are professional drivers with the responsibility of transporting the public. Any driving conviction can be a sign of a lack of professionalism and an issue to be taken seriously.

CONCLUSIONS

The Sub-committee accepted that the applicant had received a conviction for the accident in April 2025. A full explanation of the incident was provided by the applicant's representative, emphasising that the conviction for the offence was among the least serious motor vehicle offences. Observations were submitted regarding his excellent driving record as a taxi driver for over 15 years. The Licensing Unit confirmed that no incident or complaint had been referred to the Unit about the applicant during the period. The Sub-committee regarded this as evidence of a responsible taxi driver and highlighted his good character. It was stated that the accident occurred after dark on a dangerous corner, and that the evidence suggested by witnesses indicated that the applicant was not driving above expected speed limits or driving unreasonably.

Consideration was given to the content of the reference letters received which reinforced the applicant's good character and confirmed that there were no problems with his work as a taxi driver. The Sub-committee accepted the candidate's honest comments that he fully understood the seriousness of the situation.

In the context of a reason for failing to renew his licence in a timely manner, his explanation for not receiving a reminder letter was accepted, possibly because he had moved house, but the Sub-committee emphasised that it was the individual's legal responsibility to renew a licence, without having to rely on the receipt of a reminder letter.

After carefully weighing up all the factors, it was determined that the applicant was a fit and proper person to be issued with a licence.

The Solicitor reported that the decision would be confirmed formally by letter to the applicant, highlighting his right to appeal the decision.

The meeting started at 14:30 and ended at 15:40