
GENERAL LICENSING COMMITTEE 24/10/22

Present: Chair Cllr. Annwen Hughes
Vice-chair Cllr. Elfed Williams

Councillors: Anwen Davies, John Brynmor Hughes, Eryl Jones-Williams, Gareth Tudor Jones, Linda Ann Jones, Edgar Wyn Owen, Gwynfor Owen, Rheinallt Puw, Huw Rowlands, Angela Russell and Gareth Williams

Officers: Iwan Evans (Head of Legal Section), Gareth Jones (Assistant Head of Planning and the Environment) and Lowri Haf Evans (Democracy Services Officer)

1. APOLOGIES

Apologies were received from Councillor Arwyn Herald Roberts

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 this Committee that took place on 27 June 2022 as a true record.

5. GENERAL LICENSING SUB-COMMITTEE MINUTES

Accepted, for information, the minutes of the General Licensing Sub-Committees held on 27 June 2022 and 15 July 2022

6. MAXIMUM HACKNEY CARRIAGE TAXI FARES

- a) A report was submitted by the Assistant Head of Planning and the Environment which responded to a request from the industry in Gwynedd to change the maximum fare.

In accordance with The Local Government (Miscellaneous Provisions) Act 1976 that places regulation duties on the Licensing Authority in relation to operating a maximum fare the public can be charged when travelling in hackney vehicles within the County, it is required that any request to change the maximum fare charged is submitted by the industry. It was confirmed that 5 recent requests had been received from the taxi company owners to review the fares and that these fares were for hackney vehicles only and not private

vehicles. It was added that the Act allowed the provision of a price table together with the statutory requirement to use a taxi meter as a mechanism to regulate the fares and protect the interests of the public.

It was noted that a successful application to increase the maximum fare had been received in 2019, after 9 years of the maximum fare staying the same, and there had been no change since then. It was added that the increase from £5 to £6 for the first two miles of a taxi journey in 2019 had been a substantial increase that reflected the average inflation costs for the period.

Reference was made to those factors that had affected taxi businesses recently (lockdown period over covid 19, a significant increase in fuel costs together with a significant increase in inflation) noting that these had been factors that affected everyone. The importance of evaluating the impact of the current situation was noted, ensuring fairness for the industry and taxi users.

Reference was made to the Licensing Authority's proposal and recommendations to increase some fares compared to the current rates and it was reported that there would be a period of consultation on the proposal following the Committee's decision. It was added that the proposal would need to be renegotiated if objections were presented by the industry.

- b) During the ensuing discussion, the following observations were made by Members:
- That the offer was generous
 - That the offer for professional cleaning costs was a significant increase
 - Need to ensure that the fare is not too much for those who are dependent on the service
 - That some vulnerable people are confined to their homes due to cuts in bus services - need to ensure that those will not be affected by the increase for a taxi service.
 - Concern that raising the cost of transporting bags could impact local shops- suggestion that people would turn to online shopping
 - That a negative impact on consumers needs to be avoided
- c) In response to a comment that some companies avoided short journeys as they were too much bother and that such a situation had been a cause of concern for vulnerable individuals, the Assistant Head stated his wish for any such case to be referred to the Licensing Authority.

In response to a comment that trip fares vary significantly in some areas, it had been suggested that private companies were doing this but that any examples should be presented to the Licensing Authority so that the issue could be looked into. It was added that any situation of putting people at risk should be reported.

In response to a significant increase in the costs of professional 'valet' cleaning (£45 - £120), it had been noted that these costs reflected the true cost of cleaning a car. The comment was received that it would be necessary to consider each situation and define the relevance of each individual situation, but that the recommended fee was reasonable.

It was proposed and seconded to approve the proposal

RESOLVED:

- **To approve the proposal to increase the maximum fare in accordance with the recommendations**
- **To approve a 14 days public consultation**
- **Accept the need to renegotiate if there are objections to the proposal before taking action**

7. REVIEW OF SEX ESTABLISHMENT LICENSING FEES

- a) A report by the Head of Environment Department was presented asking the Committee to approve fees for the licensing and regulation of sex establishments. Members were reminded that this Committee, in December 2021 adopted the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 ("1982 Act") as amended by the Crime and Policing Act 2009 ("2009 Act") for the whole county.

It was explained that the provision allowed the Council to charge a fee for sex establishment licences which was sufficient to recover costs only. It was added that the fees had to be reasonable and proportionate to the cost of the licensing processes, which included administration, as well as carrying out compliance inspections. Fees could not be used to make a profit or act as an economic barrier to prevent certain types of businesses from operating in the area. It was noted that each Licensing Authority was expected to determine the level of fees in accordance with what was appropriate to ensure cost recovery; that each licensing authority's fees were different, and that the comparative fees of other authorities should not be used as a basis for determining a fee.

The Monitoring Officer confirmed that the Licensing Department had considered actual costs rather than estimated costs or assumed costs and that there had been no element of making a profit to the cost.

- b) During the ensuing discussion, the following observations were made by Members:
- There was a need to ensure that the costs were recovered
 - The fees needed to be reviewed annually

In response to a question regarding the definition of a sex shop, the Monitoring Officer stated that a sex shop was defined as an establishment which offered 30% or more of the shop's floor space for the display and sale of sexual goods / toys (beyond clothes only).

RESOLVED

- **To approve the setting of the fees which reflects the administration, compliance and processing of applications for sex establishment licences.**
- **To approve an annual review of those fees**

The meeting commenced at 10.15 am and concluded at 10.50 am

CHAIRMAN