



Complete Agenda

Democratic Services
Swyddfa'r Cyngor
CAERNARFON
Gwynedd
LL55 1SH

Meeting

GENERAL LICENSING COMMITTEE

Date and Time

10.00 am, MONDAY, 24TH OCTOBER, 2022

Location

Virtual Meeting

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

Contact Point

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(DISTRIBUTED Friday, 14 October 2022)

GENERAL LICENSING COMMITTEE

MEMBERSHIP (15)

Plaid Cymru (10)

Councillors

Annwen Hughes
Gareth Tudor Jones
Edgar Wyn Owen
Rheinallt Puw
Huw Rowlands

Elfed Williams
Linda Ann Jones
Gwynfor Owen
Arwyn Herald Roberts
Vacant seat

Independent (5)

Councillors

Gareth Williams
Eryl Jones-Williams
John Brynmor Hughes

Angela Russell
Anwen J. Davies

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 - 5

The Chairman shall propose that the minutes of the meeting of this Committee, held on 27th June 2022 be signed as a true record.

5. GENERAL LICENSING SUB-COMMITTEE MINUTES

6 - 12

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

- a) 15 July 2022
- b) 27 June 2022

6. MAXIMUM HACKNEY CARRIAGE TAXI FARES

13 - 25

To consider the report and approve a proposal by the taxi industry to increase the maximum fares

7. REVIEW OF SEX ESTABLISHMENT LICENSING FEES

26 - 27

To consider the report and approve fees for the licensing and regulation of sex establishments

Agenda Item 4

GENERAL LICENSING COMMITTEE 27-06-22

Present:

Attendance:

Councillors: Annwen Hughes, Gareth Tudor Jones, Linda Ann Jones, Edgar Wyn Owen, Rheinallt Puw, Huw Rowlands, Elfed Williams, Gwynfor Owen, Arwyn Herald Roberts, Eryl Jones-Williams, Gareth Williams, Angela Russell, John Brynmor Hughes ac Anwen Davies

Officers:

Iwan Evans (Head of Legal Services), Gwenan Mai Roberts (Licensing Manager) and Lowri Haf Evans (Democratic Services Officer)

1. ELECT CHAIR FOR 2022 /2023

RESOLVED: To re-elect Councillor Annwen Hughes as Chair for 2022 /23

2. ELECT VICE CHAIR FOR 2022 /2023

Two names were proposed and seconded for the post of vice-chair, namely Councillor Elfed Williams and Councillor Gareth Williams

RESOLVED: To elect Councillor Elfed Williams as Vice-chair for 2022 /23

3. APOLOGIES

Apologies were received from Councillor Alan Jones Evans

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 a meeting of this Committee, that took place on 6th December 2021, as a true record.

7. MINUTES OF THE GENERAL LICENSING SUB-COMMITTEE

Accepted, for information, the minutes of the Sub-committees held on 25 November 2021, 25th February 2022, 10 March 2022 and 22 April 2022

The meeting commenced at 10.00 and concluded at 10.20.

Agenda Item 5

GENERAL LICENSING SUB-COMMITTEE 15-07-2022

Present:

Councillors: Councillor Annwen Hughes (Chair)
Councillors Gareth Tudor Jones and Gareth Williams

Officers: Siôn Huws (Senior Solicitor), Gwenan Mai Roberts (Licensing Manager) and Lowri Haf Evans (Democratic 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. 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 HACKNEY/PRIVATE HIRE DRIVER'S LICENCE – Miss A

The Chair welcomed everyone to the meeting. He explained 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, 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
- The safeguarding of vulnerable persons
- The public have confidence in using licensed vehicles.

The Licensing Officer presented a written report on the application received from Miss A for a hackney/private hire vehicle driver's licence. The Sub-committee was requested to consider the application in accordance with the DBS record, the guidelines on criminal offences and relevant convictions, and also the Driver and Vehicle Licensing Agency's report. The Licensing Authority recommended that the Sub-committee approve the application.

The applicant was invited to expand on the application and provide information about the background of the endorsements on the licence and her personal circumstances. She admitted that she had not submitted the details of her new address to the Driver and Vehicle Licensing Agency and had not informed the Licensing Department about serious traffic offences - she noted that at the time she had been moving house and she acknowledged her oversight.

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

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

- The requirements of 'Gwynedd Council's Licensing Policy for Hackney Carriages and Private Hire Vehicles'
- the applicant's application form
- the Licensing Department's report, the DBS statement and the DVLA's report
- the applicant's verbal representations
- The Driver and Vehicle Licensing Agency's guidelines

Specific consideration was given to the following matters:

In April 2020, the applicant had received six penalty points for failing to provide information relating to driver identity.

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 would normally be expected to remain free of any conviction for an appropriate period as stated in the Policy, and to show evidence that the individual was a fit and proper person to hold a licence. The onus was on the applicant to prove that they were a fit and proper person. Paragraph 2.4 states that when an applicant has a conviction(s) or there are other related matter(s) to be considered in connection with that, the Council cannot review the merits of the 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 otherwise, under the 1974 Act.

Section 12 of the Policy relates to driving convictions, and paragraph 12.2 lists major traffic offences for the purposes of the Policy. Among these offences, MS90 (failure to provide information about the identity of a driver etc) is included. Paragraph 12.3 states that an application will be refused if there is a conviction against the applicant and he/she has not been free of the conviction for at least six months.

The Sub-committee concluded that the 2020 conviction was a serious traffic offence. The applicant's failure to disclose information was considered in accordance with the requirements of the licence. The explanation provided by the applicant, that disorder arising

from a house move was the reason for the failure to provide the information at the time, was accepted.

The Sub-committee was satisfied that the period of time noted in the Policy (at least 6 months) where applications should be refused due to such offences had elapsed.

The sub-committee decided in favour of approving the application. It was determined that the applicant was a fit and proper person to hold a hackney vehicle and private hire driver's licence. The applicant was encouraged to behave responsibly and carefully as the 6 points on her licence would not be spent until April 2023.

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

6. APPLICATION FOR A HACKNEY/PRIVATE HIRE DRIVER'S LICENCE – Mr B

The Chair welcomed everyone to the meeting. He explained 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, 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
- The safeguarding of vulnerable persons
- The public have confidence in using licensed vehicles.

The Licensing Manager submitted a written report on the application received from Mr B for a hackney/private hire vehicle driver's licence. The Sub-committee was requested to consider the application in accordance with the DBS record, the guidelines on criminal offences and relevant convictions and a medical certificate. The Licensing Authority recommended that the Sub-committee approve the application.

The applicant was invited to expand on the application and provide information about the background of the offences on the DBS record and his personal circumstances. He noted that he had been through a difficult and dark period in his life, but had now recovered.

In response to a question regarding dealing with unreasonable and difficult customers within the confined environment of a vehicle, he noted that conversing, being open and dealing with customers had been part of the support he had received through therapy sessions. He added that the medical certificate noted that he satisfied the medical standards.

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

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

- The requirements of 'Gwynedd Council's Licensing Policy for Hackney Carriages and Private Hire Vehicles'
- the applicant's application form
- the Licensing Department's report and the DBS statement and the medical form
- the applicant's verbal representations

- The Driver and Vehicle Licensing Agency's guidelines

Specific consideration was given to the following matters:

In April 2013, the applicant was found guilty of the offence of battery, contrary to the Criminal Justice Act 1998 (S.39). He had received a community caution under supervision, costs of £250 and compensation costs of £150.

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 would normally be expected to remain free of any conviction for an appropriate period as stated in the Policy, and to show evidence that the individual was a fit and proper person to hold a licence. The onus was on the applicant to prove that they were a fit and proper person. Paragraph 2.4 states that when an applicant has a conviction(s) or there are other related matter(s) to be considered in connection with that, the Council cannot review the merits of the 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 otherwise, under the 1974 Act.

Paragraph 6.0 of the Policy addresses violent offences. Paragraph 6.1 states that, since licensed drivers come into close and regular contact with the public, the sub-committee shall adopt a firm stance towards those who have offences involving violence. Paragraph 6.2 notes that anyone found guilty of an offence relating to violence is unlikely to be granted a licence until they have been free from such a conviction for a minimum of three years. However, when considering the range of offences relating to violence, the nature of the offence must be considered.

The Sub-committee came to the conclusion that 2013 conviction was a violent offence for the purpose of the Policy, and that sufficient time had elapsed following the three-year threshold since the applicant was found guilty. There were no previous or subsequent convictions.

The applicant's explanations and the reasons for his behaviour in 2013 were considered, and it was accepted that his circumstance were now very different. Consideration was given to the medical certificate that confirmed his explanation about his medical condition in the past, and that the doctor had no concerns. The applicant also satisfied the medical fitness criteria to drive and had worked as a driver without any problems.

It was determined that the applicant was a fit and proper person to hold a hackney vehicle and private hire driver's licence.

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

The meeting commenced at 2:00pm and concluded at 15:05pm

GENERAL LICENSING SUB-COMMITTEE 27-06-2022

Present:

Councillors: Councillor Annwen Hughes (Chair)
Councillors Edgar Owen and Angela Russell

Officers: Iwan Evans (Head of Legal Services), Gwenan Mai Roberts (Licensing Manager) and Lowri Haf Evans (Democratic 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. 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 A HACKNEY / PRIVATE HIRE DRIVER'S LICENCE – Mr A

The Chair welcomed everyone to the meeting. She explained 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, 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
- The safeguarding of vulnerable persons
- The public have confidence in using licensed vehicles.

The Licensing Officer presented a written report on an application received from Mr A for a hackney carriage/private hire driver's licence. The Sub-committee was requested to

consider the application in accordance with the DBS record, the guidelines on criminal offences as well as the Driver and Vehicle Licensing Agency's report. The Licensing Authority had recommended that the Sub-committee should refuse the application.

In response to a question from a member of the Sub-committee to the Licensing Officer, it was confirmed that the wording / quotation from the description of the Act is 'vehicle control, mobile phone **etc.**'

The applicant's representative was invited to expand on the application and provide information about the endorsements on the licence and the applicant's personal circumstances and his failure to inform the Licensing Department on serious traffic offences on two occasions. He highlighted that the applicant on one occasion, was caring for his father and therefore, with other things on his mind, had filled out the application form wrong and hadn't been able to inform the Licensing Department on his circumstances. On another occasion, his former partner was driving the car and he hadn't updated the details of his new address nor disclosed who was driving the car to the DVLA.

The applicant's work as a taxi driver was praised - it was noted that he was honest, helpful, always ready to help and was popular with customers.

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

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

- The requirements of 'Gwynedd Council's Licensing Policy for Hackney Carriages and Private Hire Vehicles'
- the applicant's application form
- the Licensing Department's report along with the DBS statement and the DVLA's report
- the applicant's representative's verbal representations
- The Driver and Vehicle Licensing Agency's guidelines

Specific consideration was given to the following matters:

In July 2021, he received six penalty points on his driving licence for breaching the requirements of the Act in terms of 'vehicle control, mobile phone etc.'

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 he will be expected to have been free of any conviction for an appropriate period as stated in the Policy, and to show evidence that he is 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 2.3 states, for the purpose of the Policy, that 'other matters for consideration' include, amongst others, criminal /driving convictions.

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 otherwise, under the 1974 Act.

Section 12 of the Policy relates to driving convictions, and paragraph 12.2 lists major traffic offences for the purposes of the Policy. Among these offences, MS90 (failure to provide information about the identity of a driver etc.) is included. Paragraph 12.3 states that an application will be refused if there is a conviction against the applicant and he/she has not been free of the conviction for at least six months.

The Sub-committee concluded that the 2021 offence was a serious matter but they were satisfied that the period of time (6 months) noted in the Policy, when applications should be refused due to such offences, had elapsed and that there were no further offences.

The applicant's failure to disclose an offence in accordance with the requirements of the licence was considered by not including the endorsements on his application form or informing the Licensing Authority about the endorsements disclosed in the report of the DVLA. The applicant's explanation over lack of sharing information due to difficult personal circumstances was accepted and that there was some confusion when presenting the prosecution documents by virtue of the fact that he had moved house. However, the Sub-committee was also disappointed that the offence was not declared on the current application form.

Having carefully considered the evidence and information, it was considered that the lack of information does not justify refusing the licence on this basis but failure to disclose correct and current information as required from the licence is a serious matter. Had the circumstances been repeated then this failure would be a relevant consideration in any following decision.

The sub-committee had decided in favour of approving the application. It was determined that the applicant was a fit and proper person to hold a hackney vehicle and private hire driver's licence. The applicant's representative was encouraged to ensure that applicants in the future check and take responsibility for their application form and that the Licensing Department would examine the company's arrangements for the future.

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

The meeting commenced at 11:30 and concluded at 12:30

COMMITTEE	GENERAL LICENSING COMMITTEE
DATE:	24 OCTOBER 2022
TITLE:	MAXIMUM HACKNEY CARRIAGE TAXI FARES
PURPOSE:	APPROVE A PROPOSAL BY THE TAXI INDUSTRY TO INCREASE THE MAXIMUM FARES
AUTHOR:	HEAD OF ENVIRONMENT DEPARTMENT

1.0 BACKGROUND INFORMATION

- 1.1 The Local Government (Miscellaneous Provisions) Act 1976 places regulatory 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. The Act allows the provision of a fare chart, and this along with the statutory requirement to use a taxi meter, allows a mechanism to regulate the fares charged and to protect public interests.
- 1.2 It is required that any request to change the maximum fare charged is submitted by the industry. Five requests were recently received from Mr Trevor Roberts, Mr Colin Owen, Hughie John Jones, Gareth Evans and Siôn Edwards who are taxi company owners - to review the fares. A detailed proposal was sent by Mr Trevor Roberts only; and he submitted the proposal on his own behalf as well as for 10 other taxi companies. See the appendix to this report for full copies of the proposals and the correspondence received from the industry.
- 1.3 The maximum fare is not relevant to journeys in private hire vehicles that have been booked in advance.
- 1.4 A successful application to increase the maximum fare was received in 2019, after 9 years of the maximum fare staying the same, and there has been no change since then. See Appendix 1 for a table of the current maximum fares. The maximum fares were increased for the first two miles of a taxi journey from £5 to £6 in 2019; which is a substantial increase that reflected the average inflation costs for the period. Other costs such as fuel costs had remained fairly stable over the same period.

2 FACTORS THAT AFFECT THE COSTS OF TAXI BUSINESSES

- 2.1 Due to the negative impact the Covid Pandemic and the lockdown periods had on the taxi industry, you may remember that this Committee in 2021 voted not to increase the fees for taxi licences.
- 2.2 However, as you will all be aware we have been in an unprecedented position in respect of country's economy over the last 6 months. There has been a significant increase in fuel costs for various geo-political reasons (such as war in Ukraine and pressure on the fuel market coming out of a pandemic). The forecasts note that there is another significant increase on the horizon in gas and electricity costs that will affect everyone.
- 2.3 The increase in fuel costs and basic foods has been consistent throughout this year, with the situation in turn having a far-reaching effect on inflation levels, which has reached a rate of 10.1% in July 2022, and it is likely that the rate will go up again by the date this report is discussed by the Committee.

- 2.4 The most significant increase in inflation since 1982 has led to the Bank of England responding to attempt to control inflation by increasing interest rates.
- 2.5 The costs of appropriate insurance for licensed vehicles is high and of course there are annual costs attached with licensing a taxi vehicle and costs attached every three years in respect of drivers' licences.

3. THE INDUSTRY'S PROPOSAL FOR THE NEW MAXIMUM FARE FOR HACKNEY VEHICLE JOURNEYS

3.1 Many councils have recently been receiving specific proposals from the taxi industry to review and increase the maximum fare in various ways. There is a specific maximum rate for different elements; including a rate for a 1 mile journey and a general rate where a journey is 2 miles or more. The maximum fare currently charged for journeys in hackney vehicles in the six counties of North Wales can be seen in the table below and it is noted if the maximum fares have been the subject of recent review.

Table - an equivalent fare for a 2 mile journey

	Current Gwynedd	The current average for the six counties	Anglesey	Conwy	Flintshire	Denbighshire	Wrexham
	£6.00	£5.97	£5.80	£6.60	£5.80	£6.00	£5.60
Review year	2019		2017	2022 Increase	2022 Remain the same	2022 Increase	2011

- 3.2 Many of the companies who have submitted a proposal to increase the maximum fare suggest an increase in the rate for the first mile from £3.60 to £4.00. This proposal is understandable; as the costs of a vehicle and driver are higher for short journeys.
- 3.3 People who use taxis during the day for short journeys are more likely to be unable to use other modes of travel, and are more likely to be elderly or vulnerable. The opinion of the Licensing Authority is that increasing the maximum fare for short journeys during the day will have a negative impact on the population that is more likely to suffer deprivation, and therefore will be impacted most by the current cost of living crisis.
- 3.4 The Bank of England inflation rate costs were used to calculate the maximum fare in 2019; with an average inflation rate between 2011 and 2019 added to the maximum fare of a journey of two miles or more.
- 3.5 One taxi company makes the point that a company has to commit to pay the minimum wage rate to their drivers when accepting a school transport contract with the Council; and this is difficult under the current circumstances; without being able to charge more for taxi journeys.

- 3.6 With inflation and the cost of living so incredibly high at the moment; there is a need to consider alternative options to increasing the maximum fare so that we evaluate the impact of the existing situation on everyone; and to seek to be fair with the taxi industry and also taxi users.
- 3.7 Some who have submitted proposals from the industry also suggest that we should look carefully at the maximum fares in relation to the following matters -
- taxi journeys after midnight;
 - costs of transporting additional bags/cases
 - Costs of cleaning a taxi when customers soil the vehicle
 - Issue a higher tariff for journeys where there are between 5 and 8 passengers in a mini bus due to the additional costs of running a mini bus taxi; and these are usually 'optional' journeys.
 - Present a higher rate for the first mile and short journeys late at night.
- See the appendix to this report for full details of the proposals submitted.
- 3.4 It is important to note that a taxi company does not have to charge the maximum fare for hackney vehicle journeys. Many companies choose not to do so, and charge lower fares that are in accordance with what is considered to be a competitive rate.

4. THE LICENSING AUTHORITY'S PROPOSAL

- 4.1 Having considered all the factors that are important in the existing economic context - it is proposed that the fares are increased as follows -
- Keep the maximum fare for a one mile journey and a journey of two miles or more - the same - as the fare currently charged is around the average when comparing with other Councils in North Wales, and increasing the basic rates for short journeys would disadvantage the most needy in our society.
 - Increase the maximum cost for transporting additional bags in the vehicle's boot from 30p per item to 50p per item
 - Increase the cost of a cleaning valet from £45 to £120 to reflect current professional cleaning costs, and the time when the vehicle is not available for hire.
 - Increase the cost rate to hire a taxi between 00:00 and 07:00 50% higher than the basic rate to 60% higher than the basic rate of £4.50 to £4.80 per mile.
 - Create a new tariff for journeys in a mini bus where there are between 5 and 8 passengers - to £6.60 for a journey of more than two miles.

A table comparing the proposed amendments with the current situation


Relevant maximum fare	Current rates	Recommendation
where the journey is less than a mile	£3.60	No change
Where the journey is more than a mile, for the first mile	£3.00	No change
Create an additional tariff for journeys in a mini bus where there are between 5 and 8 passengers	£3.00	£3.30
Maximum cost for transporting additional bags in the vehicle's boot	30p	50p
Maximum cost of professional valet cleaning	£45	£120
For hiring the vehicle between midnight and 7:00am any day or at any time on a Bank Holiday, except for Christmas Day and New Year's Day.	50% in addition to the basic rate £4.50	60% in addition to the basic rate £4.80

5. CONSULTATION WITH THE INDUSTRY

- 4.1 If this Committee accepts the recommendation, we will hold a consultation on the proposal for 14 days in a local newspaper, with the intention of implementing the new maximum fare from the end date of the notice.
- 4.2 If any objections to the proposal come to hand during the consultation period, the recommendation will be referred back to this Committee to consider the basis of the objection, and it will not be implemented until a final decision is made by the Committee.


RECOMMENDATION

That the Committee approves the proposal to increase the maximum fare in accordance with the recommendations; or approve other options to increase the maximum fare, for journeys in the County's hackney vehicles.

CYNGOR GWYNEDD COUNCIL	
PRISIAU CLUDO CERBYD HACNI/HACKNEY CARRIAGE FARE yn weithredol trwy ardal y Cyngor o 9/9/2019 <i>in operation throughout the area of the Council as from 9/9/2019</i>	
	
Milltiroedd / Mileage	Cost
Oni fydd y pellter cyfan yn fwy nag un filltir <i>If the distance does not exceed one mile for the whole distance</i>	£3.60c/p
Os yw'r pellter yn fwy nag un filltir; am y filltir cyntaf <i>If the distance exceeds one mile; for the first mile</i>	£3.00
Am bob degfed rhan o filltir wedyn neu ran o hynny <i>For each subsequent one-tenth of a mile or uncompleted part thereof</i>	£0.30c/p
Amser Disgwyl / Waiting Time	
Am bob cyfnod o 1 munud neu ran o hynny <i>For each period of 1 minute or uncompleted part thereof</i>	£0.30c/p
Taliadau Ychwanegol / Extra Charges	
1. Am logi'r cerbyd rhwng hanner nos a 7:00y.b. unrhyw ddydd neu ar unrhyw amser ar Wyl y Banc, heblaw am Ddydd Nadolig a Dydd Calan <i>For hirings between midnight and 7:00a.m. on any day or at any time on Bank Holidays except Christmas Day and New Year's Day</i>	50% o'r cyfradd dal uchod 50% of the above rates
2. Dydd Nadolig a Dydd Calan <i>Christmas Day and New Year's Day</i>	100% o'r cyfradd dal uchod 100% of the above rates
3. Am bob cês a bag yn ychwanegol or un cês a gludir to allan i'r caban teithwyr <i>For each article of luggage in excess of one case conveyed outside the passenger compartment of the carriage</i>	£0.30c/p
4. Am bob person yn fwy nag un, am y cyfan o'r daith <i>For each person in excess of one of the whole journey</i>	£0.40c/p
5. Am gludo anifeiliaid, h.y. Cwn a Cathod <i>Carriage of animals, i.e. Dogs and Cats</i>	£1.20c/p
Nodir: Fod dim tal i'w godi am gludo Ci Tywys Note: No Charge shall be made for the carriage of Guide Dogs	£0
6. Baeuddu'r cerbyd <i>Soiling the vehicle</i>	£45
Cyngor Gwynedd Council Swyddfeydd y Cyngor/Council Offices Stryd y Jêl/Shirehall Street Caernarfon Gwynedd LL55 1SH	Dafydd Wyn Williams Pennaeth Adran Amgylchedd/Head of Environment Department Gwasanaeth Gwarchod y Cyhoedd/Public Protection Services

Yn unol ag adran 65 o'r Deddf Llywodraeth Leol (Darpariaethau Amrywiol) 1982 – mae Cyngor Gwynedd yn cyhoeddi y bwriad i amrywio prisiau cludo ar gyfer cerbydau hacni fel a ganlyn:

In accordance with Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 – Gwynedd Council hereby publish a proposed variation in hackney carriage fares as follows:

CYNGOR GWYNEDD COUNCIL	
<p>PRISIAU CLUDO CERBYD HACNI/HACKNEY CARRIAGE FARE 2022 yn weithredol trwy ardal y Cyngor o DYDDIAD <i>in operation throughout the area of the Council as from DATE</i></p>	
	
Milltiroedd / Mileage	Cost
Oni fydd y pellter cyfan yn fwy nag un filltir <i>If the distance does not exceed one mile for the whole distance</i>	£3.60c/p
Os yw'r pellter yn fwy nag un filltir; am y filltir cyntaf <i>If the distance exceeds one mile; for the first mile</i>	£3.00
Am bob degfed rhan o filltir wedyn neu ran o hynny <i>For each subsequent one-tenth of a mile or uncompleted part thereof</i>	£0.30c/p
Amser Disgwyl / Waiting Time	
Am bob cyfnod o 1 munud neu ran o hynny <i>For each period of 1 minute or uncompleted part thereof</i>	£0.30c/p
Milltiroedd - bws mini sy'n cario 5 i 8 teithiwr Mileage – Minibus carrying 5 to 8 passengers	
Os yw'r pellter yn fwy nag un filltir; am y filltir cyntaf <i>If the distance exceeds one mile; for the first mile</i>	£3.30
Taliadau Ychwanegol / Extra Charges	
1. Am logi'r cerbyd rhwng hanner nos a 7:00y.b. unrhyw ddydd neu ar unrhyw amser ar Ŵyl y Banc, heblaw am Ddydd Nadolig a Dydd Calan <i>For hirings between midnight and 7:00a.m. on any day or at any time on Bank Holidays except Christmas Day and New Year's Day</i>	60% o'r cyfradd dal uchod 60% of the above rates
2. Dydd Nadolig a Dydd Calan <i>Christmas Day and New Year's Day</i>	100% o'r cyfradd dal uchod 100% of the above rates
3. Am bob cês a bag yn ychwanegol or un cês a gludir to allan i'r caban teithwyr <i>For each article of luggage in excess of one case conveyed outside the passenger compartment of the carriage</i>	£0.50c/p
4. Am bob person yn fwy nag un, am y cyfan o'r daith <i>For each person in excess of one of the whole journey</i>	£0.40c/p
5. Am gludo anifeiliaid, h.y. Cwn a Cathod <i>Carriage of animals, i.e. Dogs and Cats</i>	£1.20c/p
Nodir: Fod dim tal i'w godi am gludo Ci Tywys Note: No Charge shall be made for the carriage of Guide Dogs	£0
6. Baeuddu'r cerbyd <i>Soiling the vehicle</i>	£120
Cyngor Gwynedd Council Swyddfeydd y Cyngor/Council Offices Stryd y Jêl/Shirehall Street Caernarfon Gwynedd LL55 1SH	Dafydd Wyn Williams Pennaeth Adran Amgylchedd/Head of Environment Department Gwasanaeth Gwarchod y Cyhoedd/Public Protection Services

Unrhyw wrthwynebiad i'r bwriad i'w wnedu yn ysgrifenedig i Gyngor Gwynedd drwy e bost at trwyddedu@gwynedd.llyw.cymruerbyn xx/xx/xxxx (14 diwrnod ar ol cyhoeddiad) . Mae copi o'r rhybudd ar gael yn Swyddfeydd y Cyngor a gwefan y Cyngor www.gwynedd.llyw.cymru.

Any objections to the proposal must be made in writing to Gwynedd Council by e-mail to Licensing@gwynedd.llyw.cymru by the xx/xx/xxxx (14 days after publication). A copy of the notice is available at the Council Offices and the Council website for inspection on www.gwynedd.llyw.cymru.

From: Hughie John Jones <
Sent: 15 June 2022 09:34
To: Robert Arthur Taylor (AMG) <robertarthurtaylor@gwynedd.llyw.cymru>
Subject: Re: As requested Diolch Bob

Bora da Bob,

Ebost I ofyn oes modd codi prisiau ar meter taxi, mae prisiau diesel wedi codi mor gymaint a mae angen codi y prisiau meter

On Thu, 12 May 2022, 13:26 Robert Arthur Taylor (AMG),
<robertarthurtaylor@gwynedd.llyw.cymru> wrote:

Adran Trwyddedu.

Cyngor Gwynedd Council.

Swyddfa'r Cyngor

Stryd y Jêl

Caernarfon

Gwynedd

LL55 1SH

Neges Wreiddiol/Original Message-----

Oddi wrth: Gareth EVANS <[REDACTED]>

Anfonwyd: Dydd Gwener, 17 Mehefin 2022 11:52

At: Robert Arthur Taylor (AMG) <robertarthurtaylor@gwynedd.llyw.cymru>

Pwnc: Prisia tacsï

Unhryw obaith o Godi y meters i Fyny efo r prisia gwirion y diesel ma?

Diolch EVANS taxi Pwllheli Sent from my iPhone

--

Gwiriwyd yr e-bost hwn gan Libraesva ESG ar rhan Cyngor Gwynedd.

This message has been checked by Libraesva ESG on behalf of Gwynedd Council.

Oddi wrth: sion edwards <[REDACTED]>
Anfonwyd: Dydd Mercher, 15 Mehefin 2022 10:32
At: Robert Arthur Taylor (AMG) <robertarthurtaylor@gwynedd.llyw.cymru>
Pwnc:

Taksi Gwynedd Ltd
Unit 3
Darby Road
Cibyn Ind Est
Caernarfon
LL55 2BD

Hi

Oes posib edrych ar prisiau taxis wrth bod prisiau petrol a diesel yn codi yn ofnadwy o uchel. Toes yna ddim lle i chargo ceir trydan yn caernarfon na yn llawer o nunlle yn Gwynedd. Felly dani yn gorfod defnyddio ceir diesel a petrol a ma prisiau yn cynyddu pob dydd.

Diolch

Sion Edwards

Oddi wrth: Trev's Taxi <[REDACTED]>
Anfonwyd: 17 June 2022 16:14
At: Trwyddedu <Trwyddedu@gwynedd.llyw.cymru>
Pwnc: Gwynedd Taxi Tariff

Good afternoon,

I have spoken to other taxi companies in the county including:

Adam Griffiths - Snowdonia Taxis
Mark Elderkin - Marks Cabs Bangor
Michael Elderkin - Tacsí Twix
Paul Roberts - PR Snowdonia Taxis
Malcolm Williams - M&R Private Hire
Alwyn Samuel - Penrhyn Taxis
Kevin Williams - KC/DC Cabs
Endaf Parry - Tacsí Endaf
Phil Hanks - Tacsí Phil
Brian O'Shaughnessy - Town Cabs

We all feel that we are due an increase in the taxi tariff for Gwynedd taxis. Previously we waited 8 years for an increase. Due to the cost of living crisis and the rise in the fuel costs we have no alternative but to ask for an increase now.

When the current tariff rate was set the UK minimum wage was £8.21 per hour. This has now increased to £9.50 per hour. The average cost of a litre of diesel was 127.86 in September 2019. The current price is £193.9 at Texaco in Caernarfon. Both these factors should be taken into account. The inflation rate over the last few months has also been over 5% each month with experts predicting an inflation rate of over 10% later this year.

I have also spoken to other taxi companies from other areas in the UK about the rate they can charge for vehicles which can carry more than 4 passengers. It seems that a few licencing authorities allow Hackney carriages to charge time and a half or time and a quarter for use of vehicles which carry more than 4 passengers but only when 5 passengers or more are carried. I would like Gwynedd to consider this for taxis in our county.

The cost of a quality second-hand car is around £10,000. This would be for a 6 year old car with round 50,000 miles on the clock. The cost of a quality 8 seater with similar age and milage would be upwards of £15,000. The miles per gallon of the car would be considerably more than the 8 seater. I currently have a Skoda Octavia 4 seater (Purchased for £9,000) which returns 65 miles per gallon. I also have a Ford Tourneo 8 seater wheelchair access vehicle (purchased for £35,000) which returns 29 miles per gallon. Meaning that the running costs for an 8 seater is considerably more than a standard 4 seater car. The current option of adding £0.40 per passenger after the first passenger is confusing for the customers as this gets added to the final price after stopping the meter at the end of the journey. I have attached a copy of the taxi tariff for Ceredigion showing how they charge for vehicles carrying 5-8 passengers. Their tariff has not yet been reviewed since 2018. Their initial hire is for 1/2 a mile unlike Gwynedd which is the 1st mile.

Soiling charge is currently set at £45.00. The cost of a full valet including professional carpet and seat cleaning would be in the region of £70.00. This does not take into consideration the loss of earnings for the driver for the remainder of the days work. The current soiling charge in Denbighshire and Conwy councils is £100.

We would like to propose the following rates for taxis licenced in Gwynedd

Tariff 1

All vehicles carrying up to 4 passengers

7.00am to 12.00midnight	First Mile	£4.00
	Per mile thereafter	£3.30

Tariff 2

All vehicles carrying up to 4 passengers

12.00 midnight to 7.00am	First Mile	£6.00
	Per mile thereafter	£4.95

Tariff 3

All vehicles carrying up to 4 passengers

Christmas Day and New Years Day	First Mile	£8.00
	Per Mile thereafter	£6.60

Tariff 2

All vehicles carrying 5 or more passengers

7.00am to 12.00 midnight	First Mile	£6.00
	Per Mile thereafter	£4.95

Tariff 3

All vehicles carrying 5 or more passengers

12.00 midnight to 7.00am	First Mile	£8.00
	Per Mile thereafter	£6.60

Tariff 4

All vehicles carrying 5 or more passengers

Christmas Day and New Years Day	First Mile	£12.00
	Per Mile thereafter	£9.90

Soiling Charge £100

The minibuses would only be charging the higher tariff when carrying more than 5 passengers.

We would be grateful if you could look at this with urgency.

Thanking you in anticipation.

Trevor Roberts
Trev's Taxis Ltd

Taxi Fares from 20th April 2018

TAXIS

Tariff 1

6.00am to 9.00pm

First ½ mile	£2.91
Every 1/10 mile thereafter	£0.17

Tariff 2

9.00pm to 12 midnight

Bank Holidays 6am to 12midnight

First ½ mile	£3.33
Every 1/10 mile thereafter	£0.20

Tariff 3

12 midnight to 6.00am

First ½ mile	£3.33
Every 1/10 mile thereafter	£0.23

Tariff 4

Christmas Day &

New Years Day

Each additional passenger in

excess of the original hirer Per journey

First ½ mile	£5.81
Every 1/10 mile thereafter	£0.32

£0.21

MINI BUSES (5-8 Passengers)

Tariff 5

6.00am to 9.00pm

Sunday to Saturday

First ½ of a mile	£3.67
Every 1/10 mile thereafter	£0.26

Tariff 6

9.00pm to 6.00am

Sunday to Saturday

& Bank Holiday (all day)

First ½ of a mile	£4.79
Every 1/10 mile thereafter	£0.32

Tariff 7

Christmas Day &

New Years Day

First ½ of a mile	£6.66
Every 1/10 mile thereafter	£0.44

In all instances extras may be charged up to the following maximums

Waiting time per minute or part thereof	£0.18
Cases	£0.53 eac
Trunks	£1.08 eac
Fouling	£53.81

ALUN WILLIAMS

CORPORATE LEAD OFFICER POLICY AND PERFORMANCE
 NEUADD CYNGOR CEREDIGION
 PENMORFA, ABERAERON
 SA46 0PA
 01545 570881

Agenda Item 7

COMMITTEE	GENERAL LICENSING COMMITTEE
DATE:	24 October 2022
TITLE:	Review of Sex Establishment Licensing Fees
PURPOSE:	TO APPROVE FEES FOR THE LICENSING AND REGULATION OF SEX ESTABLISHMENTS
AUTHOR:	HEAD OF ENVIRONMENT DEPARTMENT

1. BACKGROUND INFORMATION

- 1.1 Licensing Authorities wishing to regulate sex establishments in their area are required to adopt the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 ("the 1982 Act"), as amended by the Crime and Policing Act 2009 ("2009 Act").
- 1.2 Adopting Schedule 3 of the 1982 Act is a discretionary power, and normally happens when a notice of intention to open such a business for the first time is submitted. This committee will be aware that following a consultation process, and full Council determination in October 2021; that these provisions were adopted by this committee and became operational on the 6th of December 2021.
- 1.3 A county wide policy and licensing regime has been adopted ; which allows the council to charge a fee for sex establishment licences. Licensing fees are reviewed annually; and the fee must be sufficient to enable the Council to recover it's costs .
- 1.4 The power to set fees and amend licence conditions was delegated by full council to this Committee on the 7th of October 2021.
- 1.5 Fees must be reasonable and in proportion to the cost of the licensing processes, which includes administration, as well as carrying out compliance inspections. Fees cannot be used to make a profit or act as an economic deterrent to discourage certain types of business from operating in the area. The principles governing the setting of fees for licensing processes are set out in law and guidance documents as follows –
 - The European Services Directive (Article 12.2)
 - Guidance for Local Authorities on the Provision of Services Regulations 2009
 - Case law – Hemmings-v- Westminster City Council
- 1.6 A fee was approved for the licensing of sex shops specifically at the time the licensing regime became operational on the 6th of December 2021. However, a further costings exercise has been undertaken on an actual application for a sex shop licence; which has given the service an opportunity to consider actual costs rather than estimated or presumed costs. A fee has subsequently been calculated for the processing and administration of a sexual entertainment venue licence as well. All fees will be reviewed annually and amended as required so as to reflect the true costs to the council. The county does not have any such establishments. Sexual entertainment venue licences remain operational for 12 month.
- 1.7 As no such fee has been adopted and approved previously for sexual entertainment venues ; the costs to the council of implementing the licencing process has been calculated and the proposed fees are as follows -

LICENCE	FEE
Sexual entertainment venue – new application	£2,109
Sexual entertainment venue - renewal	£2,109
Sex shop – new application	£1,184
Sex shop - renewal application	£1,184

2. Fee comparisom – other Local authorities

- 2.1 As each Licensing Authority is expected to set fees at a level sufficient to ensure cost recovery; the fees of each licensing authority is different; and the comparative fees cannot be used as a basis for fee – setting. Actual costs incurred vary from county to county, due to several factors. For the purpose of providing a general context; sex establishments licence fees vary from £989 for a licence in Flintshire, £1655 in Conwy and £6,250 in Denbighshire.

3. RECOMMENDATION

That the Committee :

- Approves the setting of the fees as noted, which reflects the administration, compliance, and processing of applications for sex establishment licences.
- Approve an annual review of those fees .