

LICENSING COMMITTEE

TUESDAY, 11 OCTOBER 2022

PRESENT: Councillor J.M. Charles (Chair).

Councillors (In Person):

P. Cooper.

Councillors (Virtually):

S.A. Curry, A. Evans, W.T. Evans, D. Jones,
M.J.A. Lewis, K. Madge, D.E. Williams, B.A.L. Roberts [observing].

Also Present (In Person):

A. Vaughan Owen, Cabinet Member for Climate Change, Decarbonisation and Sustainability.

The following Officers were in attendance (In Person):

R. Edgecombe, Legal Services Manager;
E. Evans, Principal Democratic Services Officer;
J. Owen, Democratic Services Officer [Minute Taker];
S. Rees, Simultaneous Translator.

The following Officers were in attendance (Virtually):

J. Power, Senior Licensing Officer;
M. Evans Thomas, Principal Democratic Services Officer.

Chamber, County Hall, Carmarthen and remotely: 10:00am - 12:21pm

1. APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors K. Howell, H. Jones and B.D.J. Philips.

2. DECLARATIONS OF PERSONAL INTERESTS.

There were no declarations of personal interests.

3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETINGS OF THE LICENSING SUB-COMMITTEES HELD ON THE FOLLOWING DATES:-

3.1. LICENSING SUB-COMMITTEE "A" HELD ON 16TH AUGUST 2022.

RESOLVED that the minutes of the meeting of the Licensing Sub-Committee "A" held on the 16th August, 2022 be signed as a correct record.

3.2. LICENSING SUB-COMMITTEE "B" HELD ON 26TH JULY, 2022

RESOLVED that the minutes of the meeting of the Licensing Sub-Committee "B" held on the 26th July, 2022 be signed as a correct record.

4. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE LICENSING COMMITTEE HELD ON THE 12TH JULY 2022

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Licensing Committee held on the 12th July, 2022 be signed as a correct record.

5. TO APPOINT COUNCILLOR LOUVAIN ROBERTS TO FILL THE SEAT ON LICENSING SUB COMMITTEE 'B' VACATED BY COUNCILLOR CRANHAM

The Committee was advised that following Councillor L. Roberts' appointment onto the Licensing Committee, replacing Councillor M. Cranham, it would need to appoint her to the subsequent vacancy on Licensing Sub Committee 'B'.

UNANIMOUSLY RESOLVED that Councillor L. Roberts be appointed to serve on Licensing Sub Committee 'B'.

6. REVIEW OF HACKNEY CARRIAGE MAXIMUM TABLE OF FARES

The Committee considered a report which provided information on requests that had been received to increase the current maximum table of fares as a result of the increasing overheads incurred by the Taxi trade.

The report included the following options to restructure to the current hackney carriage maximum table of fares:-

- Option 1 Proposed by HAC (Hackney Association Carmarthenshire);
- Option 2 Proposed by Members of the trade Tariff;
- Option 3 Proposed by Members of the trade.

The Senior Licensing Officer orated the following statistics and indicators relevant to the taxi trade:-

- Fuel costs;
 - March 2011 UK average petrol and diesel prices
 - December 2021 UK average petrol and diesel prices
 - July 2022 UK Average Petrol and Diesel Prices
 - October 2022 UK Average Petrol and Diesel Prices
 - Current costs of unleaded and Diesel from local fuel stations – Ammanford, Carmarthen and Llanelli
- National Minimum Wage and National Living Wage Rates
 - Current rates
 - Rates before April 2016
- UK National League Table (including Wales) – Based on 2 Mile Journey on Tariff 1.

In consideration of the information provided, it was reported that since the last tariff increase in 2022, the financial climate had further declined with the cost of living increasing rapidly.

The Senior Licensing Officer explained that in October 2021 the taxi trade in Carmarthenshire were consulted on a request received to increase the hackney carriage maximum table of fares. In response to the consultation, 513 Drivers and 80 replies was received with 79 in favour of increase.

The Licensing Committee, at its meeting held on 15th December, 2021 considered the proposal to increase the hackney carriage maximum table of fares request. In considering this request, the Committee took into account various factors such as fuel costs, running costs, minimum wage, cost of living, comparisons in tariffs with neighbouring authorities and other authorities in Wales and the UK, and the time since the tariff was last increased. The Committee resolved to advertise the new proposal in the local press at a cost of just under £3,000 to the Authority and subject to no objections being received the tariff would take effect. On the 17th January, 2022 the new tariff took effect in Carmarthenshire as no objections were received from the public.

In response to the sharp rise in fuel costs, the Licensing Section during July 2022 sought views and proposals from 500 taxi drivers in Carmarthenshire. The licensing section received 6 responses with suggestions in relation to the tariffs.

It was explained that the proposed options for Committee consideration today were forwarded in September 2022 as part of a consultation to the 500 taxi drivers in Carmarthenshire. Out of the 18 replies in total received from the trade;

- 13 were in favour of Option 1
- 1 was in favour of Option 2
- 2 were in Favour of Option 3
- 2 did not want an increase.

A representative from the Hackney Association Carmarthenshire was present in the meeting and was duly afforded the opportunity to address the Committee in support of his proposal outlined in Option 1 of the report.

Members, in regard of the information received from the Senior Licensing Officer and a proposer, considered the current hackney carriage maximum table of fares and the restructure proposals as stated in the report.

It was commented that currently the proposed options did not support independent hackney carriages in respect of long taxi journeys.

In line with the general increase in costs, it was proposed to restructure the Current Hackney Carriage Maximum table of fares be increased by adopting the fares within Option 1, subject to amending tariff 1 to reflect Friday and Saturday 6.00am until 8:00pm. This was duly seconded.

Arising from concerns raised in regard to the impact of a further increase to taxi tariffs, on both the customer and the taxi trade, it was proposed to remain with the current hackney carriage maximum table of fares with no changes and not to go to consultation. This was duly seconded.

RESOLVED that:

- 6.1 the Current Hackney Carriage Maximum table of fares be restructured as per Option 1 within the report, amending tariff 1 to reflect Friday and Saturday 6.00am until 8:00pm;**
- 6.2 the proposed amendments to the current fare table, as set out in the report, be published in the local newspapers, giving 14 days for any persons to submit objections, in accordance with Section 65 of the Local Government (Miscellaneous Provisions) Act 1976. Where there are no objections, the tariffs shall be implemented.**

7. EXCLUSION OF THE PUBLIC

RESOLVED, pursuant to the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, that the public be excluded from the meeting during consideration of the following items as the reports contained exempt information as defined in paragraph 12 of Part 4 of Schedule 12A to the Act.

8. MR CRAIG ALLAN RICHARD MORGAN HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE

The Committee was informed that Mr Craig Allan Richard Morgan of 16 Penydre, Bryntirion, Llanelli was a licensed hackney carriage/private hire dual driver with this Authority.

The Senior Licensing Officer informed the Committee members of the issues that had arisen in respect of his license.

The Committee interviewed Mr Morgan with regard to the issues raised by the Senior Licensing Officer.

The Senior Licensing Officer recommended that Mr Morgan be issued with a warning as to his future conduct

The Committee thereupon:

UNANIMOUSLY RESOLVED to retire into private session in order to receive legal advice pursuant to Paragraph 16 of Schedule 12A of the Local Government Act 1972.

UNANIMOUSLY RESOLVED that, in line with the Council's guidelines, Mr Craig Allan Richard Morgan be issued with a warning as to his future conduct.

9. MRS ABIGAIL RACHEL JONES APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE

The Committee considered an application from Mrs Abigail Rachel Jones of 44 Stepney Road, Garnant, Ammanford for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence.

The Senior Licensing Officer informed the Committee members of the issues that had arisen in respect of her license.

The Committee interviewed Mrs Jones with regard to her application and the issues raised by the Senior Licensing Officer.

The Senior Licensing Officer recommended that Mrs Jones application be granted with a warning as to her future conduct.

UNANIMOUSLY RESOLVED that the application submitted by Mr Mrs Abigail Rachel Jones for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence be granted with a warning as to her future conduct.

10. MR ANDREW PAUL REES APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE

The Committee considered an application from Mr Andrew Paul Rees of 56 Maestir, Llanelli for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence.

The Senior Licensing Officer informed the Committee members of the issues that had arisen in respect of his license.

The Committee interviewed Mr Rees with regard to his application and the issues raised by the Senior Licensing Officer.

The Senior Licensing Officer recommended that Mr Rees be refused.

The Committee thereupon:

UNANIMOUSLY RESOLVED to retire into private session in order to receive legal advice pursuant to Paragraph 16 of Schedule 12A of the Local Government Act 1972.

RESOLVED that the application submitted by Mr Andrew Paul Rees for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence be granted with a warning as to his future conduct.

Reason

On the evidence presented the Committee was satisfied that the applicant was a fit and proper person to hold a licence.

CHAIR

DATE