

# Public Document Pack



County Hall  
Rhadyr  
Usk  
NP15 1GA

Monday, 28 February 2022

## Notice of meeting

# Licensing and Regulatory Committee

Tuesday, 8th March, 2022 at 10.00 am  
County Hall, Rhadyr, Usk - Remote Attendance

## AGENDA

Item No	Item	Pages
1.	Apologies for Absence.	
2.	Declarations of interest.	
3.	To confirm and sign the minutes of the previous meeting.	1 - 2
4.	Gambling Act 2005 - Premises Licence Fees.	3 - 16
5.	Approved Testing Stations for Inspection of Hackney Carriage and Private Hire Vehicles.	17 - 36
6.	To consider whether to exclude the press and public from the meeting during consideration of the following item of business in accordance with Section 100A of the Local Government Act 1972, as amended, on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 12 of Part 4 of Schedule 12A to the Act.	37 - 38
7.	To consider an application for a hackney carriage/ private hire driver's licence and to consider if the licensed private hire operator and hackney carriage proprietor should continue to hold such a licence.	39 - 78
8.	Next Meeting: Tuesday 12th April 2022 at 10.00am.	

**Paul Matthews**

**Chief Executive**

MONMOUTHSHIRE COUNTY COUNCIL  
CYNGOR SIR FYNWY

THE CONSTITUTION OF THE COMMITTEE IS AS FOLLOWS:

County Councillor Jamie Treharne	Overmonnow;	Welsh Conservative Party
County Councillor Jim Higginson	Severn;	Welsh Labour/Llafur Cymru
County Councillor Debby Blakebrough	Trellech United;	Independent Group
County Councillor Tony Easson	Dewstow;	Welsh Labour/Llafur Cymru
County Councillor Ruth Edwards	Llantilio Crossenny;	Welsh Conservative Party
County Councillor David Evans	West End;	Welsh Labour/Llafur Cymru
County Councillor Linda Guppy	Rogiet;	Liberal Democrats
County Councillor Bryan Jones	Goetre Fawr;	Welsh Conservative Party
County Councillor Malcolm Lane	Mardy;	Welsh Conservative Party
County Councillor Richard Roden	Dixton with Osbaston;	Welsh Conservative Party
County Councillor Brian Strong	Usk;	Welsh Conservative Party
County Councillor Ann Webb	St Arvans;	Welsh Conservative Party

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### Welsh Language

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# Aims and Values of Monmouthshire County Council

## Our purpose

Building Sustainable and Resilient Communities

### Objectives we are working towards

- Giving people the best possible start in life
- A thriving and connected county
- Maximise the Potential of the natural and built environment
- Lifelong well-being
- A future focused council

## Our Values

**Openness.** We are open and honest. People have the chance to get involved in decisions that affect them, tell us what matters and do things for themselves/their communities. If we cannot do something to help, we'll say so; if it will take a while to get the answer we'll explain why; if we can't answer immediately we'll try to connect you to the people who can help – building trust and engagement is a key foundation.

**Fairness.** We provide fair chances, to help people and communities thrive. If something does not seem fair, we will listen and help explain why. We will always try to treat everyone fairly and consistently. We cannot always make everyone happy, but will commit to listening and explaining why we did what we did.

**Flexibility.** We will continue to change and be flexible to enable delivery of the most effective and efficient services. This means a genuine commitment to working with everyone to embrace new ways of working.

**Teamwork.** We will work with you and our partners to support and inspire everyone to get involved so we can achieve great things together. We don't see ourselves as the 'fixers' or problem-solvers, but we will make the best of the ideas, assets and resources available to make sure we do the things that most positively impact our people and places.

**Kindness:** We will show kindness to all those we work with putting the importance of relationships and the connections we have with one another at the heart of all interactions.



# Public Document Pack **Agenda Item 3**

## MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Licensing and Regulatory Committee  
County Hall, Usk - Remote Attendance  
Tuesday, 18th January, 2022 at 10.00 am**

**PRESENT:** County Councillor J.Treharne (Chairman)  
County Councillor J. Higginson (Vice Chairman)

County Councillors: A. Easson, R. Edwards, D. Evans, M.Lane,  
R.Roden, B. Strong, A. Webb and D. Blakebrough

### **OFFICERS IN ATTENDANCE:**

David Jones	Head of Public Protection
Linda O'Gorman	Principal Licensing Officer
Ben Davies	Solicitor
Richard Williams	Democratic Services Officer

### **APOLOGIES:**

County Councillor S. Howarth

#### **1. Declarations of Interest**

None received.

#### **2. To confirm the following Minutes:**

##### **2.1. Licensing and Regulatory Sub Committee dated 7th September 2021**

The minutes of the Licensing and Regulatory Sub Committee dated 7<sup>th</sup> September 2021 were confirmed and signed by the Chair.

##### **2.2. Licensing and Regulatory Committee dated 14th September 2021**

The minutes of the Licensing and Regulatory Committee dated 14<sup>th</sup> September 2021 were confirmed and signed by the Chair.

##### **2.3. Licensing and Regulatory Sub Committee dated 12th November 2021**

The minutes of the Licensing and Regulatory Sub Committee dated 12<sup>th</sup> November 2021 were confirmed and signed by the Chair.

#### **3. Review Of Annual Licensing Fees For Financial Year 2022/2023**

We received a report regarding the Annual Licensing Fees for the financial year 2022/2023.

Having considered the report, the following points were noted:

## MONMOUTHSHIRE COUNTY COUNCIL

### Minutes of the meeting of Licensing and Regulatory Committee County Hall, Usk - Remote Attendance Tuesday, 18th January, 2022 at 10.00 am

- The licensing fees had been frozen in the financial year 2021/22 with no assessment having been made.
- Fees are assessed by determining how much work has been undertaken over a period of time. The process is approved by the All Wales Licensing and Expert Panel which is used by all local authorities across Wales.
- Discretionary fees have only increased marginally, for example, Licensed Driver renewals fees have been increased by £11 over a three-year period, which equates to 31 pence per month.
- A horse drawn hackney carriage licence is regarded as the same as a hackney vehicle licence. Both are subject to the same checks before a licence is granted with some slight differences.

We resolved:

- (i) to approve the fees set out in Appendix A to the report, entitled "Schedule of Licence Fees for 2022-23", subject, where relevant, to any required public notice.
- (ii) that any objections, duly made, regarding fees for the grant of licences for hackney carriage and private hire vehicles be brought back to the Licensing and Regulatory Committee at the earliest opportunity for due consideration.

#### **4. Next Meeting**

Tuesday 8th March 2022 at 10.00am.

**The meeting ended at 10.13 am.**

## MONMOUTHSHIRE COUNTY COUNCIL REPORT

**SUBJECT:** Gambling Act 2005 – Premises Licence Fees

**DIRECTORATE:** Social Care, Safeguarding and Health

**MEETING:** Licensing & Regulatory Committee

**Date to be considered:** 8<sup>th</sup> March 2022

**DIVISION/WARDS AFFECTED:** All Wards

### 1. PURPOSE:

- 1.1 To agree the fees to set for this Authority in relation to Premises Licences under the Gambling Act 2005 for 21<sup>st</sup> May 2022 – 20<sup>th</sup> May 2023.

### 2. RECOMMENDATION(S):

- 2.1 It is recommended that:-

- (i) the fees and charges detailed in Appendix A of the report be approved and have effect from 21<sup>st</sup> May 2022; and
- (ii) The fees are subsequently reviewed annually.

### 3. KEY ISSUES

- 3.1 This Authority has a statutory duty under the Gambling Act 2005 to set fees for Premises Licences in accordance with the Gambling (Premises Licence)(England and Wales) Regulations 2007. The fees for these licences are to be reviewed and set annually on the 21<sup>st</sup> May each year. Premises Licences will include Betting Shops, Tracks, Adult Gaming Centres, Family Entertainment Centres and Bingo Premises. A fee assessment has not been carried out for Casinos as the Authority carried a resolution not to allow Casinos within its County at Full Council on 4<sup>th</sup> November 2021.
- 3.2 The general functions of the licensing authority in dealing with Gambling Premises Licences has been delegated to the Licensing and Regulatory Committee. This was agreed in the Gambling Act 2005 Statement of Licensing Policy approved at Full Council on 4<sup>th</sup> November 2021.
- 3.3 Licensing Authorities do not have the power to set fees for Permits which will be set by Central Government.
- 3.4 The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007 provided for the following types of fees to be determined by licensing authorities:
- Licence application fee
  - First annual fee
  - Annual fee
  - Notification of change of circumstances fee
  - Application to vary a licence fee
  - Application to transfer a licence fee
  - Fee for a copy of a licence
  - Application for re-instatement of a licence fee
  - Provisional statement application fee

The Authority currently licence thirteen premises under the Gambling Act 2005 consisting of six betting premises, one track betting and six adult gaming centres all of whom will be required to pay an annual fee.

- 3.6 The European Services Directive, along with other regulations, statutory guidance and case law underline that fees must be set on a “reasonable” cost recovery basis only and cannot be set in such a manner as to generate a profit or act as an economic deterrent to traders. In determining reasonable costs the Authority may take account of costs averaged over a reasonable period (up to three years). However, The Regulations referred to in 3.5 above has stipulated a maximum figure a local authority is permitted to charge for the licensing of premises under the Gambling Act 2005.
- 3.7 An assessment of the cost and the proposed fees commencing the 21<sup>st</sup> May 2022 is attached to this report in Appendix A. There is a reduction in fees for new, variation and provisional applications. However, the annual fees for existing licences remains the same as it reaches the maximum threshold. A breakdown of the change in fees and the maximum fee that can be charged referred to in 3.6 above is attached in Appendix B

### **3 REASONS:**

- 4.1 The Authority has a duty to set fees and the charges set out represent a cost recovery within the Government’s maximum levels.

### **5. RESOURCE IMPLICATIONS:**

- 5.1 The fees in Appendix A are set out to ensure the recovery of reasonable costs.

### **6. WELLBEING AND FUTURE GENERATIONS IMPLICATIONS:**

An evaluation has been provided in Appendix C to consider the effect of the schedule of Fees proposed for Gambling Premises Licence Fees for 2022-23.

### **7. CONSULTEES:**

None

### **8. BACKGROUND PAPERS:**

[Gambling Act 2005](#)

[The Gambling Act 2005 \(Licensing Authority Policy Statement\) \(England and Wales\) Regulations 2006](#)

[The Gambling \(Premises Licence Fees\) \(England and Wales\) Regulations 2007](#)

### **9. AUTHOR:**

Linda O’Gorman  
Principal Licensing Officer

#### **CONTACT DETAILS:**

Tel: 01633 644214

Email: [lindaogorman@monmouthshire.gov.uk](mailto:lindaogorman@monmouthshire.gov.uk)



## APPENDIX A

### Gambling Act 2005 – Premises Licence Fees 21<sup>st</sup> May 2022 - 20<sup>th</sup> May 2023

<b>Application Fee</b>		
	Bingo Premises Licence	£1669
	Adult Gaming Centre Premises Licence	£1239
	Betting Premises (Track) Licence	£2154
	Family Entertainment Centre Premises Licence	£1514
	Betting Premises (Other) Licence	£1937
<b>Application Fee for Premises with a Provisional Statement</b>		
	Bingo Premises Licence	£1200
	Adult Gaming Centre Premises Licence	£1200
	Betting Premises (Track) Licence	£ 950
	Family Entertainment Centre Premises Licence	£ 950
	Betting Premises (Other) Licence	£1200
<b>Annual Fee</b>		
	Bingo Premises Licence	£1000
	Adult Gaming Centre Premises Licence	£1000
	Betting Premises (Track) Licence	£1000
	Family Entertainment Centre Premises Licence	£ 750
	Betting Premises (Other) Licence	£ 600
<b>Transfer Application Fee</b>		
	Bingo Premises Licence	£1200
	Adult Gaming Centre Premises Licence	£1047
	Betting Premises (Track) Licence	£ 950
	Family Entertainment Centre Premises Licence	£ 950
	Betting Premises (Other) Licence	£1200
<b>Variation Application Fee</b>		
	Bingo Premises Licence	£1629
	Adult Gaming Centre Premises Licence	£1000
	Betting Premises (Track) Licence	£1250
	Family Entertainment Centre Premises Licence	£1000
	Betting Premises (Other) Licence	£1500
<b>Provisional Statement Application Fee</b>		
	Bingo Premises Licence	£1666
	Adult Gaming Centre Premises Licence	£1235
	Betting Premises (Track) Licence	£2151
	Family Entertainment Centre Premises Licence	£1511
	Betting Premises (Other) Licence	£1933
<b>Application for Reinstatement Fee</b>		
	Bingo Premises Licence	£1200
	Adult Gaming Centre Premises Licence	£1136
	Betting Premises (Track) Licence	£ 950
	Family Entertainment Centre Premises Licence	£ 950
	Betting Premises (Other) Licence	£1200
<b>Change of Circumstances Fee</b>		£ 50
<b>Duplicate Licence Fee</b>		£ 25

APPENDIX B

	MAXIMUM PERMITTED FEES ALLOWED	MON C.C. EXISTING FEES ENDING 20 <sup>TH</sup> MAY 2022	MON C.C. FEE CALCULATION	MON C.C. PROPOSED FEE FROM 21 <sup>ST</sup> MAY 2022
<b>Application Fee</b>				
Bingo Premises Licence	£3,500	£1,722	£1,669	£1,669
Adult Gaming Centre Premises Licence	£2,000	£1,381	£1,239	£1,239
Betting Premises (Track) Licence	£2,500	£2,269	£2,154	£2,154
Family Ent Centre Premise Licence	£2,000	£1,596	£1,514	£1,514
Betting Premises (Other) Licence	£3,000	£1,958	£1,937	£1,937
<b>Application Fee where Provisional Statement Previously Issued</b>				
Bingo Premises Licence	£1,200	£1,200	£1,564	£1,200
Adult Gaming Centre Premises Licence	£1,200	£1,200	£1,132	£1,200
Betting Premises (Track) Licence	£950	£950	£2,086	£950
Family Ent Centre Premise Licence	£950	£950	£1,409	£950
Betting Premises (Other) Licence	£1,200	£1,200	£1,832	£1,200
<b>Annual Fee</b>				
Bingo Premises Licence	£1,000	£1,000	£1,442	£1,000
Adult Gaming Centre Premises Licence	£1,000	£1,000	£1,012	£1,000
Betting Premises (Track) Licence	£1,000	£1,000	£1,963	£1,000
Family Ent Centre Premise Licence	£750	£750	£1,287	£750
Betting Premises (Other) Licence	£600	£600	£1,710	£600
<b>Transfer Application Fee</b>				
Bingo Premises Licence	£1,200	£1,200	£1,413	£1,200
Adult Gaming Centre Premises Licence	£1,200	£1,161	£1,047	£1,047
Betting Premises (Track) Licence	£950	£950	£1,934	£950

Family Ent Centre Premise Licence	£950	£950	£1,323	£950
Betting Premises (Other) Licence	£1,200	£1,200	£1,671	£1,200
<b>Variation Application Fee</b>				
Bingo Premises Licence	£1,750	£1,683	£1,629	£1,629
Adult Gaming Centre Premises Licence	£1,000	£1,000	£1,199	£1,000
Betting Premises (Track) Licence	£1,250	£1,250	£2,151	£1,250
Family Ent Centre Premise Licence	£1,000	£1,000	£1,474	£1,000
Betting Premises (Other) Licence	£1,500	£1,500	£1,897	£1,500
<b>Provisional Statement Application Fee</b>				
Bingo Premises Licence	£3,500	£1,718	£1,666	£1,666
Adult Gaming Centre Premises Licence	£2,000	£1,378	£1,235	£1,235
Betting Premises (Track) Licence	£2,500	£2,266	£2,151	£2,151
Family Ent Centre Premise Licence	£2,000	£1,592	£1,511	£1,511
Betting Premises (Other) Licence	£3,000	£1,955	£1,933	£1,933
<b>Application for Reinstatement Fee</b>				
Bingo Premises Licence	£1,200	£1,200	£1,510	£1,200
Adult Gaming Centre Premises Licence	£1,200	£1,200	£1,136	£1,136
Betting Premises (Track) Licence	£950	£950	£2,031	£950
Family Ent Centre Premise Licence	£950	£950	£1,420	£950
Betting Premises (Other) Licence	£1,200	£1,200	£1,778	£1,200
<b>Change of Circumstances Fee</b>	£50	£50	£126	£50
<b>Duplicate Licence Fee</b>	£25	£25	£34	£25

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monmouthshire  
sir fynwy

## Future Generations Evaluation (includes Equalities and Sustainability Impact Assessments)

<p><b>Name of the Officer</b> completing the evaluation David H Jones</p> <p><b>Phone no:</b> 01633 644100 <b>E-mail:</b> davidhjones@monmouthshire.gov.uk</p>	<p><b>Please give a brief description of the aims of the proposal</b></p> <p>Slight decrease in some discretionary fees (though some remain static if they have reached the threshold in accordance with The Gambling (Premises Licence Fees (England and Wales) Regulations 2007), .</p>
<p><b>Name of Service</b></p> <p>Licensing Public Protection Social Care, Safeguarding and Health</p>	<p><b>Date Future Generations Evaluation form completed</b></p> <p>18/02/2022</p>





**NB. Key strategies and documents that may help you identify your contribution to the wellbeing goals and sustainable development principles include: Single Integrated Plan, Continuance Agreement, Improvement Plan, Local Development Plan, People Strategy, Asset Management Plan, Green Infrastructure SPG, Welsh Language Standards, etc**


1. **Does your proposal deliver any of the well-being goals below?** Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal.

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p><b>A prosperous Wales</b> Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>Fee levels are set on a cost recovery basis, minimising costs to the trade.</p>	

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<b>A resilient Wales</b> Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)		
<b>A healthier Wales</b> People's physical and mental wellbeing is maximized and health impacts are understood	The revised fee structure includes Licensing Officers providing guidance on awareness and service standards of vulnerable persons.	
<b>A Wales of cohesive communities</b> Communities are attractive, viable, safe and well connected	Fee revenue ensures sustainable Licensing Service maintained, providing public reassurance Licensing standards are complied with.	
<b>A globally responsible Wales</b> Taking account of impact on global well-being when considering local social, economic and environmental wellbeing		
<b>A Wales of vibrant culture and thriving Welsh language</b> Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	Fee recovery will ensure certificate displayed to the public is bilingual.	
<b>A more equal Wales</b> People can fulfil their potential no matter what their background or circumstances	Fee levels should not preclude anyone to undertake their business in a fair and safe manner.	

**2. How has your proposal embedded and prioritised the sustainable governance principles in its development?**

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Long Term</p> <p>Balancing short term need with long term and planning for the future</p>	<p>Slight fee decrease for any new applications along with variations and provisional statements. However, those licensed, the annual fee remains static to ensure the Licensing Service provides sustainable provision into the future.</p>	
 <p>Collaboration</p> <p>Working together with other partners to deliver objectives</p>	<p>MCC Licensing have ensured reduced cost by working in partnership with the All Wales Licensing Expert Panel, Gwent Licensing Forum, which includes Local Government Licensing Officers, Police, Public Health and the Gambling Commission.</p>	
 <p>Involvement</p> <p>Involving those with an interest and seeking their views</p>	<p>Schedule of fees advertised.</p>	
 <p>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>	<p>Slight decrease in discretionary Gambling Premises fees (where applicable), some are static which will ensure a continuing service, incorporating preventative measures where necessary.</p>	

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Considering impact on all wellbeing goals together and on other bodies</p>	<p>Key service aim is to ensure safe venues, preventing problem gambling, etc.</p>	

3. **Are your proposals going to affect any people or groups of people with protected characteristics?** Please explain the impact, the evidence you have used and any action you are taking below. For more detailed information on the protected characteristics, the Equality Act 2010 and the Welsh Language Standards that apply to Monmouthshire Council please follow this link: <http://hub/corporatedocs/Equalities/Forms/AllItems.aspx> or contact Alan Burkitt on 01633 644010 or [alanburkitt@monmouthshire.gov.uk](mailto:alanburkitt@monmouthshire.gov.uk)

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	Sustainable fee levels will ensure quality service maintained, protecting vulnerable customers.		
Disability	As above.		
Gender reassignment			
Marriage or civil partnership			



Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Pregnancy or maternity			
Race			
Religion or Belief			
Sex			
Sexual Orientation			
Welsh Language			

4. Council has agreed the need to consider the impact its decisions has on important responsibilities of Corporate Parenting and safeguarding. Are your proposals going to affect either of these responsibilities? For more information please see the guidance <http://hub/corporatedocs/Democratic%20Services/Safeguarding%20Guidance.docx> and for more on Monmouthshire's Corporate Parenting Strategy see <http://hub/corporatedocs/SitePages/Corporate%20Parenting%20Strategy.aspx>

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	Describe any negative impacts your proposal has on safeguarding and corporate parenting	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?

Safeguarding	Fee set – to include guidance and policy promotion/risk assessments of venues to prevent harm from problem gambling and those who are vulnerable.	Safeguarding is about ensuring that everything is in place to promote the well-being of children and vulnerable adults, preventing them from being harmed and protecting those who are at risk of abuse and neglect.	
Corporate Parenting			

**5. What evidence and data has informed the development of your proposal?**

All Gambling Premises fees and charges are reviewed annually, to ensure cost recovery in service delivery.

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**6. SUMMARY: As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?**

The Licensing service can meet customer expectations, and continue to protect the public.

**7. ACTIONS: As a result of completing this form are there any further actions you will be undertaking? Please detail them below, if applicable.**

What are you going to do	When are you going to do it?	Who is responsible	Progress
Work with Gambling Premises licence holders, namely, Adult	3 <sup>rd</sup> March 2022	Linda O’Gorman	

Gaming Centres, Betting Shops and Racecourse			

**8. MONITORING:** The impacts of this proposal will need to be monitored and reviewed. Please specify the date at which you will evaluate the impact, and where you will report the results of the review.

The impacts of this proposal will be evaluated on:	1st February 2023
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**9. VERSION CONTROL:** The Future Generations Evaluation should be used at the earliest stages of decision making, and then honed and refined throughout the decision making process. It is important to keep a record of this process so that we can demonstrate how we have considered and built in sustainable development wherever possible.

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Version No.	Decision making stage	Date considered	Brief description of any amendments made following consideration
1	L&R Committee Report	23/03/2022	

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## MONMOUTHSHIRE COUNTY COUNCIL REPORT

**SUBJECT:** Approved Testing Stations for Inspection of Hackney Carriage and Private Hire Vehicles  
**DIRECTORATE:** Social Care, Safeguarding and Health  
**MEETING:** Licensing and Regulatory Committee  
**Date to be considered:** 8<sup>th</sup> March 2022  
**DIVISION/WARDS AFFECTED:** All Wards

### 1. PURPOSE:

- 1.1 To replace contracts with an approval scheme for garages to carry out inspections of Hackney Carriage and Private Hire Vehicles within the County of Monmouthshire.

### 2. RECOMMENDATIONS:

- 2.1 Members agree to the Approved Testing Station Scheme, which will be subject to the specified Terms and Conditions before approval is granted, to commence on 1<sup>st</sup> April 2022. The approved testing stations are for the purposes of Hackney Carriage and Private Hire vehicle inspections within the County of Monmouthshire.

### 3. KEY ISSUES

- 3.1 The Licensing and Regulatory Committee on 23<sup>rd</sup> February 2021 agreed to extend the contracts that were held with Monmouthshire for the purposes of testing hackney carriage and private hire vehicles, from 1<sup>st</sup> April 2021 to 31<sup>st</sup> March 2022, whereby the contracts would cease. Those who held the contracts with this Authority were made aware of the extension to their contract and the date of termination.
- 3.2 All vehicles for the purpose of Hackney Carriage and Private Hire must be suitable in type, size and design and it is in a suitable mechanical condition, safe and comfortable. Furthermore, it is further required that Private Hire Vehicles must not be of such design or appearance as to lead any person to believe that the vehicle is a Hackney Carriage in accordance with the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976. This is further reflected in Monmouthshire County Council's Taxi and Private Hire Policy and Conditions 2020.
- 3.3 Section 50 of the Local Government (Miscellaneous Provisions) Act 1976 allows a Council to require the testing of hackney carriages and private hire vehicles by, or on behalf of, the Council at such place as they reasonably give notice, for up to three occasions in a year.

The current policy of Monmouthshire requires the following testing of such vehicles

- Vehicles under 1 year from date of first registration do not require a test.
- Vehicle under 5 years from first registration must be tested annually.
- Vehicles over 5 years from first registration must be tested every 6 months.
- Vehicles over 10 years from first registration must be tested every 4 months.

Currently Monmouthshire licence 94 hackney carriages and 85 private hire vehicles.

- 3.4 Section 50 of the Local Government (Miscellaneous Provisions) Act 1976 also states, Council's testing centres should be within its own administrative area.
- 3.5 This report requests that this Authority move away from issuing contracts for the purposes of testing as stated in 3.3 above, which is currently restricted to 14 garages. It is proposed not to tender for one testing centre but more simply have an approval scheme in place. This will open up to the possibility of up to 45 MOT testing stations within the County being part of the testing regime. This will make it easier for the vehicle owners to receive a test and to have a choice of garages.
- 3.6 Newport City Council currently adopt the approval scheme, with neighbouring Authorities such as Caerphilly, Torfaen and Blaenau Gwent proposing a review of their testing.
- 3.7 It is proposed that all 45 MOT that are within the County of Monmouthshire in accordance with 3.4 above will be given the opportunity to apply to be an approved garage for testing, providing they meet the terms and conditions. See Appendix A of this for the application form and terms and conditions.
- 3.8 The terms and conditions are based on the Newport model but with certain differences being (i) There is no restriction on how much an approved garage can charge, that will be a matter of market forces and choice of the vehicle owner as to the garage they use. (ii) Testing and pre-testing will be a matter for the garage to organise. (iii) The Garage does not need to be registered with VOSA for more than a year. The reason for not including this restriction is because a VOSA testing station will be bound by VOSA conditions to the garage being a testing station, regardless of length of time of carrying out tests. (iv) It is proposed that this Authority retain the breaches relating to fraud and bribery.
- 3.9 The Licensing Authority also discussed the proposed changes on 21<sup>st</sup> February 2022 with a current contract holder, who has an approved MOT testing station and who also holds a Hackney Carriage and Private Hire driver and vehicle licence with this Authority. The proposals and the new terms and conditions were discussed, which was fully supported, in particular the requirement to use green rated MOT testing stations. He further explained that there are three bandings by VOSA being Green, Amber and Red, stating Green is the top rating with Amber requiring improvements and Red would have serious failings that may have the MOT station being struck off. He suggested that no certificates are issued stating the ranking of a garage but can be viewed by Officers on-line to verify their status. He welcomed the auditing of garages by Officers and suggested this could be done initially to verify the VOSA status.
- 3.10 The Licensing Authority may, at its sole discretion, approve a vehicle testing station to carry out the testing on Hackney Carriage and Private Hire Vehicles, to ensure the vehicles are safe and comfortable and in every way fit to offer a hire and reward service.
- 3.11 Applicants will only receive Council approval if it meets the stated terms and conditions. The changes made from the old contracts to the new terms and conditions are highlighted in red within Appendix A attached to this report. A site visit will be required to be undertaken by the Licensing Authority and audit inspection will also be undertaken to ensure compliance.

**4 REASONS**

4.1 To provide a simpler, fairer and easier to access garage approval scheme to commence on 1<sup>st</sup> April 2022.

**5. RESOURCE IMPLICATIONS:**

5.1 Fees are set out to ensure the recovery of reasonable costs.

**6. WELLBEING AND FUTURE GENERATIONS IMPLICATIONS:**

6.1 An evaluation has been provided in Appendix B to consider the effect of the garage contracts for the purpose of Hackney Carriage and Private Hire Licensing.

**7. CONSULTEES:**

None

**8. BACKGROUND PAPERS:**

None

**9. AUTHOR:**

Linda O’Gorman Principal Licensing Officer

**CONTACT DETAILS:** Tel: 01633 644214  
Email: [lindaogorman@monmouthshire.gov.uk](mailto:lindaogorman@monmouthshire.gov.uk)



Dear

**Re: Hackney Carriage (Taxis) & Private Hire Vehicle Testing for Monmouthshire County Council.**

I am writing to you as a registered DVSA MOT centre within the Monmouthshire boundary to see if you would be interested in becoming an approved garage to facilitate the testing of Monmouthshire County Council's Hackney Carriage (Taxis) and Private Hire fleet. Historically this has been undertaken by an approved contractor, though it is now been determined to have a number of testing centres that are approved by the authority to undertake the taxi and private hire vehicle tests within the boundary of Monmouthshire.

Currently Monmouthshire County Council licence approximately 179 Taxis and Private Hire vehicles. Vehicles under 1 year old from the date of first registration do not require a test, under 5 years from first registration must be tested annually, vehicles over 5 years from first registration must be tested every 6 months, vehicles over 10 years from first registration must be tested every 4 months.

(A copy of the Council standards and the terms and conditions that are required to be an approved testing stations are attached to this letter)

If you are interested of becoming an approved testing centre it would be very much appreciated if you could complete the attached form to express your interest. If you require further details or information or simply have wish for an informal chat please do not hesitate to contact Licensing on 01873 735420 or e-mail [licensing@monmouthshire.gov.uk](mailto:licensing@monmouthshire.gov.uk)

Yours sincerely

**Licensing Section**  
**Monmouthshire County Council**



## Application of Interest to be an approved garage to undertake Hackney Carriage & Private Hire Vehicle Inspection.

I/We .....

**Garage Details (Postal Address of Garage)**

**Telephone Number :**

**E-mail Address:**

**Contact Name and Contact details Regarding correspondence associated with this application if different from above:**

Please tick indicate

- I Understand the Terms and Conditions for the Approved Vehicle testing Centre and the above named garage(s) will be able to meet All the terms and conditions. ( )

Signed ..... Date.....

Delegation:.....

The Licensing Authority will contact you within 14 working days to go through the full procedure of registration and documents that will be required as part of the registration. If you have any questions please contact Licensing on 01873 735420.

Please return this form to  
**Monmouthshire County Council, Licensing Section, Abergavenny Community Education Centre, Old Hereford Road, Abergavenny, NP7 6EL** or e-mail the form to [licensing@monmouthshire.gov.uk](mailto:licensing@monmouthshire.gov.uk)

## **Monmouthshire County Council (MCC)**

### **Terms and Conditions for Approved Testing Stations (ATS)**

The Licensing Authority may at its sole discretion approve vehicle testing station(s) to carry out the testing of hackney carriage and private hire vehicles to ensure the vehicles are safe and comfortable and in every way fit to offer a hire and reward service.

The terms and conditions will be reviewed as and when necessary, but no later than a 3 year period, for a review to take place by the Council. All DVSA MOT stations within the Monmouthshire boundary will be notified of such changes. Which will give new stations the opportunity to be approved and to ensure the existing approved testing stations are able meet the revised terms and conditions.

The testing centre must be within the boundaries of Monmouthshire County Council (MCC) in accordance with section 50 of the Local Government (Miscellaneous Provisions) Act 1976.

### **DUTIES, RESPONSIBILITIES & OBLIGATIONS OF AN APPROVED TESTING STATION**

- 1 It shall be the duty of each approved testing station to fully implement the provisions set out below:
2. It shall be the duty of each approved testing station to ensure good standards of passenger comfort and safety of all hackney carriage/private hire vehicles are met. Ensuring only vehicles meeting the environmental and road safety standards required by law (MOT standard) and the comfort and appearance required by MCC in respect of the additional testable items within MCC's schedule of vehicle testing (see Appendix 1), receive a pass inspection certificate.
3. It shall be the duty of each, approved testing station, to provide facilities to enable the licensing authority to monitor and audit any vehicle inspections and retained inspection certificates at all reasonable times.
4. The testing station will be responsible for receiving and retaining bookings made by customers for Hackney Carriage/Private Hire vehicle inspections.
5. It shall be the duty of each approved testing station to comply with the requirements of the Health and Safety at Work etc. Act 1974 and any related Statutory Instruments. This is in order to protect employees, members of the public and other people who may come into the testing station.
6. Every approved testing station shall be liable for and indemnify the Council against any accident and/or loss arising to property, persons or vehicles whilst at the testing station for a vehicle inspection. It will be the responsibility of the approved testing station to meet any expense, liability, loss, claim or proceedings in respect to any injury, damage, harm to property or for personal injury or death in relation to the vehicle testing.
7. The owners/directors of an approved testing station shall attend meetings with the Council if required.

### **TESTING STANDARDS**

The testing station shall be required:

8. To undertake the testing of hackney carriage and private hire vehicles at the request, and on behalf, of MCC's licensing authority. The test shall be the MOT test prescribed by the Secretary of State for Transport and also the licensing authority's requirements contained in the current version of MCC's Schedule of Testing as additional testable Items; (See Appendix 1)
9. The approval of the testing station shall terminate with immediate effect in the event the station ceases to hold its status as a DVSA approved MOT testing station. The testing station must inform the Licensing Section of MCC immediately if it ceases to hold its MOT status through DVSA.
10. To hold a "green rating" (low risk rating) under the DVSA Risk Assessment for MOT testing centres. The owner/director(s) must provide proof of this green rating to the Licensing Section of MCC.

### **PERSONNEL**

The testing station shall be required:

11. That each vehicle inspection on behalf of MCC shall be carried out by an approved nominated tester who has passed the Driver and Vehicle Standards Agency (DVSA) MOT demonstration test.

12. The testing station must ensure the vehicle tester or other personnel employed at the premises understand the procedure for scanning and sending the vehicle test certificate to the Council as detailed below.

## FACILITIES AND DOCUMENTATION

The testing station shall be required:

13. To permit authorised officers of the licensing authority access to the premises at all reasonable times, including whilst hackney carriage and private hire vehicles are undergoing a test.

14. At the time of inspection to complete a current schedule of test ticklist provided by the Council and when completed to issue an inspection certificate in the form approved by the Council. The inspection certificate must be clearly marked with the time and date in digital format of the inspection and must also have the unique stamp or identifier of the testing station. When the test is completed to produce the white inspection certificate to the driver of the vehicle and retain the carbon copy at the approved testing station. The carbon copy document should be retained by the garage for 12 months.

15. It is the Approved Testing Station personnel's duty to inform the Council if they require the authorised testing certificates from the Council in order to carry out their tests as approved by MCC.

16. The testing station must email a copy/scan document of the Pass or Fail on the same day as the inspection to the Council at [licensing@monmouthshire.gov.uk](mailto:licensing@monmouthshire.gov.uk) or to such other email address as maybe notified in writing by the Council. The Pass Certificate should state any advisory notes written by the examiner. If the vehicle Fails the test the examiner must state the failures and produce a copy of the test schedule with all the defects found.

17. Customers can conduct a renewal test no more than three weeks ahead of the expiry date of their current Monmouthshire test certificate. If the vehicle passes the test, the testing garage can extend the testing certificate to commence on the expiry date of the current inspection certificate produced by the customer.

18. to refer immediately to the licensing authority any disagreement or dispute over the vehicle test result, or other dispute in connection with the testing of a hackney carriage or private hire vehicle.

19. The owner/director(s) of the approved testing station, shall at its own cost provide a copy of any insurance policy or certificate held by it to the Council, if so requested.

20. All Hackney Carriage/Private Hire Vehicle inspections on behalf of the Council shall be required to be conducted at approved testing stations only. No licence may be granted by the Council for any vehicle over 12 months of age without a copy of a Passed vehicle inspection certificate completed by an MCC approved testing station.

## BREACHES OF TERMS AND CONDITIONS

In relation to the breach of any of the terms and conditions the following sanctions may be applied:

21. In the event of a serious breach (or repeated minor breaches) of above terms and conditions in the opinion of licensing authority, the matter shall be referred to the **Head of Public Protection/Licensing and Regulatory Committee** (or senior officer for consideration of removing the station from the councils approved list.)

22. Minor breaches of terms and conditions may be resolved by consultation with licensing Authority. However, where it is deemed appropriate, a written warning letter will be issued to the testing station. Should any testing station receive more than two such written warnings in a twelve month period, the matter shall be referred to the **Head of Public Protection/Licensing and Regulatory Committee**, as in (a) above.

23. Where breaches relate to an examiner's repeated failure to achieve the standard of testing required by the Licensing Authority an examiner may be removed from the approved list for that testing station. The testing station would then be required to provide a replacement examiner; failure to do so could result in the Council removing the station from the list of approved testing stations by the **Head of Public Protection/Licensing and Regulatory Committee**.

24. The Council shall be entitled to cancel the operators Approved Testing Station status if the operator shall have offered or given or agreed to give to any person any gift or consideration of any kind or if the operator shall have committed any offence under the Bribery Act 2010 or shall have given any fee or reward the receipt of which is an offence under sub-section (2) of Section 117 of the Local Government Act 1972 or any re-enactment thereof.

25. If the operator becomes bankrupt or makes a composition or arrangement with its creditors or having a winding up order made or (except for the purposes of reconstruction) a resolution for voluntary winding up passed or a

provisional liquidator receiver or member of its business or undertaking duly appointed or possession is taken by or on behalf of any creditor of any property the subject of a charge

MONMOUTHSHIRE COUNTY


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COUNCIL

**HACKNEY CARRIAGE / PRIVATE HIRE VEHICLES**
**Schedule of items to be inspected to assess fitness  
of a vehicle to be used as a Hackney Carriage / Private Hire Vehicle**

(Please indicate test findings in the space provided on the vehicle test certificate)

**Vehicle Details:-**

**Registration No.** \_\_\_\_\_ **Chassis No.** \_\_\_\_\_  
**Model/Type of Body** \_\_\_\_\_ **Type of Vehicle** \_\_\_\_\_ **Engine Capacity**  
 \_\_\_\_\_  
**Firm and / or Owner** \_\_\_\_\_

<b>General</b>	
1. Exterior and interior licence plates fitted ( <b>renewal licences only</b> )	<b>Pass/ Fail</b>
2. Seating capacity 8 or less passengers (on renewal vehicles check number of seats match the number of passengers shown on licence)	<b>Pass/ Fail</b>
3. At least one window on each side of the vehicle, the front windscreen must be checked for cracks at MOT standard. Other windows manufactured to open and close are checked and in working order	<b>Pass/ Fail</b>
4. Sufficient means for communicating with the driver	<b>Pass/ Fail</b>
5. At least two passenger doors. All doors able to open and close correctly from inside and outside the vehicle	<b>Pass/ Fail</b>
6. Separate door for the driver	<b>Pass/ Fail</b>
7. Windscreen washers in working order	<b>Pass/ Fail</b>
8. Windscreen wipers in working order	<b>Pass/ Fail</b>
9. First aid kit with the registration number of the vehicle displayed on the box	<b>Pass/ Fail</b>
10. Only advertising for the hackney carriage/ private hire firm is permitted on the vehicle. Advertising must be; <ul style="list-style-type: none"> <li>• Uncluttered</li> <li>• Not obstructing a window view</li> <li>• Not shown on screens</li> </ul>	<b>Pass/ Fail</b>
11. Proper carpet, mat or other suitable covering for the floor maintained in a good condition	<b>Pass/ Fail</b>
12. The rear door/boot lid supporting arms/gas struts shall be well maintained and easily capable of supporting the door/lid	<b>Pass/ Fail</b>
13. Luggage storage must be provided for the number of passengers carried	<b>Pass/ Fail</b>
<b>Seats</b>	
A. Seats Properly cushioned or covered	<b>Pass/ Fail</b>
B. Seats shall have a minimum width of 400mm per passenger. With a bench seat for 3 passengers, the minimum of 1200mm shall be measured at the narrowest point e.g. between the armrests	<b>Pass/ Fail</b>
C. There must be a minimum of 200mm legroom for all passenger seats measured from the front edge of the seat to the rear of any seat, dashboard or internal panel in front	<b>Pass/ Fail</b>
D. There must be a minimum of 860mm headroom for all passenger seats measured from the rear of the seat cushion to the roof lining	<b>Pass/ Fail</b>
E. Seats shall face forwards or rearwards to the direction of travel. They may not be sideways facing to the direction of travel	<b>Pass/ Fail</b>
F. Right hand drive vehicle	<b>Pass/ Fail</b>

<b>Steering</b>	
A. Steering checked to MOT standard	<b>Pass/ Fail</b>
B. Steering and power steering components	<b>Pass/ Fail</b>
C. Power steering	<b>Pass/ Fail</b>
D. Wheel and column	<b>Pass/ Fail</b>
E. Linkages, swivel pins etc	<b>Pass/ Fail</b>
<b>Suspension</b>	
A. Suspension tested to MOT standard	<b>Pass/ Fail</b>
B. Shock absorbers	<b>Pass/ Fail</b>
C. Suspension components	<b>Pass/ Fail</b>
<b>Brakes</b>	
A. Efficiency of foot brake and hand brake tested	<b>Pass/ Fail</b>
B. Brake system	<b>Pass/ Fail</b>
C. Pedal travel	<b>Pass/ Fail</b>
D. Air in system	<b>Pass/ Fail</b>
E. Hand brake travel	<b>Pass/ Fail</b>
F. Cylinder leaks	<b>Pass/ Fail</b>
G. Brake fluid level	<b>Pass/ Fail</b>
H. Uneven braking	<b>Pass/ Fail</b>
I. Brake pipes	<b>Pass/ Fail</b>
<b>Transmission</b>	
A. Transmission tested to MOT standard	<b>Pass/ Fail</b>
B. Gear box	<b>Pass/ Fail</b>
C. Propeller shaft and universal joints	<b>Pass/ Fail</b>
D. Final drive	<b>Pass/ Fail</b>
<b>Other under bonnet</b>	
A. Mountings	<b>Pass/ Fail</b>
B. Low power	<b>Pass/ Fail</b>
C. Oil Leaks	<b>Pass/ Fail</b>
D. Speed limiter (if applicable)	
E. Water Leaks	<b>Pass/ Fail</b>
F. Ancillaries	<b>Pass/ Fail</b>
<b>Vehicle Emissions Check</b>	
A. Emissions check to MOT standard	<b>Pass/ Fail</b>
<b>Wheels and Tyres</b>	
A. Road wheels must be fitted with the manufacturer's recommended tyre type and size. All tyres must be either all cross ply or all radials and have a minimum tread depth of 1.6mm across 75% of the tyre (remould tyres are not acceptable unless they are clearly marked showing that they comply with British Standards and current legal requirements).	<b>Pass/ Fail</b>
B. Tyre pressure correct to the manufactures guidance.	<b>Pass/ Fail</b>
C. A spare tyre of the same type as fitted to the road wheels; a jack and wheel brace must be carried where originally fitted by the manufacturer, or a space saver wheel manufactured for the vehicle, or a puncture repair kit is supplied as standard by the manufacturer.	<b>Pass/ Fail</b>
D. Wheel bearings	<b>Pass/ Fail</b>
E. Wheel nuts and studs	<b>Pass/ Fail</b>
F. Tyre play/movement	<b>Pass/ Fail</b>
<b>Chassis/ Sub-Frame</b>	
A. Spring and suspension anchor points	<b>Pass/ Fail</b>
B. Underbody Corrosion	<b>Pass/ Fail</b>
C. Fuel system including tank and pipes	<b>Pass/ Fail</b>
D. Exhaust system	<b>Pass/ Fail</b>
<b>Page 26</b>	
<b>Body Exterior</b>	

A. Damaged or dangerous panels and bumpers	Pass/ Fail
B. Registration plate securely fitted and clearly visible	Pass/ Fail
C. Registration plate lamps	Pass/ Fail
D. Windscreen blades and washers	Pass/ Fail
E. Conditions of paintwork (no untreated rust, holes, damaged metal)	Pass/ Fail
F. Roof light connected to taxi meter in working order, displaying word "Taksi" on the front and "Taxi" on the rear ( <b>Hackney Carriage renewals only</b> )	Pass/ Fail (renewal only)
G. The roof must be watertight with no sign of leaks	Pass/ Fail
H. 2x Side mirrors fitted and glass not damaged	Pass/ Fail
I. Fuel tank cap	Pass/ Fail
J. Bonnet secure and in working order	Pass/ Fail
K. Towbars	Pass/ Fail
<b>Body Interior</b>	
A. Cleanliness throughout the vehicle, including the boot area, Clean and tidy (Suitable for paying passengers, no rubbish or driver personal belongings including the boot area that would minimize luggage capacity)	Pass/ Fail
B. Seat belts checked for safety and should not be stiff or difficult to pull	Pass/ Fail
C. Seat anchors	Pass/ Fail
D. Vehicle upholstery sufficient. Cloth or seat covering comfortable without any open tear or cigarette burns visible	Pass/ Fail
E. A 'No-Smoking' sign is displayed in each compartment of the vehicle in which people can be carried. This sign must show the international 'No-Smoking' symbol at least 70mm in diameter.	Pass/ Fail
F. Interior rear view mirror with clear view through the vehicle	Pass/ Fail
<b>Dashboard</b>	
A. Clean and visible without damage	Pass/ Fail
B. No warning lights displayed (airbags, ABS, engine management, oil, service)	Pass/ Fail
C. Odometer/Speedometer in working condition	Pass/ Fail
D. Driver controls in working order	Pass/ Fail
<b>Other</b>	
A. Headlights working and aim checked	Pass/ Fail
B. Side lights working	Pass/ Fail
C. Indicators working	Pass/ Fail
D. Hazard warning lights working	Pass/ Fail
E. Break lights working	Pass/ Fail
F. Fog lamps working	Pass/ Fail
G. Reverse lights working	Pass/ Fail
H. Interior lights working	Pass/ Fail
I. Battery and leads	Pass/ Fail
J. Horn	Pass/ Fail
K. Any wiring defects	Pass/ Fail
L. All reflectors un-damaged	Pass/ Fail
M. Any reason a vehicle would not pass a MOT	Pass/ Fail
N. Road Test	Pass/ Fail
<b>Trailers</b>	
O. The trailer shall at all times comply with all Road Traffic legislation requirements, Tyres, lights and stability must be tested	Pass/ Fail
P. Vehicle registration number clearly displayed	Pass/ Fail
Q. Exterior Private Hire/Hackney Carriage Licence displayed ( <b>renewal licence only</b> )	Pass/ Fail

I certify the vehicle named above has been fully tested against the above criteria. Any failed criteria is clearly written on the vehicle test certificate to be produced to the licensing section, extra pages to be used if required.

Examined by;

Name in Block Letters: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Garage official stamp or seal :-







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## Future Generations Evaluation (includes Equalities and Sustainability Impact Assessments)

<p><b>Name of the Officer</b> completing the evaluation David H Jones</p> <p><b>Phone no:</b> 01633 644100 <b>E-mail:</b> davidhjones@monmouthshire.gov.uk</p>	<p><b>Please give a brief description of the aims of the proposal.</b></p> <p>Review of Approved Testing Stations for the Inspection of Hackney Carriage and Private Hire Vehicles</p>
<p><b>Name of Service</b></p> <p>Licensing Public Protection Social Care, Safeguarding and Health</p>	<p><b>Date Future Generations Evaluation form completed</b></p> <p>17/02/2022</p>

**NB. Key strategies and documents that may help you identify your contribution to the wellbeing goals and sustainable development principles include: Single Integrated Plan, Continuance Agreement, Improvement Plan, Local Development Plan, People Strategy, Asset Management Plan, Green Infrastructure SPG, Welsh Language Standards, etc**

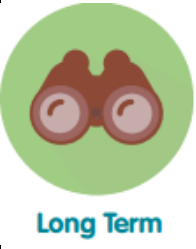
1. **Does your proposal deliver any of the well-being goals below?** Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal.




Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p><b>A prosperous Wales</b> Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>The aim of the revised approved testing scheme is to streamline the process and open the market for MOT testing stations to be an approved testing station within the County of Monmouthshire, along with providing an efficient service to the authorising</p>	


Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
	Authority and those licensed for Hackney Carriage and Private Hire purposes.	
<p><b>A resilient Wales</b> Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)</p>	<p>The terms and conditions will be reviewed as and when necessary, but no later than a 3 year period, for a review to take place by the Council. All DVSA MOT stations within the Monmouthshire boundary will be notified of such changes. Which will give new stations the opportunity to be approved and to ensure the existing approved testing stations are able meet the revised terms and conditions. This will allow for legislative, policy and good practice changes to be implemented. Working towards a phased approach of the licensing of environmentally friendly vehicles.</p>	
<p><b>A healthier Wales</b> People's physical and mental wellbeing is maximized and health impacts are understood</p>	As above	
<p><b>A Wales of cohesive communities</b> Communities are attractive, viable, safe and well connected</p>	<p>The approved garages will play a vital role in assessing licensed vehicles. Having regard for the type, size and design and that it is in a suitable mechanical condition, whilst being safe and comfortable. This is in accordance with the required policy and conditions of Taxis and Private Hire vehicles adopted by this Council.</p>	
<p><b>A globally responsible Wales</b> Taking account of impact on global well-being when considering local</p>	As above	

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
social, economic and environmental wellbeing		
<b>A Wales of vibrant culture and thriving Welsh language</b> Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	All information and terms and conditions of approved testing stations will be available in Welsh	
<b>A more equal Wales</b> People can fulfil their potential no matter what their background or circumstances	Approved testing garages should not preclude anyone to undertake their business in a fair and safe manner.	

Fig 9.31. How has your proposal embedded and prioritised the sustainable governance principles in its development?

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 Balancing short term need with long term and planning for the future	The approved testing garages are to provide sustainable provision into the future.	

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Working together with other partners to deliver objectives</p> <p><b>Collaboration</b></p>	<p>Policies adopted for the inspection of Hackney and Private Hire Vehicles and changes to the conditions of those licensed vehicles will be governed by legislative and policy changes working in partnership with other Authorities.</p>	
 <p>Involving those with an interest and seeking their views</p> <p><b>Involvement</b></p>	<p>All MOT testing station will have the opportunity to be an approved testing station providing they are in the County of Monmouthshire. The Licensing Authority may at its sole discretion approve a vehicle testing stations and the criteria for testing in accordance with Section 50 of the Local Government (Miscellaneous Provisions) Act 1976. The Licensing Authority will work with MOT testing stations and will seek their views.</p>	
 <p>Putting resources into preventing problems occurring or getting worse</p> <p><b>Prevention</b></p>	<p>Licensing will ensure a continuing service, incorporating preventative measures where necessary</p>	

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Considering impact on all wellbeing goals together and on other bodies</p>	<p>Key service aim is to ensure safe, vehicles, operators and drivers, etc.</p>	

3. **Are your proposals going to affect any people or groups of people with protected characteristics?** Please explain the impact, the evidence you have used and any action you are taking below. For more detailed information on the protected characteristics, the Equality Act 2010 and the Welsh Language Standards that apply to Monmouthshire Council please follow this link: <http://hub/corporatedocs/Equalities/Forms/AllItems.aspx> or contact Alan Burkitt on 01633 644010 or [alanburkitt@monmouthshire.gov.uk](mailto:alanburkitt@monmouthshire.gov.uk)

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Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	Quality service maintained, protecting drivers and customers of taxis and private hire vehicles.		
Disability	As above.		
Gender reassignment			
Marriage or civil partnership			

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Pregnancy or maternity			
Race			
Religion or Belief			
Sex			
Sexual Orientation			
Welsh Language			

4. Council has agreed the need to consider the impact its decisions has on important responsibilities of Corporate Parenting and safeguarding. Are your proposals going to affect either of these responsibilities? For more information please see the guidance <http://hub/corporatedocs/Democratic%20Services/Safeguarding%20Guidance.docx> and for more on Monmouthshire's Corporate Parenting Strategy see <http://hub/corporatedocs/SitePages/Corporate%20Parenting%20Strategy.aspx>

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	Describe any negative impacts your proposal has on safeguarding and corporate parenting	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?
Safeguarding	As above		
Corporate Parenting			

**5. What evidence and data has informed the development of your proposal?**

Approved MOT testing stations for the inspections of Hackney Carriage and Private Hire vehicles to be reviewed with the aim of a revised approved garaed being introduced with effect from 1<sup>st</sup> April 2022. It is proposed the terms and conditions before granting approval of a garage will be reviewed as and when necessary, but no later than a 3 year period.

**6. SUMMARY: As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?**

The revision of the inspection of vehicles will ensure driver safety along with customer expectations, and continue to protect the public.

**7. ACTIONS: As a result of completing this form are there any further actions you will be undertaking? Please detail them below, if applicable.**

What are you going to do	When are you going to do it?	Who is responsible	Progress

**8. MONITORING: The impacts of this proposal will need to be monitored and reviewed. Please specify the date at which you will evaluate the impact, and where you will report the results of the review.**

The impacts of this proposal will be evaluated on:	30th September 2022
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**9. VERSION CONTROL:** The Future Generations Evaluation should be used at the earliest stages of decision making, and then honed and refined throughout the decision making process. It is important to keep a record of this process so that we can demonstrate how we have considered and built in sustainable development wherever possible.

Version No.	Decision making stage	Date considered	Brief description of any amendments made following consideration
1	L&R Committee Report	08/03/2022	



## SCHEDULE 12A LOCAL GOVERNMENT ACT 1972 EXEMPTION FROM DISCLOSURE OF DOCUMENTS

**REPORT:** To consider an application for a hackney carriage/ private hire drivers licence and to consider if the licensed private hire operator and hackney carriage proprietor should continue to hold such a licence.

**AUTHOR:** Leigh Beach

**MEETING AND DATE OF MEETING:** Tuesday 8<sup>th</sup> March 2022  
Licensing and Regulatory Committee

I have considered grounds for exemption of information contained in the report referred to above and make the following recommendation to the Proper Officer:-

**Exemptions applying to the report:**

Information relating to a particular individual as described in Paragraph 12 of part 4 of Schedule 12A to the Local Government Act 1972

**Factors in favour of disclosure:**

Openness and transparency in matters concerned with the public

**Not applicable at this time (see below)**

**Prejudice which would result if the information were disclosed:**

**Applicable** The applicant will be attending the Committee meeting on Tuesday 8<sup>th</sup> March 2022 and any information disclosed prior to this date may jeopardise the applicant's right to a fair hearing and contain personal and private information.

**My view on the public interest test is as follows:**

Factors in favour of **not disclosing** outweigh those against.

**Recommended decision on exemption from disclosure:**

Maintain exemption from publication in relation to report.

**Date:** 04<sup>th</sup> February 2022

**Signed:**

**Post: Licensing Officer**

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I accept/do not accept the recommendation made above.

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Proper Officer

Date: \_\_\_\_\_

By virtue of paragraph(s) 12 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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