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MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Licensing and Regulatory Committee held
at Council Chamber, County Hall, The Rhadyr USK on Tuesday, 31st January, 2023 at
10.00 am**

PRESENT: County Councillor Tony Easson (Chairman)

County Councillors: John Crook, Lisa Dymock, Christopher Edwards,
Simon Howarth, Jane Lucas, Alistair Neill, Sue Riley, Jackie Strong
and Armand Watts

OFFICERS IN ATTENDANCE:

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

APOLOGIES:

County Councillor Ann Webb

1. Declarations of interest

None.

2. To confirm and sign the minutes of the Licensing and Regulatory Committee Meeting held on 8th November 2022

The minutes were approved as an accurate record.

3. To confirm and sign the minutes of the Licensing and Regulatory Sub Committee held on 5th December 2022

The minutes were approved as an accurate record.

4. Taxi and Private Hire Policy and Conditions 2023

The Principal Licensing Officer presented the Taxi and Private Hire Policy and Conditions 2023 report. Following presentation of the report, questions were invited from Committee Members:

- A Member asked if the numbers of foreign national taxi drivers is available and was informed that if the drivers have the right to work, they are not regarded as foreign national drivers. The enhanced check is used if the driver has been in the UK for only a short period of time. There have not been any issues with this since the requirement was brought in, in 2018.
- Considering the condition that a driver applying with 6 points is asked to complete a Pass Plus scheme, a Member preferred a more stringent test, and it was agreed that Welsh Government will be asked to consider reimplementing of Driver and Vehicle Standards Agency (DVSA) Taxi Testing nationally. The Committee was reminded of the importance of being consistent with neighbouring authorities.

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- A Member asked why Newport requires the driver to achieve a Pass + course if they have more than 5 points on their DVLA licence at the time of application. It was explained that this was a long-standing policy prior to the implementation of the new policy and may change to 6 points.
- A Member asked about the implications of the Withdrawal Agreement and if there is any additional impediment to EU nationals with settled status. Also, the quality of additional checks as there may not be access to the same database as when the UK was in the EU. The Member emphasised that EU citizens who have citizenship have the same rights. It was explained by the Head of Public Protection referred the Committee to the list on [GOV.UK Criminal records checks for overseas applicants](#) for details of criminal record checks in each country. Costs are not prohibitive and range from no charge to £45.00+.
- A Member pointed out that the age of criminal responsibility varies in different countries. The Principal Licensing Officer responded that an enhanced check would provide as much information as available. Regarding taxi drivers, convictions are never spent hence the need for policies to deal with convictions.

Following a vote on the report recommendations, Members approved the new policy and conditions to come into force on 1st April 2023, attached as Appendix B.

Members also determined and approved the following in relation to Euro 4 Standards. Vehicles currently licensed by Monmouthshire County Council for Hackney Carriage and Private Hire purposes can retain grandfather rights and continue to be licensed for the shelf life of their vehicle. All new vehicle application will be required to be of Euro 6 standard.

As part of the report recommendations, it was agreed that Welsh Government is asked to consider reimplementing of Driver and Vehicle Standards Agency (DVSA) Taxi Testing nationally.

- A Member enquired about complaints about taxi drivers noting from the website, that 75% of unlicensed taxi complaints have come from friends of people who have reported reporting the advertising of hire services on social media. A social media campaign was suggested to encourage young people to come forward with complaints, what to expect when you use a taxi and what's acceptable behaviour. The Head of Public Protection assured Members that there is a Licensing Officer in each town, good rapport, and good local knowledge. There is close work with the Police. Taxi drivers must complete a safeguarding and knowledge test covering the points raised plus how the taxi driver reports passenger comments (e.g. abusive comments, hate crime). An awards event is planned themed on hate crime on 24th April in collaboration with Greater Gwent authorities. Access for disabled people was also raised.

Protection for taxi drivers was queried and in response, it was confirmed that there is provision for CCTV in the policy. It is not a requirement to have CCTV.

The supplementary matters discussed following the vote were referred to the Officers and will be added to the agenda for the next meeting. It was agreed that a Work Programme should be added to agenda in future.

5. Review Of Annual Licensing Fees For Financial Year 2023/24

The Principal Licensing Officer presented the Annual Review of Licensing Fees for the Financial Year 2023/24 Report. Following presentation of the report, questions were invited:

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- The Chair asked for clarification about the differing percentage increases to fees and was informed that a prescriptive system approved by the All Wales Group is used. This is based on different factors such as number of inspections, amount of work required, policy elements etc and is used to determine a final fee for the year.
- It was asked if the fees cover all of the costs particularly officers' time involved in supporting licensing not just administration costs. The Principal Licensing Officer explained that it depends on the different legislations for the licenses in question. Some elements are chargeable, others not. It is mainly on a cost recovery basis, but enforcement falls to the authority.
- A Member asked for clarification on the fees for Hackney carriage/private hire as some elements are set by Torfaen. It was explained that the table is for Monmouthshire's fees. The assessment is done throughout Wales and depends on officer time and amount of work undertaken in the previous year.
- A Member asked for clarification on the fees for street trading noting that the cost appeared to have reduced. It was confirmed that this is correct.
- A Member asked about Torfaen Training and it was confirmed that this is not a cost borne by Monmouthshire, it for drivers to complete as part of their safeguarding and knowledge test before they apply.

Following a vote in favour, the Committee approved the fees set out in Appendix A to this report, entitled "Schedule of Licence Fees for 2023-24", subject, where relevant, to any required public notice and agreed that any objections, duly made, regarding fees for the grant of licences for hackney carriage and private hire vehicles be brought back to Committee at the earliest opportunity for due consideration .

6. To note the date and time of the next meeting

14th March 2023

The meeting ended at 10.51 am

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