

RESPONSE 1

Helo,
Please find attached documents.

Yeah, thought to push for ICO registration mandatory for anyone taking any bookings.

Fare policy – yes, I know people might not be able to afford it, but living in Monmouthshire is very expensive. I have tried to reason the best way I could.

Thanks.

1.SAFEGUARDING AND CRIMINAL-HISTORY VERIFICATION

1.1 Exemption from Overseas Checks (unsafe and maybe unlawful in practice)

The draft permits the Council to grant licences where an applicant cannot produce an overseas criminal-history certificate (Certificate of Good Conduct). This fails to meet the Council's statutory duty to be satisfied an applicant is a fit and proper person under the Local Government (Miscellaneous Provisions) Act 1976.

Licensing authorities must apply measures consistent with national safeguarding expectations and treat enhanced criminal-record checks as the primary safeguard for passengers and vulnerable people. The recent national audit led by Baroness Casey (2025) reinforces the need for robust vetting, improved information-sharing, and consistent national standards—not discretionary local exemptions that permit licensing in the absence of verified criminal history or any attestation of good character.

1.2 Equality of Standards and Legitimate Expectation

When I and other licence-holders obtained our licences, we were required to produce an enhanced DBS and, where relevant, overseas criminal-history evidence. Allowing new applicants to bypass these requirements creates an unequal, two-tier system that undermines legitimate expectation, consistency, and public confidence. If the Council genuinely regards these checks as unnecessary it must remove them for all applicants; otherwise, it must apply them uniformly. The Council's duty to protect the public cannot be set aside by administrative convenience or to accommodate applicants who cannot meet the same standard.

1.3 National Safeguarding Context and Accountability

The Casey audit and historical CSE inquiries (e.g., Rochdale, Rotherham) demonstrate the consequences of weak vetting and poor data-sharing. Licensing policy must adopt a precautionary, evidence-led approach with mandatory domestic and relevant overseas checks and robust referral mechanisms to safeguarding partners and police.

If the Council implements an exemption regime it should accept the foreseeable increase in safeguarding risk and the potential for legal challenge for failure to discharge

statutory duties.

1.4 Language Competence and Regulatory Understanding

Taxi and private hire licence holders are required to demonstrate sufficient proficiency in English or Welsh to understand licensing conditions, communicate effectively with passengers, and comprehend safety instructions or enforcement notices. This is a safeguarding requirement recognised in the Department for Transport Statutory Taxi and Private Hire Vehicle Standards (2020) and reflected within the Council's own licensing framework.

However, in practice, I have repeatedly encountered situations where Monmouthshire County Council licensing officers have appeared confused or uncertain about the relevant provisions, case law, or the very procedures set out under the legislation that empowers them to act. On several occasions, I was directly misinformed about legal requirements; in others, officers went silent when asked for clarification, leaving me to establish the correct legal position myself; including identifying the jurisdiction under which a licensing officer was exercising authority. These incidents are fully documented and evidential.

Such lapses undermine the principle of regulatory clarity, frustrate procedural fairness, and expose licence holders to the risk of inadvertent non-compliance through no fault of their own. If the Council insists that drivers must meet a minimum standard of English or Welsh to understand regulations, it must equally ensure that its own officers demonstrate a commensurate level of professional understanding, communication accuracy, and legal competence. Otherwise, it gives rise to the perception that the Council applies one rule to its employees and another to those it regulates. Officers includes: Emma Watkins, Taylor J Watts and even Linda O’Gorman at times.

2.CCTV — TECHNOLOGICAL NEUTRALITY

The draft's apparent specification of proprietary-dependent equipment (for example "Windows-compliant") is likely to be anti-competitive and unjustified absent a clear, objective safety rationale. Public bodies must be technologically neutral; regulatory requirements should be functional (minimum resolution, encryption, tamper-evidence, secure storage, retention periods, and audit trails) rather than OS/vendor specific.

3. ROOF SIGN

Submitted separately.

4. DATA PROTECTION: OPERATOR RESPONSIBILITIES

The draft omits a requirement that operators processing booking or passenger data provide evidence of ICO registration (or documented exemption), maintain written data-protection policies, and undertake DPIAs where appropriate.

The Council shall make ICO registration and demonstrable DPIA compliance a condition of operator licensing.

Accordingly, any policy omitting ICO registration and written data-protection

policies would be inconsistent with the Council's obligations under the Data Protection Act 2018 and UK GDPR. Customer names, contact numbers, and journey information must be recorded and managed in compliance with data-protection principles; such information cannot lawfully be kept as informal handwritten notes without safeguards, accountability, and a designated data-responsible person. A name, Contact number and Home Address or regular destination address is more than enough to find someone.

5. FARE POLICY:

The cost of running a business has risen sharply across all areas — fuel, insurance, maintenance, energy, admins, and general operating expenses. Current Hackney Carriage fares no longer reflect these realities. Personal – Highest council tax in Wales, roads filled with potholes – more on tracking and suspension and then comes the bills just to survive.

Under section 65 of the Local Government (Miscellaneous Provisions) Act 1976, fares must remain reasonable for passengers and adequate for drivers to earn a living. The present tariff fails that test. Many drivers now work unsafe hours just to maintain a basic income, which poses clear risks to public safety and driver welfare. Council officers and elected members receive annual pay rises and cost-of-living adjustments from public funds. If inflationary increases are justified for yourselves, they must also be justified for those providing licensed public transport. Otherwise, fairness demands that officers and councillors forgo their own increases to help reduce licensing costs.

A 27% fare increase is proportionate, and evidence based. It reflects genuine cost pressures and is necessary to maintain safe, lawful, and sustainable taxi services across the county. I understand that previous increase was agreed after 11 years of dedication – but back then the economy was stable – we are living in an economic era where water bill for a household of 4 is £70 a month when it was only £27 in 2019. Even rubbish fast food is £9 when it used to be £5 to £6 a year ago, mechanics are charging £60 an hour sometimes and before it was £40 an hour – the list goes on and I haven't got all the receipts in hand to go through them, a single rear brake calliper of my car costs £560 part only – how you'll describe this?

FORMAL OBJECTION: PROPOSED ROOFLIGHT CLAUSE

Pursuant to section 47(1) of the Local Government (Miscellaneous Provisions) Act 1976, I submit this formal objection to the proposed Hackney carriage roof sign clause within the Monmouthshire County Council Taxi & Private Hire Policy 2025. The clause would (a) prohibit scrolling or variable displays and (b) ban trade names and contact numbers on roof signs. For the reasons set out below, the clause is unlawful, disproportionate and procedurally defective.

Introduction and immediate effect

The proposed clause would render my existing digital roof sign unusable. The unit currently displays “**COMPANY NAME**” when hired and “TACSI/TAXI” when available. That configuration provides clear passenger-facing identification and bilingual clarity. The draft contains no transitional, compensatory, or grandfathering provision for licence holders who have invested in bespoke or digital signage.

Legitimate expectation and reliance

From at least 2017, Monmouthshire County Council has permitted Hackney carriage roof signs displaying trade names and telephone numbers without pursuing enforcement or standardisation across the trade whilst same/similar policy wording was present. That consistent practice constituted a settled representation on which licence holders have reasonably relied. Relying on that practice, I invested in a bespoke digital roof sign and entered ongoing commercial arrangements with the manufacturer. Retrospective invalidation of those expectations, without evidential justification or transitional protection, gives rise to legitimate-expectation concerns and is contrary to the Welsh Government Code of Practice on Consultation (2015).

Ultra vires and absence of statutory necessity

Section 47(1) LG(MP)A 1976 permits licence conditions “as the district council may consider reasonably necessary”. Any condition attached to a hackney carriage licence must be rationally and proportionately connected to a legitimate public-objective, such as public safety or clear communication purposes if that is necessary. The Council has produced no evidence that variable displays, trade names or telephone numbers pose any risk to safety or identification. My configuration; showing “TACSI/TAXI” only when available advances the identification objective. In the absence of evidence demonstrating necessity, the proposed ban risks exceeding the Council’s statutory powers.

Procedural fairness and consultation defects

The draft clause appears to impose an immediate, total prohibition without any impact assessment for current licence-holders or consideration of reasonable transitional measures. Welsh Government guidance on taxi and private hire licensing requires policy changes to be evidence-led, transparent and subject to fair consultation and not arbitrary

based on unfounded “standardisation”. The draft’s failure to address the financial and contractual consequences for existing licence-holders offends procedural fairness.

Proportionality and economic impact

If the Council can articulate a legitimate aim (for example, public uniformity), it has not adopted the least restrictive means. Less intrusive, proportionate options are available—transitional grandfathering, template pre-approval, limited static modes, or conditional and mutually beneficial permits for digital displays. The blanket ban would destroy lawful commercial value in existing investments without compensation, contrary to principles of proportionality.

Arbitrary and retrospective effect

A licensing authority cannot, without reasonable justification, change direction so as to retrospectively penalise conduct historically tolerated. The long period of non-enforcement in Monmouthshire in respect of roof sign content indicates tacit tolerance that the draft fails to acknowledge. Targeting advanced technology (“not scrolling”) in a manner that produces immediate economic loss, absent a problem to be solved, is arbitrary.

Technical and operational superiority of digital signage

The digital unit in question improves public identification and reduces confusion by illuminating “TACSI/TAXI” only when the vehicle is available for hire. It therefore furthers, rather than undermines, the public-identification objective which licensing is entitled to pursue.

Conclusion

For the reasons set out above — legitimate expectation and reliance, absence of statutory necessity, procedural unfairness, disproportionality, retrospective effect, and the demonstrated technical superiority of digital signage — I formally object to the proposed roof sign clause in the draft Taxi & Private Hire Policy 2026. I request the Council withdraw or substantially revise the clause to address the legal and practical deficiencies. It is rather disheartening that the council is acting in retaliation to stop a technological advancement to uplift the outlook of the trade

RESPONSE 2

Hi,

An addition to this policy I would like to put forward is:

No longer allowing private hire vehicles to have roof lights.

I see multiple private hire cars abusing the roof lights and parking near ranks causing confusion to the public thinking these are hireable roadside taxis.

RESPONSE 3

In regards to the proposed amendment I am opposed to all the amendments and the manner that this is put forward. It is clear that by sending it out complete policy the licence holders are unlikely to oppose as it won't be read. Also setting the statement that it is already in policy.