



TAXI AND GENERAL COMMITTEE

**MINUTES OF THE DIGITAL MEETING HELD VIA MICROSOFT TEAMS ON THURSDAY,
27TH MAY 2021 AT 10.00 A.M.**

PRESENT

Councillor J. Simmonds – Chair
Councillor W. Williams – Vice-Chair

Councillors:

M.A. Adams, Mrs E.M. Aldworth, P.J. Bevan, D. Cushing, W. David, M. Davies, Ms J. Gale, D.W.R. Preece, Mrs D. Price , J.E. Roberts

Together with:

J. Morgan (Trading Standards, Licensing and Registrars Manager), L. Morgan (Licensing Manager), S. Lewis-Williams (Senior Licensing Officer), T. Rawson (Solicitor), M. Harris (Committee Services Support Officer), R. Barrett (Committee Services Officer)

RECORDING AND VOTING ARRANGEMENTS

The Chair reminded those present that the meeting was being filmed and would be available following the meeting via the Council's website – [Click Here to View](#). Members were advised that voting on decisions would take place via Microsoft Forms.

CHAIR'S ANNOUNCEMENT

The Chair placed on record his thanks to Councillor D.W.R. Preece for his valued service and dedication as Chair of the Licensing Committee over the past five years.

Councillor W. Williams was also congratulated on his new role as Vice-Chair of the Licensing Committee.

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J. Bevan and D. Harse.

2 DECLARATIONS OF INTEREST

There were no declarations of interest received at the commencement or during the course of the meeting.

3 GREEN FLEET TAXI PILOT LIVERY ADVERTISING

Lee Morgan (Licensing Manager) presented the report, which sought approval to permit the usage of livery advertising for Welsh Government and Cardiff Capital Region on electric Nissan Dynamo vehicles as part of a Green Fleet Pilot scheme.

Mr Morgan set out details of the Green Fleet Pilot Scheme, which has been funded by Welsh Government as part of an initiative across the Cardiff Capital Region area to encourage the taxi trade to switch to zero-emission vehicles. The pilot is intended to assist Welsh Government in achieving its target of de-carbonising the taxi fleet entirely in Wales by 2028.

It was explained that 5 vehicles will be allocated to Caerphilly Council for the purpose of the initiative over a 3-year period for licensed Caerphilly CBC drivers. These vehicles contain livery on the body work pertaining to Welsh Government (WG) logo and Cardiff Capital Region (CCR). However, this initiative has created a conflict with the Council's Licensing Policy, as under its Vehicle Inspection standards, advertising is not currently permitted on licensed hackney carriage and private hire vehicles (save for the taxi company's details) unless written prior approval is obtained. The report therefore sought approval to permit the livery displayed on the vehicles for the purposes of the duration of the 'try before you buy' initiative.

Members were referred to Appendix 1 of the report which detailed an example of the trial vehicle. Mr Morgan also shared a further photograph with the Committee showing the size of the WG/CCR logos which are located above the rear bumper of the vehicle. It was noted that Licensing are already engaging with the taxi trade regarding the use of the scheme and are gathering input in regards to the siting of the trial vehicles.

During the course of the ensuing debate, Officers responded to queries from Members regarding the current procedure for drivers seeking approval to advertise on their vehicle. Officers also confirmed that if approved, the decision to allow the WG/CCR livery would not set a general precedent over the current advertising controls in place by Licensing.

Following consideration of the report, it was moved and seconded that the following recommendation be approved. By way of Microsoft Forms and verbal confirmation (and in noting there were 12 for, 0 against and 0 abstentions) this was unanimously agreed.

RESOLVED that the usage of livery for Welsh Government and Cardiff Capital Region on electric Nissan Dynamo vehicles, as part of a Green Fleet Pilot scheme, be permitted.

4 FUTURE REVIEW OF THE COUNCIL'S LICENSING REQUIREMENTS FOR HACKNEY CARRIAGE (TAXI) AND PRIVATE HIRE VEHICLES, DRIVERS AND OPERATORS

Lee Morgan (Licensing Manager) presented the report, which informed Members of the requirements of the Department for Transport (DfT) Statutory Taxi and Private Hire Vehicle Standards and Welsh Government's Harmonisation Guidance on Taxi and Private Hire Vehicle Licensing in Wales.

Members were advised of prospective licensing changes across the UK and more locally across Wales as a result of the Department of Transport (DfT) and Welsh Government agreeing a need for common core minimum standards for the taxi and private hire vehicle sector, in order to improve public safety and standardisation. Therefore the Licensing Authority is required to review its current requirements in line with statutory Standards and Welsh Government's recommended harmonisation guidance.

Members were referred to the Department for Transport best practice guide and Welsh Government's Harmonisation guidance that was appended to the report. It was explained that adopting the recommendations will lead to increased public safety, consistency of standards

across Wales, harmonised enforcement, increased accessibility of vehicles and better standards of customer service.

Some of the matters referred to in the harmonisation document will have implications for the taxi trade in the Caerphilly county borough. One of the significant changes that are proposed relate to a requirement for 6 monthly Disclosure and Barring (DBS) checks for drivers, primarily via the DBS Update Service. Another change relates to increased criminality checks for Private Hire Operators and their staff. The Council's requirements for Group 2 Medicals will also require minor amendment to enable certification from the applicants' own GP or other Doctors with access to their medical records.

Members were referred to Section 5.6.3 of the report which set out a summary of the main changes for consideration. It is proposed that consultation will take place with the trade and stakeholders on the various changes recommended in the guidance document prior to submission of further detailed reports to the Committee for Members' consideration. Both the DFT and Welsh Government Harmonised Standards have already been circulated to drivers, vehicle proprietors and operators where the e-mail addresses are held for their information. The documents have also been forwarded to representatives of the Caerphilly County Borough Taxi Driver Association (CCBTDA)

The report also set out the requirement for the Authority to review its compliance with the Statutory Standards and Harmonisation Guidance and implement any required changes or publish reasons why it has decided not to do so. Licensing Officers will begin the review process in consultation with the licensed trade and relevant stakeholders, starting with the changes to Disclosure and Barring requirements and the minor modifications to the Group 2 Medical requirements.

The Committee were therefore asked to note the content of the report and the need to review existing requirements, policies and conditions of licence in order to comply with Statutory Standards and Welsh Government Guidance, and to approve a consultation process with the licensed trade on the proposed changes prior to submission of detailed reports to the Committee for their consideration.

During the course of the ensuing debate, queries were received in respect of DBS checks and the costs to drivers. Officers confirmed that current checks are £40 which covers a driver for 3 years. It was explained that the new requirement will require drivers to sign up to the DBS Update Service which will be in the region of £11 per year, which will allow for more stringent checks on a regular basis and better safeguarding of the public, as it means that drivers where convictions have occurred can be brought to Sub Committee if needed in a more timely manner. It was confirmed should the proposal subsequently be agreed by Committee, signing up to the DBS Update Service service will be a requirement of the Council's Licensing Policy, for which checks will carried out at 6-month intervals by the Licensing Department, and failure to do so will lead to refusal, suspension or revocation of a licence. It was also confirmed that the new DBS requirements will lead to a rolling service, whereby a driver signs up for the initial DBS check at £40, registers for the additional service in the region of £11, and then it will be approximately £11 year on year (subject to price increases), instead of paying £40 every three years.

A Member asked how long the proposed consultation with the trade and stakeholders would last for. Officers explained that it is hoped to commence the consultation over the summer period with the aim of bringing an update back to Committee in the Autumn. The period of consultation has not yet been set but this will be a sufficient amount of time to allow the taxi trade to provide the Licensing Authority with their comments.

Following consideration of the report, it was moved and seconded that the following recommendation be approved. By way of Microsoft Forms and verbal confirmation (and in noting there were 12 for, 0 against and 0 abstentions) this was unanimously agreed.

RESOLVED that:-

- (i) the contents of the report, and the need for the Council to review its existing requirements, policies and conditions of licence in order to comply with Statutory Standards and Welsh Government Guidance, be noted.
- (ii) a consultation process with the licensed trade on the proposed changes be approved, prior to submission of detailed reports to this Committee for their consideration.

The meeting closed at 10.40 a.m.