

# Pecyn Dogfen Gyhoeddus

**Gareth Owens LL.B Barrister/Bargyfreithiwr**  
Chief Officer (Governance)  
Prif Swyddog (Llywodraethu)



Swyddog Cyswllt:  
Nicola Gittins 01352 702345  
nicola.gittins@flintshire.gov.uk

At: Cyng Tony Sharps (Chairman)

Y Cynghorwyr: David Cox, Rob Davies, Ron Davies, Adele Davies-Cooke,  
Chris Dolphin, Rosetta Dolphin, Mike Lowe, Richard Lloyd, Ralph Small,  
Martin White and Andy Williams

Dydd Iau, 1 Gorffennaf 2021

Annwyl Gyngorydd,

**RHYBUDD O GYFARFOD ANGHYSBELL**  
**PWYLLGOR TRWYDDEDU**  
**DYDD MERCHER, 7FED GORFFENNAF, 2021 10.00 AM**

Yn gywir

Robert Robins  
Rheolwr Gwasanaethau Democrataidd

Sylwch: Bydd hwn yn gyfarfod dros y we a bydd 'presenoldeb' wedi'i gyfyngu i Aelodau'r Pwyllgor a'r Aelodau hynny o'r Cyngor sydd wedi gofyn i Bennaeth y Gwasanaethau Democrataidd am wahoddiad. Y Cadeirydd fydd yn penderfynu a yw'r rhain yn cael siarad ai peidio.

Bydd y cyfarfod yn cael ei ffrydio'n fyw ar wefan y Cyngor. Bydd recordiad o'r cyfarfod ar gael yn fuan ar ôl y cyfarfod ar <https://flintshire.publici.tv/core/portal/home>

Os oes gennych unrhyw ymholiadau, cysylltwch ag aelod o'r Tîm Gwasanaethau Democrataidd ar 01352 702345.

## R H A G L E N

### 1 PENODI IS-GADEIRYDD

**Pwrpas:** Penodi Is-Gedeirydd ar gyfer y Pwyllgor.

### 2 YMDDIHEURIADAU

**Pwrpas:** I dderbyn unrhyw ymddiheuriadau.

### 3 DATGAN CYSYLLTIAD (GAN GYNNWYS DATGANIADAU CHWIPIO)

**Pwrpas:** I dderbyn unrhyw ddatganiad o gysylltiad a chynghori'r aelodau yn unol a hynny.

### 4 COFNODION (Tudalennau 5 - 8)

**Pwrpas:** I gadarnhau, fel cofnod cywir gofnodion y cyfarfod ar 10 Hydref 2019.

### 5 NEWIDIADAU I DRWYDDEDU TACSI A HURIO PREIFAT (Tudalennau 9 - 12)

**Pwrpas:** Yn ddiweddar, mae'r Adran Drafnidiaeth wedi cyhoeddi'r ddogfen "Statutory Taxi and Private Hire Vehicle Standards" ac mae Llywodraeth Cymru yn ddiweddar wedi cyhoeddi'r ddogfen "Cysoni Trwyddedu Taxis a Cherbydau Hurio Preifat yng Nghymru". Mae'r ddwy ddogfen yn effeithio ar Drwyddedu Cerbydau Hacni a Cherbydau Hurio Preifat.

**Sylwch, efallai y bydd egwyl o 10 munud os yw'r cyfarfod yn para'n hirach na dwy awr.**

## **Nodyn Gweithdrefnol ar redeg cyfarfodydd**

Bydd y Cadeirydd yn agor y cyfarfodydd ac yn cyflwyno eu hunain.

Bydd nifer o Gynghorwyr yn mynychu cyfarfodydd. Bydd swyddogion hefyd yn mynychu cyfarfodydd i gyflwyno adroddiadau, gyda swyddogion Gwasanaethau Democrataidd yn trefnu a chynnal y cyfarfodydd.

Gofynnir i bawb sy'n mynychu i sicrhau bod eu ffonau symudol wedi diffodd a bod unrhyw sain gefndirol yn cael ei gadw mor dawel â phosib.

Dylai'r holl feicroffonau gael eu rhoi "ar miwt" yn ystod y cyfarfod a dim ond pan fyddwch yn cael eich gwahodd i siarad gan y Cadeirydd y dylid eu rhoi ymlaen. Pan fydd gwahoddedigion wedi gorffen siarad dylen nhw roi eu hunain yn ôl "ar miwt".

Er mwyn mynegi eu bod nhw eisiau siarad bydd Cynghorwyr yn defnyddio'r cyfleuster 'chat' neu yn defnyddio'r swyddogaeth 'raise hand' sy'n dangos eicon codi llaw electronig. Mae'r swyddogaeth 'chat' hefyd yn gallu cael ei ddefnyddio i ofyn cwestiynau, i wneud sylwadau perthnasol ac yn gyfle i'r swyddog gynghori neu ddiweddarau'r cynghorwyr.

Bydd y Cadeirydd yn galw ar y siaradwyr, gan gyfeirio at aelod etholedig fel 'Cynghorydd' a swyddogion yn ôl eu teitl swydd h.y. Prif Weithredwr neu enw. O bryd i'w gilydd mae'r swyddog sy'n cynghori'r Cadeirydd yn egluro pwyntiau gweithdrefnol neu'n awgrymu geiriad arall ar gyfer cynigion er mwyn cynorthwyo'r Pwyllgor.

Os, a phan y cynhelir pleidlais, mi fydd y Cadeirydd yn egluro mai dim ond y rheiny sy'n gwrthwynebu'r cynnig/cynigion, neu sy'n dymuno ymatal a fydd angen mynegi hynny drwy ddefnyddio'r swyddogaeth 'chat'. Bydd y swyddog sy'n cynghori'r Cadeirydd yn mynegi os bydd y cynigion yn cael eu derbyn.

Os oes angen pleidlais fwy ffurfiol, bydd hynny yn ôl galwad enwau – lle gofynnir i bob Cynghorydd yn ei dro (yn nhrefn yr wyddor) sut mae ef / hi yn dymuno pleidleisio.

Yng nghyfarfodydd Pwyllgorau Cynllunio a Chyngor Sir mae amseroedd siaradwyr yn gyfyngedig. Bydd cloch yn cael ei chanu i roi gwybod i'r siaradwyr bod ganddyn nhw funud ar ôl.

Bydd y cyfarfod yn cael ei ffrydio'n fyw ar wefan y Cyngor. Bydd recordiad o'r cyfarfod ar gael yn fuan ar ôl y cyfarfod ar <https://flintshire.publici.tv/core/portal/home>

Mae'r dudalen hon yn wag yn bwrpasol

# Eitem ar gyfer y Rhaglen 4

## **LICENSING COMMITTEE** **10<sup>TH</sup> OCTOBER 2019**

Minutes of the meeting of the Licensing Committee of Flintshire County Council held at County Hall, Mold on Monday, 10<sup>th</sup> October 2019.

### **PRESENT: Councillor Tony Sharps (Chairman)**

Councillors: Glyn Banks, David Cox, Rob Davies, Ron Davies, Chris Dolphin, Rosetta Dolphin, Mike Lowe, Ralph Small, Martin White and Andy Williams.

### **APOLOGY:**

Councillor Adele Davies-Cooke.

### **IN ATTENDANCE:**

Community and Business Protection Manager, Licensing Team Leader, Solicitor and Team Leader - Democratic Services.

## **1. APPOINTMENT OF VICE-CHAIR**

Councillor Cox was moved and seconded as Vice-Chair of the Committee.

### **RESOLVED:**

That Councillor Cox be appointed Vice-Chair of the Licensing Committee for 2019/20.

## **2. DECLARATIONS OF INTEREST**

Councillor Andy Williams declared a personal and prejudicial interest in agenda item number 5 – Hackney Carriage Fare Increase as he was a Director of a private hire company.

## **3. MINUTES**

The minutes of the meeting held on 13<sup>th</sup> February 2019 had been circulated with the agenda.

### **RESOLVED:**

That the minutes be approved as a correct record and signed by the Chair.

## **4. HACKNEY CARRIAGE FARE INCREASE**

The Licensing Team Leader introduced the report which requested consideration of a request made by the Hackney Carriage trade to increase the maximum chargeable fares payable by the public for Hackney Carriage journeys.

Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 provided that a district council could fix the maximum rates of fares within the Borough, and all other charges in connection with the hire of a Hackney Carriage vehicle. This was done by means of a table of fares. Private Hire vehicles were able to set their own fares and were therefore not the subject of the report.

The Licensing Section had received a request from the Manager at a Private Hire Operator firm which used a Hackney Carriage vehicle within its fleet. The request cited the cost of living, and rising fuel and insurance costs as the reason for the review. The current fares were last approved in 2008 and were appended to the report.

A monthly table was published by Private Hire and Taxi Monthly magazine and Flintshire was listed at 334 out of 362, with 362 being the lowest. Proposed fees for consideration were also appended to the report.

Licensed Hackney Carriages must be equipped with a taxi meter which must be calibrated to the maximum fares and charges approved by the Council. Drivers could charge less if they wished but it was an offence to exceed the approved scale of fares. The proposed fares would bring Flintshire in line with the agreed fares in Gwynedd. There were currently only four licensed Hackney Carriage vehicles within Flintshire.

Details of the variation to the table of fares would be published in at least one local newspaper, setting out the table of fares or the variation thereof, and specifying the period which would not be less than 14 days from the date of first publication of the notice within which objections to the table of fares or variation could be made. If no objections were made within the period specified in the notice, or if all objections made were withdrawn, the table of fares or variations would come into operation. If an objection was made, the Council would set a further date, not more than two months after the specified date on which the table of fares should come into force, with or without modifications, as decided by them after consideration of the objections.

Councillor Banks asked if operators were encouraged to use electric vehicles, and suggested that incentives could be given if they did. The Licensing Team Leader explained that Flintshire did not currently have many charging points for electric vehicles, and explained the difficulties a taxi driver could face as the charge did not last as long as fuel.

Having earlier declared a personal and prejudicial interest, Councillor Williams did not take part in the debate or vote.

**RESOLVED:**

- (a) That the increase to the Hackney Carriage fares, for implementation on 1<sup>st</sup> January 2020 and following consultation, be approved; and

- (b) That if any objections were received following the publication of a public notice, delegated authority be given to the Licensing Sub-Committee for it to consider any such objections.

**5. SAFEGUARDING TRAINING FOR PRIVATE HIRE/HACKNEY CARRIAGE DRIVERS**

Members were advised on the Safeguarding Training for Private Hire Operators, and Private Hire/Hackney Carriage Drivers, following approval by the Licensing Committee in October 2017.

Six sessions, run by the NSPCC, had been arranged to take place throughout October 2019 and were detailed in the report.

To date, 373 drivers and operators had booked onto the training. For those drivers not taking advantage of the free sessions offered, attendance on a safeguarding training could be chargeable in the future. Any refusal would result in the licence holder being brought before a Licensing Sub-Committee to ascertain whether they remained fit and proper to remain a licensed driver or operator.

**RESOLVED:**

That the content of the report be noted.

**6. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE**

There were no members of the press or public present.

(The meeting commenced at 10.00 a.m. and ended at 10.16am)

.....  
**Chairman**

Mae'r dudalen hon yn wag yn bwrpasol



# Eitem ar gyfer y Rhaglen 5



## MEETING

<b>Date of Meeting</b>	Wednesday 7 <sup>th</sup> July 2021
<b>Report Subject</b>	Changes to Taxi and Private Hire Licensing
<b>Report Author</b>	Chief Officer (Planning, Environment & Economy)

## EXECUTIVE SUMMARY

The Department for Transport (DfT) has recently published the document "Statutory Taxi and Private Hire Vehicle Standards" and Welsh Government has recently published the document "Harmonisation of Taxi and Private Hire Vehicle Licensing in Wales". Both documents affect Hackney Carriage and Private Hire Licensing.

## RECOMMENDATIONS

1	For information.
2	That Members have regard to these two documents when considering any Taxi and Private Hire Licensing matters

## REPORT DETAILS

1.00	EXPLAINING THE CHANGES
1.01	In July 2020 the Department for Transport (DfT) published Statutory Taxi & Private Hire Vehicle Standards with the focus on protecting children and vulnerable adults. The DfT state that following a detailed consultation it's clear there is a consensus that common core minimum standards are required to better regulate the taxi and private hire vehicle sector.
1.02	The DfT standards have effect in Wales even though responsibility for taxi and private hire vehicle policy has been devolved to Welsh Government. However, should Welsh Government introduce legislation to regulate on these matters, the DfT standards would cease to apply.
1.03	In March 2021, Welsh Government published the Harmonisation of Taxi and Private Hire Vehicle Licensing in Wales. This document follows Welsh Government's white paper 'Improving Public Transport' published in 2018. The aim of the recommendations contained in the document is to provide 'quick fixes' to improve the consistency of licensing standards and increase public safety across Wales. The recommendations form the basis for further development by Welsh Government into national standards.
1.04	There are 5 reasons outlined by Welsh Government to adopt the recommendations, public safety being the first. The public should be able to expect a licensed driver to be competent, honest, safe and trustworthy. There have been numerous reports in recent years involving child exploitation which have made it clear that weak and ineffective arrangements for taxi licensing in England and Wales left the public at risk; these new recommendations hope to rectify this by improving public safety across Wales. This also includes the safety of vehicles, along with improving the standards set for private hire operators.
1.05	Other reasons for adopting the recommendations include better consistency of standards across Wales, harmonised enforcement, increased accessibility of vehicles in wales and better standards of customer service.
1.06	<p>The DfT statutory standards and the Welsh Government's Harmonisation of Taxi and Private Hire Vehicle Licensing recommendations introduce a number of changes that Local Authorities will need to adopt. In summary the main changes are list below, although some of these have already been implemented by this authority:</p> <p>Drivers</p> <ul style="list-style-type: none"><li>• Requirement for drivers to join the Disclosure &amp; Barring Service (DBS) Update Service and have a DBS check every 6 months.</li><li>• Use of the National Database for Refusal and Revocations of Hackney Carriage and Private Hire Drivers</li><li>• Overseas criminal record check for drivers</li><li>• Adopting the Welsh Government's Driver Code of Conduct</li></ul>

	<ul style="list-style-type: none"> <li>Updating the Private Hire Driver Conditions in line with the Welsh Government's Recommendations</li> </ul> <p>Vehicles</p> <ul style="list-style-type: none"> <li>Requirement for vehicle proprietors to have an annual DBS check.</li> <li>Overseas criminal record check.</li> <li>Adopting the Welsh Government's policy on CCTV and Video Point of Impact Systems (VIPS)/Dash Cams in taxis and private hire vehicles.</li> <li>Impose the Welsh Government's recommendations for accessibility conditions on vehicle proprietors of taxis and private hire vehicles.</li> </ul> <p>General</p> <ul style="list-style-type: none"> <li>Standardised application forms across Wales</li> <li>To commit to reviewing any Taxi Licensing Policy every 5 years in accordance with the DfT's Statutory Standards.</li> </ul>
1.07	It is proposed that an overarching Taxi and Private Hire Licensing Policy will be drafted, for consideration by the Committee, to incorporate all of the smaller policies and procedures currently in place into one document, and to incorporate the standards set out in the Welsh Government document.
1.08	In the interim, it is requested that members have regard to both of these documents when considering any Taxi or private Hire Licensing matters.

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	An overarching Taxi Licensing Policy will need to be drafted, which will have resource implications on the Licensing Team.

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	As required.

<b>4.00</b>	<b>RISK MANAGEMENT</b>
4.01	No risk implications.

<b>5.00</b>	<b>APPENDICES</b>
5.01	None.

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	<p>Department for Transport, Taxi and Private Hire Licensing Guide: Best Practice Guide:</p> <p><a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/904369/statutory-taxi-and-private-hire-vehicle-standards-english-28-07-2020.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/904369/statutory-taxi-and-private-hire-vehicle-standards-english-28-07-2020.pdf</a></p> <p>Harmonisation of Taxi and Private Hire Vehicle Licensing in Wales:</p> <p><a href="https://gov.wales/taxi-and-private-hire-vehicles-licensing-guidance-html">https://gov.wales/taxi-and-private-hire-vehicles-licensing-guidance-html</a></p> <p><b>Contact Officer:</b> Gemma Potter – Team Leader  <b>Telephone:</b> 01352 703371  <b>E-mail:</b> <a href="mailto:gemma.potter@flintshire.gov.uk">gemma.potter@flintshire.gov.uk</a></p>

<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
7.01	<p><b>Private Hire</b> – a type of licensed vehicle which can only be booked through a licensed Private Hire Operator’s office.</p> <p><b>Taxi / Hackney Carriage</b> – Black Cab style taxi or purpose built vehicles which have distinguishable features and can be hailed from the street.</p>