

# Public Document Pack



Cyngor Sir  
**CEREDIGION**  
County Council

Neuadd Cyngor Ceredigion, Penmorfa,  
Aberaeron, Ceredigion SA46 0PA  
[ceredigion.gov.uk](http://ceredigion.gov.uk)

Dear Sir / Madam

I write to inform you that a Meeting of the Licensing Committee – Taxis and other matters (non-statutory) will be HELD REMOTELY VIA VIDEO-CONFERENCE on Thursday, 24 February 2022 at 10.00 am for the transaction of the following business:

1. **Apologies**
2. **Disclosure of Personal and Prejudicial Interest**
3. **To confirm the minutes of a meeting of the Licensing Committee (Non Statutory Committee) held on 16 September 2021 (Pages 3 - 6)**
4. **General Update - Taxis and other matters (Non-Statutory) (Pages 7 - 12)**

A Translation Services will be provided at this meeting and those present are welcome to speak in Welsh or English at the meeting.

Yours faithfully

A handwritten signature in black ink that reads 'L Edwards'.

**Miss Lowri Edwards**  
**Corporate Lead Officer: Democratic Services**

**To: Chairman and Members of Licensing Committee – Taxis and other matters (non-statutory)**

The remaining Members of the Council for information only.

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# Agenda Item 3

## **Minutes of a Meeting of the Licensing Committee (Non-Statutory) held remotely by video-conference on Thursday, 16 September 2021**

**Present:** Councillor Alun Lloyd-Jones (Chairman) Councillors Clive Davies, Gareth Davies, Marc Davies, Endaf Edwards, Lloyd Edwards, Elaine Evans, Hag Harris, Dan Potter, Ivor Williams and Matthew Woolfall Jones

**Also in attendance:** Councillor Gareth Lloyd (Cabinet Member)

**Officers in Attendance:** Mr Alun Williams – Corporate Lead Officer – Policy & Performance, Ms Anne Louise – Davies, Trading Standards & Licensing Manager, Mr Gareth Rees, Senior Licensing Officer, Mrs Carwen Evans, Corporate Manager – Public Protection, Ms Nia Jones, Corporate Manager – Democratic Services, Mrs Dana Jones, Democratic Services and Standards Officer

(10:20am -11:25pm)

### **1 Apologies**

Councillor Euros Davies and Mark Strong apologised for their inability to attend the meeting.

### **2 Declaration of personal interest/prejudicial interest**

None.

### **3 To confirm the Minutes of the Meeting of the Licensing Committee held on 26 November 2020 and to consider any matters arising from those Minutes**

It was **RESOLVED** to confirm as a true record the minutes of the meeting of the Committee held on the 26 November 2020

### **4 General Update**

Consideration was given to the Report of the Trading Standards & Licensing Manager and Senior Licensing Officer advising Members of activity undertaken by the Licensing Section since the last Committee meeting as follows:-

- Wild Animal Kingdom Borth – Update
- Horse Drawn Carriage – Policy (Consultation)
- Camping Licensing – Extension of Temporary use to 56 days
- Taxi and Private Hire Statistics 2020/2021
- Local Government (Miscellaneous Provisions) Act 1976 – Taxi Hearings Application for Vehicle Licence – Private Hire
- Dog Breeding – Court Case Appeal
- General Update regarding Animal Welfare/Dog Breeding Legislation - New Regulations, Welsh Government Consultations, etc.

Following questions from the floor, it was AGREED

(i) to note the report for Information;

(ii) to note that the Horse Drawn Carriage – Policy (Consultation) would need to be considered at a future Scrutiny committee prior to presenting to Cabinet; and

(iii) to note that a report on the introduction to The Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulations 2021; which introduces a ban on third party sales of puppies (and kittens) (“Lucy’s law”) in Wales. Overview of the current situation with licensed dog breeding in Ceredigion was due to be considered by Healthier Communities Overview and Scrutiny Committee on the 22 September

**5 Hackney Carriage and Private Hire Licensing – Review of Current Policy - Determining the Suitability of Applicants and Current Licence Holders.**

Consideration was given the report upon Hackney Carriage and Private Hire Licensing – Review of Current Policy - Determining the Suitability of Applicants and Current Licence Holders. The report had been presented in order to the Licensing Committee’s approval for the Licensing Service to begin a formal public consultation, on changing the Council’s Suitability Policy relating to applicants and holders of hackney carriage, private hire vehicle, driver’s licences and operator licences.

The following Information was outlined upon:-

- Background
- Requirement to Review Current Suitability/Fitness Policy
- Requirement for Consultation
- Legal Implications

Following questions from the floor, it was AGREED to:-

- (i) approve the review of its Suitability Policy for Hackney Carriage and Private Hire Licensing, and
- (ii) approve the need to consult with the trade and the wider public (including relevant local organisations) on the draft Suitability/Fitness Policy (Hackney and Private Hire Drivers and owners) Policy.

**6 Report on the Proposal to Review Ceredigion County Council’s Statement of Licensing Policy relating to Hackney Carriage and Private Hire Vehicles, Drivers and Operators.**

Consideration was given to the Proposal to Review Ceredigion County Council’s Statement of Licensing Policy relating to Hackney Carriage and Private Hire Vehicles, Drivers and Operators. The report had been presented to inform Members of the Committee of the requirement to review the current Hackney and Private Hire Policies and seek its approval to consult on the Policy review.

The following Information was outlined upon:-

- Background
- Changes to the Statement of Licensing Policy
- Consultation

- Achievability
- Legal Implications

Following question from the floor, it was AGREED

It is recommended that the Committee consider the contents of the report and resolve to APPROVE:-

(i) the review of its Statement of Licensing Policy relating to the Hackney Carriage (Taxi) and Private Hire Vehicles, Drivers and Operators in line with the new DfT Statutory Standards and the Welsh Government's Harmonisation of Taxi and Private Hire Vehicle Licensing Recommendations; and

(ii) the need to consult with the trade and the wider public (including relevant local organisations for example; accessibility groups) on a draft Statement of Licensing Policy.

## **7 Any Other Business**

Councillor Gareth Davies raised his concerns regarding taxi drivers running their car engines outside the school gate; this was also the case with taxi drivers on the taxi rank during the winter to keep warm. It was reported that this was against the law due to its impact on the environment. The Senior Licensing Officer stated that following the meeting that Councillor Davies should contact him with details of the school, taxi number etc. in order that a letter could be sent from the Licensing Service informing them that this issue was prohibited. Arrangements would also be made for these areas to be visited and vehicles inspected.

**Confirmed at the Meeting of the Licensing Committee – Taxis and other matters (non-statutory) held on 18 November 2021**

**Chairman:** \_\_\_\_\_

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

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## CEREDIGION COUNTY COUNCIL

**Report to:** Licensing Committee (Non-Statutory Committee)

**Date of meeting:** 24<sup>th</sup> February 2022

**Title:** General Update - Taxis and other matters (Non-Statutory)

**Purpose of the report:** For information

### **Review of the Council's Hackney Carriage and Private Hire Licensing Policy - horse drawn omnibuses - Update**

The report on the policy was presented to the Healthier Communities Overview and Scrutiny Committee, who considered the contents of the report and the result of the public consultation.

The Authority had been approached by an individual who expressed an interest in operating a horse-drawn carriage to convey passengers along Aberystwyth Promenade. The current Overarching Hackney Carriage and Private Hire Licensing Policy does not govern the licensing of horse-drawn carriages/omnibuses and Ceredigion County Council currently has no byelaws in place for the regulation of omnibuses.

The use of a horse and carriage to provide a public transport facility cannot be licensed as a private hire vehicle, as this function is limited to motor vehicles. A horse and carriage can be licensed for use as an 'omnibus' under the Town Police Clauses Act 1889, but in order to licence and regulate the use of such omnibuses, the Authority must first:

- 1) Make amendments to its existing Overarching Policy in order to introduce new specific licensing conditions for this type of transportation, and
- 2) Adopt a new byelaw to regulate horse-drawn carriages / omnibuses.

It was necessary to conduct a public consultation before any amendments to the Policy was made. The Service received a total of 216 responses to the consultation.

The Committee were asked to consider the content of the report and the consultation responses and to recommend to Cabinet either:

1. that the proposed policy change is unnecessary and the Authority should consider remaining a "no omnibus" county,
2. that the proposed policy change is necessary to permit omnibuses in Aberystwyth and/or any other area of the county which necessities:
  - a) adopting the new licensing conditions, and
  - b) adopting a new byelaw for the proposed to new designated route and/or any future proposed omnibus route to effectively enforce any breaches of those licensing conditions.

Questions were raised by the members including arrangements for the turning area that would be used for the horse and cart to turn at the harbour and where would the transport vehicle for the horse and cart be parked. It was emphasised that animal welfare should be a priority and that the correct signage should be erected.

The Committee acknowledged the responses to the consultation.

Following further discussion, the Committee agreed to recommend to Cabinet that the proposed policy change is necessary to permit omnibuses in Aberystwyth and/or any other area of the county which necessities:

- a) adopting the new licensing conditions, and
- b) adopting a new byelaw for the proposed to new designated route and/or any future proposed omnibus route to effectively enforce any breaches of those licensing conditions.

The Policy and draft byelaw will be considered by Cabinet on 12<sup>th</sup> July 2022.

### **Review of Taxi Fares**

The Licensing team have received a request signed by a number of licensed drivers and proprietors asking them to carry out a review of the current Ceredigion Hackney fares and charges, which have remained unchanged since April 2018.

The review will include a consultation with the licensed operators and drivers operating within the County, requesting proposals for any recorded increase.

Following the consultation with the trade, a report will be prepared for consideration by the non-statutory Licensing Committee. The report will contain details of any proposed fare increase, details of any rise in the fuel costs since the last fare rise and a comparison with the current fares of all Authorities within England and Wales.

If authorised by the Committee, the proposed table of new fares will be published in the local newspapers, giving 14 days for any persons to submit objections, in accordance with Section 65 of the Local Government (Miscellaneous Provisions) Act 1976.

### **Events Safety Advisory Group (ESAG) - Eisteddfod Tregaron 2022**

On 18 January 2022, an Events Safety Advisor Group (ESAG) met to resume the planning of the National Eisteddfod. A variety of matters that require careful coordination and close partnership working to ensure that the event proceeds successfully and safely were discussed.

Key stakeholders including officers from the Council's Public Protection Services attended the ESAG meeting. It was agreed that additional sub-group meetings will now be held to enable services such as Public Protection to advise the event organisers on various regulatory matters which will range from premises licences, temporary event notices, taxi licensing, entertainment requirements, provision of late-night refreshments, etc., environmental health/food safety, trading standards/underage sales, and of course the COVID-19 risk management arrangements for the event.

The next main ESAG meeting is due to be held remotely on 22 March 2022.

### **Requests for Film Classification**

In December 2021, the Authority received a request from Junko Takekawa, Senior Arts Programme Officer from The Japan Foundation, London for the Licensing team to view and classify three Japanese films, which they desired to screen at Aberystwyth Arts Centre during February/March 2022.

The films had been classified in Japan as “G” rated, which means all can watch. The films were viewed and classified by officers from the Licensing Team who classified them as PG – Parental Guidance or 12A (No one younger than 12 may see a film of this category in the cinema unless accompanied by an adult).

### **Holiday Caravan Site Licences – Review of Conditions**

The Licensing Team is currently completing a review of the conditions which are currently attached to Holiday Caravan Site Licences.

The Authority is currently using model standards that have not been updated since 1989. The Authority is responsible for administering the licensing regimes for regulating caravan sites within Ceredigion. These include:

- Holiday Static Sites and
- Holiday Touring Sites.

There are around 140 licensed holiday and touring sites within Ceredigion, which are regulated under The Caravan Sites and Control of Development Act 1960.

During 2019/2020 members of the Four Counties Licensing Forum, which includes members of Pembrokeshire, Carmarthenshire, Ceredigion and Powys local Authorities met with a member of Mid and West Wales Fire Service to draft new conditions, which are in the process of being finalised. These are necessary to bring the conditions up to date and in line with the relevant legislation.

The conditions attached to the licences are based on model standards dating back to 1983 and 1989.

A report will be completed and brought before the next Licensing Committee with a view of recommending approval of the new model conditions prior to them going through a 28-day consultation period.

### **Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulations 2021**

On 20 September 2021, the above regulations came into force and require the licensing authority to licence and regulate activities involving animals.

On 8 October 2021, the local authority received an application from a new business requesting an animal activities licence at a business premises in Llanrhystud. The proprietor of the business wished to offer animal experiences to visitors on their small holding. It was proposed that visitors would be able to enjoy viewing a number of farm animals, which include goats, sheep, horses, pigs, chickens and alpacas. The proposed activity of alpaca walking requires licensing as it is considered an animal activity.

Officers from the authority conducted an inspection of the facility and provided the applicant with a list of conditions which had to be met before they would be issued with a licence. A licence was subsequently granted for the activity requested.

Alpaca walking is becoming increasingly popular and has appeared on television programmes such as Countryfile. The Authority has also received a similar application for a premises situated in Llangybi, Ceredigion.

<b>Recommendation(s):</b>	Members receive this report for information.
<b>Reason for recommendation</b>	To advise Members of activity undertaken by the Licensing Section since the last Committee meeting and also advise on current work being undertaken.
<b>Policy Framework:</b>	The statutory functions delivered by the Licensing Team is a fundamental element of Public Protection policy framework.
<b>Corporate Priorities</b>	<ul style="list-style-type: none"><li>• Investing in People's Future</li><li>• Promoting Environmental and Community Resilience</li></ul>
<b>Finance and procurement implications:</b>	Within budget
<b>Service Area</b>	Policy, Performance and Public Protection
<b>Statutory Powers:</b>	Licensing Act 2003, Gambling Act 2005 and any Regulations made under the Acts.
<b>Background Papers</b>	None
<b>Corporate Lead Officer:</b>	Alun Williams (Policy & Performance)
<b>Reporting Officer(s):</b>	Carwen Evans (Corporate Manager), Anne-Louise Davies (Trading Standards & Licensing Manager), Gareth Rees (Senior Licensing Officer)

**Date:**

2<sup>nd</sup> February 2022

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