

CEREDIGION COUNTY COUNCIL

Report to: Licensing Committee (Non-Statutory Committee)

Date of meeting: 24th 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 12th 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.

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

Date:

2nd February 2022