

To: Members of the Licensing
Committee

Date: 6 September 2023

Direct Dial: 01824 712568

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Dear Councillor

You are invited to attend a meeting of the **LICENSING COMMITTEE** to be held at **9.30 am** on **WEDNESDAY, 13 SEPTEMBER 2023** in the **COUNCIL CHAMBER, COUNTY HALL, RUTHIN AND BY VIDEO CONFERENCE.**

Yours sincerely

G Williams
Monitoring Officer

AGENDA

PART 1 - THE PRESS AND PUBLIC ARE INVITED TO ATTEND THIS PART OF THE MEETING

1 APOLOGIES

2 DECLARATION OF INTERESTS

Members to declare any personal or prejudicial interests in any business identified to be considered at this meeting.

3 URGENT MATTERS AS AGREED BY THE CHAIR

Notice of items which, in the opinion of the Chair, should be considered at the meeting as a matter of urgency pursuant to Section 100B(4) of the Local Government Act, 1972.

4 MINUTES OF THE LAST MEETING (Pages 9 - 12)

To receive the minutes of the Licensing Committee held on 19 June 2023 (copy enclosed).

5 PROPOSED CHANGES TO HACKNEY CARRIAGE VEHICLES TABLE OF FARES AND CHARGES (Pages 13 - 30)

To consider a report by the Head of Planning, Public Protection and Regulatory Services (copy enclosed) seeking the Committee's review of the current tariff charges for hackney carriage vehicles (taxis).

6 PROPOSED REVISED HACKNEY CARRIAGE BYELAWS (Pages 31 - 58)

To consider a report by the Head of Planning, Public Protection and Regulatory Services (copy enclosed) presenting the revised Byelaws relating to Hackney Carriage regulation for the Committee's consideration and approval for formal consultation.

7 REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER MEDICAL REQUIREMENTS (Pages 59 - 82)

To consider a report by the Head of Planning, Public Protection and Regulatory Services (copy enclosed) on the review of current medical requirements for drivers and seeking the Committee's approval for formal consultation on the proposals for implementation of Group 2 medical standards.

8 LICENSING COMMITTEE FORWARD WORK PROGRAMME 2023 (Pages 83 - 86)

To consider a report by the Head of Planning, Public Protection and Regulatory Services (copy enclosed) on the priorities of the Licensing Section together with a revised forward work programme.

PART 2 - CONFIDENTIAL ITEMS

It is recommended in accordance with Section 100A(4) of the Local Government Act 1972, that the Press and Public be excluded from the meeting during consideration of the following item of business because it is likely that exempt information as defined in paragraphs 12, 13 and 14 of Part 4 of Schedule 12A of the Act would be disclosed.

9 APPLICATION FOR A PRIVATE HIRE VEHICLE LICENCE (Pages 87 - 116)

To consider a confidential report by the Head of Planning, Public Protection and Regulatory Services (copy enclosed) seeking members' determination of an application for a Private Hire Vehicle Licence.

10.45 am

MEMBERSHIP

Councillors

Bobby Feeley (Chair)

Hugh Irving (Vice-Chair)

Michelle Blakeley-Walker

Delyth Jones

Joan Butterfield

Paul Keddie

Gwyneth Ellis

Win Mullen-James

Alan James

Andrea Tomlin

Brian Jones

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LICENSING COMMITTEE PROCEDURE FOR THE DETERMINATION OF HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVER LICENCE APPLICATIONS AND REVIEWS OF EXISTING LICENSED DRIVERS

STEP	DESCRIPTION
1.	The Chair to welcome and introduce the applicant/licence holder to all parties present.
2.	Solicitor to ask the applicant/licence holder to confirm that he/she has received the report and the Committee procedures. If applicant confirms same, move onto step 4.
3.	If it should occur that the applicant/licence holder states that the report has not been received, then such matter will be addressed at this stage. Members may wish to consider adjourning the matter, for a short period, in order for the applicant/licence holder to read the report.
4.	Head of Planning and Public Protection (or representative) briefly introduces the application/review
5.	The applicant/licence holder is requested to present his/her case The applicant/licence holder can call any witnesses he/she chooses in support of the application, for which advance notice should have been given to the Licensing Officers.
6.	Committee Members can question the applicant/licence holder and or his witnesses
7.	Technical officers are invited to present any findings (Licensing/Community Enforcement, First Contact Team (Social Services), School Transport.)
8.	The Committee Members followed by the applicant/licence holder can ask questions of the technical officers
9.	The applicant/licence holder will be invited to make a final statement, if they so wish
10.	The following will be requested to leave the meeting whilst the application/review is discussed by Members – the applicant/licence holder, all third parties, Head of Planning and Public Protection, technical officers NB The only people remaining should be – Committee Members, translator, committee’s legal adviser and the minute taker

11.	The committee members will consider the application/review taking into account the evidence heard
12	Should Committee Members prove it necessary to recommence the asking of questions and recall any party to provide further information or clarification, all persons who have withdrawn from the meeting will be invited to return. After the question(s) have been determined all third parties will be asked to withdraw again for Members to consider all evidence.
13.	When the Members have reached their decision, all parties will be recalled and the applicant/licence holder will be informed of the Members decision by the Chairman.
14.	The Chair will inform the applicant/licence holder of the decision reached. This will include any specific conditions or penalties which may have been imposed. If necessary the Council's Solicitor to provide further clarification of the decision and its implications to the applicant/licence holder.
15.	If the decision is to refuse or there is a decision to suspend or revoke, the Council's Solicitor to inform the applicant/licence holder of the right of appeal to the Magistrates' Court (the decision letter will also include these details).
16.	For an existing licensed driver (issued by Denbighshire), and the decision involves a resolution by the Committee to suspend or revoke the existing licence, Members may do so under either: 1. Section 61 (2A) of the Local Government (Miscellaneous Provisions) Act 1976. 2. Section 61 (2B) of the Local Government (Miscellaneous Provisions) Act 1976. This decision will have IMMEDIATE EFFECT and can only be used when the grounds for suspension/revocation are a public safety matter. The Solicitor will explain to the licence holder the implications of the decision.
17.	The applicant/licence holder will be informed of the decision in writing as soon as practicable.
18.	The applicant/licence holder will be invited to discuss any matter they are unsure of with Licensing Officers after the Committee

LOCAL GOVERNMENT ACT 2000

Code of Conduct for Members

DISCLOSURE AND REGISTRATION OF INTERESTS

I, *(name)*

a *member/co-opted member of
*(*please delete as appropriate)*

Denbighshire County Council

CONFIRM that I have declared a ***personal / personal and prejudicial** interest not previously declared in accordance with the provisions of Part III of the Council's Code of Conduct for Members, in respect of the following:-

*(*please delete as appropriate)*

Date of Disclosure:

Committee *(please specify)*:

Agenda Item No.

Subject Matter:

Nature of Interest:

*(See the note below)**

Signed

Date

*Note: Please provide sufficient detail e.g. 'I am the owner of land adjacent to the application for planning permission made by Mr Jones', or 'My husband / wife is an employee of the company which has made an application for financial assistance'.

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LICENSING COMMITTEE

Minutes of a meeting of the Licensing Committee held in the Council Chamber, County Hall, Ruthin and by video conference on Monday, 19 June 2023 at 9.30 am.

PRESENT

Councillors Joan Butterfield, Gwyneth Ellis, Bobby Feeley, Hugh Irving, Alan James, Brian Jones, Delyth Jones, Paul Keddie, Win Mullen-James and Andrea Tomlin

Observer: Councillor Jeanette Chamberlain-Jones

ALSO PRESENT

Legal Officer (CL), Public Protection Business Manager (IM), Senior Licensing Officer (NJ), Licensing Officer (ES), Enforcement Officers (Licensing) (KB & NS) and Committee Administrators (KEJ & RTJ [Webcaster])

1 APOLOGIES

Councillor Michelle Blakeley-Walker

2 DECLARATION OF INTERESTS

No declaration of interest had been raised.

3 APPOINTMENT OF CHAIR

Nominations were sought for Chair of the Licensing Committee for 2023/24. Councillor Andrea Tomlin proposed, seconded by Councillor Hugh Irving, that Councillor Bobby Feeley be appointed Chair. There were no further nominations.

RESOLVED that Councillor Bobby Feeley be appointed Chair of the Licensing Committee for the ensuing year.

4 APPOINTMENT OF VICE CHAIR

Nominations were sought for Vice Chair of the Licensing Committee for 2023/24. Councillor Brian Jones proposed, seconded by Councillor Andrea Tomlin, that Councillor Hugh Irving be appointed Vice Chair. There were no further nominations.

RESOLVED that Councillor Hugh Irving be appointed Vice Chair of the Licensing Committee for the ensuing year.

5 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters had been raised.

6 MINUTES OF THE LAST MEETING

The minutes of the Licensing Committee held on 7 December 2022 were submitted.

RESOLVED that the minutes of the meeting held on 7 December 2022 be received and confirmed as a correct record.

7 UPDATE ON THE WORK OF THE LICENSING SECTION IN 2022/23

The Public Protection Business Manager (PPBM) submitted a report (previously circulated) updating members on the work of the Licensing Section during 2022/23 which focused on both operational and management matters.

The report provided statistical data of the number of licences issued, complaints and service requests received covering the main functions – Alcohol and Entertainment; Hackney and Private Hire Licensing; Gambling, Gaming and Lotteries; Street Trading; Charity Collections and Scrap Metal together with other activities including service requests/freedom of information, overall workload results and communications. Management matters included reference to policies, fees and future workload considerations. The PPBM guided members through the report.

Members took the opportunity to discuss various aspects of the report with the PPBM who responded to questions and comments as follows –

- there were fewer applicants/drivers appearing before the committee which was a reflection of how well the current policy was working, with powers delegated to officers within the policy framework, and matters only being brought before members that involved deviation from policy in exceptional circumstances
- over the last twelve months there had been 34 new licensed driver applications and 24 licensed drivers leaving the profession resulting in an extra 10 licensed drivers during that period. However, there was a downward trend in the number of licensed drivers and vehicles generally
- it was reasonable to conclude that the reduction in the number of vehicle defects identified had been due to the effectiveness of the policy and testing regime
- it was agreed to include in future reports the number of premises licences surrendered in order to identify any trends/pressures, although it was noted that not all licences were surrendered when licensed premises ceased operating
- charitable collections involving putting clothing bags through letterboxes door to door were largely exempt from licensing due to charities holding Home Office Exemptions
- provided assurances that there was regular communication via email with the taxi trade which included highlighting the defects identified following vehicle inspections in order to raise awareness of those issues
- serious vehicle safety defects would involve suspension of the licence pending completion of the required works but vehicles with minor defects could continue operating with a notice of relevant works for completion within a set time period
- most complaints received in relation to licensed premises were linked to noise nuisance and predominantly an issue for Pollution Control, with the remit of Licensing Officers confined to ensuring licensing conditions were met. However, both Licensing and Pollution Control Officers worked closely together with a view to resolving issues of noise nuisance linked to licensed premises

- elaborated on the role and remit of the Personal Licence Holder and Designated Premises Supervisor in the operation of licensed premises; detailed the differences between Street Trading Permits issued by the Council and Pedlar's Certificates issued by the Police; and reported on the requirements for Scrap Metal Licences including separate licences for both sites and collectors
- reference to taxi licences issued could be found on the Council's website and once the work on the new database was completed it was hoped that information on all licences issued would be available for the public to view
- despite the continuing move to online processing the option remained for cash and cheque payments via One Stop Shops and arrangements made for those applicants/licensees who did not use the online service
- the number of Betting Shops in the county had remained static over the last few years and online provision was regulated by the Gambling Commission
- provided an update on the Welsh Government's White Paper on taxi and private hire licensing, with the closing date of 1 June 2023 on the initial consultation, and a further consultation on the detailed proposals expected in the autumn.

The Chair and members thanked the PPBM for the informative report on the scope and comprehensive work of the Licensing Section, and to all those who had contributed to that process.

RESOLVED that the contents of the report be noted.

8 LICENSING COMMITTEE FORWARD WORK PROGRAMME

The Senior Licensing Officer submitted a report (previously circulated) on the priorities of the Licensing Section together with a revised forward work programme.

The priorities of the Licensing Section reflected the duty placed on the authority in relation to its responsibilities for the licensing function and the effective regulation, control and enforcement of licensees together with the authority's commitment to safer communities and the development of the economy. The scheduled review of the Hackney Carriage and Private Hire Statement of Policy had been postponed pending the outcome of the consultation on the recently published Welsh Government White Paper: Taxi and Private Hire Vehicle (PHV) (Wales) Bill, and a revised work programme had been presented for consideration. [A member briefing on the White Paper had been arranged immediately following the meeting.]

Members noted the update and revised forward work programme. It was confirmed that member training would also be included in the forward work programme.

RESOLVED that –

- the contents of the report be noted, and*
- the revised forward work programme for 2023 as detailed in Appendix A to the report be approved.*

The meeting concluded at 10.20 am.

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REPORT TO:	Licensing Committee
DATE:	13 September 2023
LEAD OFFICER:	Head of Planning, Public Protection and Countryside Services
CONTACT OFFICER:	Public Protection Business Manager licensing@denbighshire.gov.uk 01824 706066
SUBJECT:	Proposed Changes to Hackney Carriage Vehicles Table of Fares and Charges

1.0 PURPOSE OF THE REPORT

1.1 To review the current tariff charges for hackney carriage vehicles (taxis).

2.0 EXECUTIVE SUMMARY

2.1 Following a request by a licensed driver to review the current tariff charges officers have drafted proposals for further consultation.

3.0 POWER TO MAKE THE DECISION

3.1 Local Government (Miscellaneous Provisions) Act 1976.

4.0 BACKGROUND INFORMATION

4.1 Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 ("the Act") allows the Council to fix the rates or fares within the county in connection with the hire of a vehicle.

4.2 A request was received by a licence holder to increase all tariffs and extras by 10%, using inflation as a marker. The justification submitted as part of the request was:

- i. In the last 12 months costs have continued to increase at an alarming rate, with inflation running at over 10%, above inflation wage rises, garage costs increasing and electric costs increasing by over 50%.*
- ii. We also have the imminent imposition of the 30mph to 20mph speed reduction on September 17th. This will increase journey times. As taxis charge by the mile the drivers will be able to earn less per hour as they will be able to cover less miles.*
- iii. Payment by card – more customers than ever wish to pay by card, in real terms this is a 2-3% reduction in the fare due to processing fees*

- 4.3 As a result of the fare review request, Officers have taken the opportunity to consult with all licence holders on the proposal received, to gain an understanding of whether there is general support from the trade for a fare increase at this time. From 280 licensed drivers, we received 56 responses of which 47 were in support of a fare increase, which Officers feel is a sufficient number to progress with a fare review.
- 4.4 As a result of the consultation with licence holders, alternative proposals were submitted which can be found at Appendix A. As you can see there were many variations which were considered too many for this review.
- 4.5 Members will be aware that during 2022 a comprehensive hackney carriage fare review was undertaken by a Consultant, who recommended adopting a methodology for calculating any future fares. However in order to be able to utilise the methodology, data is required from licence holders to feed into the calculation and engagement from the trade is paramount for the methodology to be effective. This process has started but will take some time to obtain sufficient data to have a meaningful effect/result. In the absence of this data the Consultant recommended using the Retail Price Index for Motoring as a tool to increase/decrease fares. Members may wish to note that National Rail fares are also linked to RPI data as a whole, i.e. not just motoring, released every July.
- 4.6 The current Retail Price Index for Motoring as of August 2023 is 4.8%
- 4.7 The current tariff for Denbighshire is attached at Appendix B.
- 4.8 Members should note that although the Council set the table of fares a hackney carriage proprietor can charge a customer a lesser fee; the set charge is only the maximum charge permitted.

5.0 CONSIDERATIONS

- 5.1 The current “table of fares” was last amended in July 2022.
- 5.2 The charges for distance are used to compile a “league table” of taxi fares throughout the UK, produced by the Private Hire and Taxi Monthly <https://www.phtm.co.uk/newspaper/taxi-fares-league-tables>. Comparisons are based on two-mile journey on the normal tariff and does not take account of any extras / additions. Position “1” is dearest.
- 5.3 Based on current charges Denbighshire are listed within the “league table”, as of August 2023 as follows on the below table:

UK WIDE POSITION NUMBER	WALES POSITION NUMBER	NORTH WALES POSITION NUMBER
288	14	3

- 5.4 Should Members be minded to support a fare increase based on the proposal received as detailed in 4.2 above, it would amount to a 10% increase in maximum charges. Alternatively, should Members be minded to support a fare increase based on the Retail Price Index for Motoring, as previously recommended, it would amount to a 5 % increase in maximum charges (the percentage rate has been rounded up from 4.8%).
- 5.5 For ease of reference please refer to Appendix C to view what each proposal would amount to in terms of tariff, additional items and 2 mile journey together with details of maximum current fares for journeys for the six North Wales Counties.
- 5.6 Should Members resolve to support an increase in the current fares, Officers propose to go out to public consultation by publishing the required statutory notice for variations on the tariff. This notice must appear in one local newspaper circulated in the County and detail the proposed new tariff. There is a minimum statutory period of 14 days and Officers are proposing to run this for a period for 28 days. The notice will specify how and where objections can be made along with a specified date on which the tariff will take effect, if there are no objections.
- 5.7 If no objections are received at this stage the amended scale of fares and charges will come into effect after the expiration of the public notice i.e. the date specified. However, should objections be received at this stage, they must be brought back to the Licensing Committee for further consideration for a final tariff and a date of implementation.
- 5.8 Members should note that any final tariff will require a Lead Member Delegated decision to ensure the Council meets its constitutional obligations.
- 5.9 In summary Members are being asked to consider one of the following options:
- Retain the current table of fares;
 - Support the proposal received to increase the tariff by 10%;
 - to increase the tariff in line with the Retail Price Index all Motoring as recommended by the Consultant;

6.0 RECOMMENDATION

- 6.1 Having considered of all of the available information it is recommended that Members instruct Officers to consult on the implementation of an increase to the tariff by 5% (rounded to the nearest full percent) in line with the Retail Price Index all Motoring.
- 6.2 Members are reminded that they may opt to take a different course of action i.e. do nothing by retaining the current table of fares, or support the proposal from the driver.
- 6.3 Authorise officers to proceed with statutory notice with an implementation date of at least 28 days following publication of the notice.
- 6.4 Instruct officers to prepare a report for the next Licensing Committee if any objections are received to that statutory notice.

List of responses received to the following consultation:

1. Do you agree there should be an increase in the taxi tariff/fare?
Yes/No
2. Do you agree with the following proposal that has been requested?
10% increase across all tariffs and extra charges
3. Any other proposals/ideas/ comments regarding a fare increase, please provide details
4. If we have not heard from you by the 31st July 2023 we will assume that you are not in support of a fare review and are satisfied with the current table of fares dated July 2022.

Responses received in support of a fare review:

Reference	Comment received
1	Yes I agree to a 10% increase, I'm not sure why this is even a discussion
2	Hope you are all well . Yes I am in favour of the price increase . Many thanks
3	1 yes there should be an increase. 2. 10% seems fair. 3. nothing else to add
4	I believe a fare increase is needed. I certainly would support a 10% increase across all fares and charges.I would also support tarriff 2 being brought forward to 7pm on Friday and Saturday evenings as it would encourage more drivers to come out for a full shift. With tarriff 2 not kicking in until midnight drivers have no incentive to work the busiest evenings. One of the biggest issues is lack of weekend evening drivers and this would negate that.
5	Point 1....yes Point2.....yes Piont 3....alternatives £4 start and £2.50 per mile from start Rate should increase in smaller divisions ie..tariff1 increments of 10 pence . tarrif 2 increments of 15 pence Current increments are too big and silly amounts
6	1. Do you agree there should be an increase in the taxi tariff/fare? Yes/No YES 2. Do you agree with the following proposal that has been requested?

	<p>10% increase across all tariffs and extra charges YES</p> <p>3. Any other proposals/ideas/ comments regarding a fare increase, please provide details: One of the biggest cost increases for operators and drivers is the massive increase in new and second hand car costs driven by the lack of availability of new and second hand car. I believe a number of airport transfer companies in our area have had to shut down because they simply couldn't afford to replace their aging vehicles. This will also effect hackney vehicles and their owners.</p>
7	Yes i support an increase in tariff
8	<p>Answer 1 : Yes Support</p> <p>Answer 2 : Yes Support</p> <p>Answer 3 : Query? What happen to the applications to try the new electric vehicle that was on offer??? Some of the drivers were not given the oppotunity but were perfectly fine to test drive the god awful nissan nv's!</p>
9	I agree that there should be a 10% increase in the rates and extras.
10	Yes I agree to a 10% increase but once again would like to point out that there should be a bus tariff which might encourage more w/c accessibility vehicles on the road
11	I agree with the proposed tariff increase of 10% (question 1) I agree with the proposal to increase charges by 10% overall (question 2)
12	<p>1) YES I agree</p> <p>2) YES I agree</p> <p>3) to support the price increase further: Increase in the cost of vehicles under 5 years old Vehicles either powered by electricity or Dual fuel (hybrid) being at a higher cost that Diesel or petrol vehicles. To satisfy government green targets.</p>
13	<p>1 yes</p> <p>2yes</p> <p>3 I think we should be able to charge much more for an 8 seater than we do for a car as the cost to us is higher using and buying 8 seaters plus if there is 8 people they can share the fare</p>
14	<p>1) Yes we do need a tariff increase</p> <p>2) My proposal would be to increase starting price from £3.50 to £4.50 and leave all other tariffs as they are.</p> <p>3) The reason for my proposed start price increase is because unless you are near the pick up address the £3.50 jobs are not cost effective.</p>
15	As a hackney driver, I am fully in support of a tariff increase. I agree heavily with the points that were highlighted in the review email
16	I am in support of a tariff increase and believe it would help drivers with points made in your email.

	If you require any further information please let me know and I will send it to you.
17	I am in full agreement with the proposal to increase all tariffs by 10% and support all reasons given. As I have previously stated I think that this is a much needed increase as the increase in both running costs and drivers abilities to pay the daily living cost mean that more and more drivers are having to leave the trade . Inflation is the main factor and the Hackney trade can not be left to fall behind any further.
18	Yes I agree with increase thanks
19	Thank you for the email below, I agree that there should be a review and the following should be considered Tariff 1 should be the same but the first mile should be reduced to 2/3 of a mile, after the previous review a lot of customers have had little or no increase Tariff two should remain the same A further review should be taken in 12 months after inflation has settled down.
20	Yes i understand what your saying i would be more than happy with the fare increase
21	1. Do you agree there should be an increase in the taxi tariff/fare? Yes 2. Do you agree with the following proposal that has been requested? 10% increase across all tariffs and extra charges - Yes 3. Any other proposals/ideas/ comments regarding a fare increase, please provide details: The council could consider dropping their charges for licensing and other expenses for taxi drivers.
22	Yes i am in agreement about the tarrif
23	Yes I do agree with the 10% rise on all fares
24	1. Do you agree there should be an increase in the taxi tariff/fare? Yes 2. Do you agree with the following proposal that has been requested? 10% increase across all tariffs and extra charges -Yes 3. Any other proposals/ideas/ comments regarding a fare increase, please provide details: No
25	yes I agree with the increase
26	1. Do you agree there should be an increase in the taxi tariff/fare? Yes 2. Do you agree with the following proposal that has been requested? 10% increase across all tariffs and extra charges Yes 3. Any other proposals/ideas/ comments regarding a fare increase, please provide details: I think the waiting time needs looking at as regards to the time it takes to kick in on fares under a mile

	Some wait and RTN are clocking 3.50 to 4.00 but it's the time it takes
27	1. Do you agree there should be an increase in the taxi tariff/fare? Yes 2. Do you agree with the following proposal that has been requested? 10% increase across all tariffs and extra charges Yes
28	Yes
29	I agree to the fair increase
30	I agree there should be a 10% increase
31	Yes I myself agree with the increase in the tariff increase
32	Fares being increased by 10% is simply not enough, it's impossible to attract drivers to the job because we taxi drivers do not get looked at fairly. We have had to struggle for 12 months through the economic crises and now this insulting offer which will no doubt get dragged out for 6 months and then get rejected. People in high places need to look at why we can't attract drivers to the job but again they won't. 1. Agree fares should increase but by 15% minimum then a small increase every year like every other industry. 2. Answered in question 1. 3. Answered in email
33	Yes I agree
34	I agree with an increase
35	I agreed to increase taxi fair. Q1 yes q2 yes q3 yes
36	1. Do you agree there should be an increase in the taxi tariff/fare? Yes I Agree. 2. Do you agree with the following proposal that has been requested? 10% increase across all tariffs and extra charges? Yes I agree. 3. Any other proposals/ideas/ comments regarding a fare increase, please provide details: no other comment.
37	1. Do you agree there should be an increase in the taxi tariff/fare? Yes I Agree. 2. Do you agree with the following proposal that has been requested? Yes, i agree 10% increase across all tariffs and extra charges. 3. Any other proposals/ideas/ comments regarding a fare increase, please provide details: No other comments
38	1. Do you agree there should be an increase in the taxi tariff/fare? Yes. 2. Do you agree with the following proposal that has been requested? Yes. 10% increase across all tariffs and extra charges YES. 3. Any other proposals/ideas/ comments regarding a fare increase, please provide details: None
39	I agree to 10% increase in taxie fares due to reasons mentioned.
40	Yes I agree with all increases in tariffs
41	1. I do agree to increase the tariff fairs. 2. I agree with the 10% increase. 3. I would also like to suggest that when we transport pets there should be an extra tariff applied as most are big dogs that leave a lot of hair in the taxi therefore having to clean the vehicle before accepting another fair.

42	1. Do you agree there should be an increase in the taxi tariff/fare? Yes. 2. Do you agree with the following proposal that has been requested? 10% increase across all tariffs and extra charges - Yes. 3. Any other proposals/ideas/ comments regarding a fare increase, please provide details: None.
43	I agree with the proposed tariff changes. Our local neighbour, Conwy are already on 30p per 10th of a mile, and are in discussions to raise it to 35p per 10th of a mile with a minimum £4 charge. Also, there has been a lot of talk about EV vehicles, most of these vehicles start at £45000,so if Denbighshire wants a sustainable fleet the fares do really need increasing.
44	1. Yes. 2. Yes. 3. Personally I would like to stay at £3.50, but would prefer to change the 1 mile before meter charges to a lesser time
45	1. Do you agree there should be an increase in the taxi tariff/fare? Answer: Yes. 2. Do you agree with the following proposal that has been requested? 10% increase across all tariffs and extra charges- Answer: Yes! 3. Any other proposals/ideas/ comments regarding a fare increase, please provide details: Answer: None
46	1. Yes there should be an increase 2. 10% increase should be the absolute minimum 3. I believe that Denbighshire taxi rates should be the same as Conwy taxi rates for the sake of equality
47	1. Yes. There should be an increase in the taxi tariff/fare. 2. Yes. I agree there with the proposal requested. 3. a) Proposed fare increase should also be rounded up to the nearest 10p, to eliminate single units of pence. b) Tariff review every year, as that done with Council Tax. c) Tariff review increase must apply to the starting rate and the running and time rates.

Responses received against a fare review (please be aware that the consultation email didn't require a response if licence holders were not in support of a fare review):

Reference	Comments
1	As someone who relies mainly on rank work I have seen a major decrease in passengers since the last increase so, I feel another rise at this time would damage the turnover even more. On top of that ,the amount of complaints I hear of people not being able to get taxis because firms are too busy or don't answer the phone in the first place ,I really don't think the public (who are also financially challenged)will be too impressed. Thanks for your time.
2	I do not think that an increase is necessary as the last rise was approximately 25%.

3	<p>I do not agree with the proposed fares increase of 10% Customers are already struggling with the present tariffs especially on tariff 2.</p> <p>Why does a new to fleet vehicle have to be under 5 years old? To help the hard working taxi driver,DCC should take a leaf out of Flintshire county councils book! and let new to fleet vehicles be of any age as long as the vehicle is in good condition and goes through the stringent tests of the compliance , this would help to keep the costs down , I can not afford to buy another vehicle ; if any thing happens to my current vehicle DCC are making us the taxi driver unemployed; because we can't afford to lay out the money for the likes of an electric vehicle,or any other vehicle that you want us to buy! especially when the cost to charge them up has gone up by 50% were is the insensitive to even try and buy one.</p> <p>If the customer wishes to pay by card we should give them the option to use a cash machine.that way we don't have to pay the credit card interest rip off rates</p>
4	<ol style="list-style-type: none"> 1. Do you agree there should be an increase in the taxi tariff/fare? NO 2. Do you agree with the following proposal that has been requested? 10% increase across all tariffs and extra charges. NO 3. Any other proposals/ideas/ comments regarding a fare increase, please provide details: inflation running at over 10%, above inflation wage rise, increasing garage costs electricity costs increasing by over 50%. Reduction in the speed limits from 30 mph to 20 mph increasing journey times Card payment processing fees reducing fares by 2-3% <ol style="list-style-type: none"> 1. All of the above are the very reasons we can't afford a rate increase again. 2. Taxis are a luxury for many of the older generation; it's thier only means of getting out as they can't get to a bus stop. 3.You already struggle to get enough taxis out at night to get people to and from the night time economy. 4. This then affects Pubs, restaurants and nightclubs. 5. People walk home now and could put young females in a vulnerable position. 6. Also damage caused to property by drunken youths. The last two 5 & 6 take up valuable police time. 7. If drivers earn more during the day the less will turn up at night. 8. 20 mph speed limit nobody knows really what financial effect this will have at present.The biggest issue will be points on licenses and increased emissions from vehicles.
5	No i don't agree with any increase of fares.

	<p>No i don't agree with any proposal increase. The people who have proposed this are up to there neck in debt with there electric cars which DCC think are great and putting drivers into financial burden.</p>
6	<p>I think increasing prices will kill taxis.My personal takings are down by over 30% on this time last year and it is only getting worse as the credit crunch grips tighter.</p>
7	<p>Here is my objection to the propose rise in hackney fares in Denbighshire, as we all know we are still in a cost of living crisis and have had to cut back on and change the things they spend there money on , people have to use energy and buy foods so they have to spend money on them unlike taxis which people can do without if we increase prices and make them unaffordable for many members of the public , the reasons put forward for wanting a rise are also incorrected it is stated in the e mail</p> <p>1 inflation running at over 10% which is wrong inflation is dropping and at the moment is 7.9 2 above inflation wage rise most people have inflation above any wage rise 3 increasing garage cost depends which garage you use my garage hasn't increased cost to myself there are lots of good garages that will give discount to regular customers 4 Electricity cost increasing by over 50% with the lowering of the price cap electricity is dropping 5 reduction in the speed limit from 30mph to 20mph increasing journey time, we don't know the fully effect on journey time yet so we cant say what effect it will have 6 card processing fees reducing fees by 2-3% , i have a card machine and pay 1.69% so if they are paying a higher fee change card company 7 fuel has dropped from nearly £2.00 a litre to £1.45 a litre part of the reason we were given the last rise was cost of fuel which has now dropped i am still making a profit and my diesel car is doing 5/1 , i would rather make some profit than none because we have out price ourselves , the council need to help lower running cost because of the rules on the age of a car allowed to be plated it is putting some drivers in debt as they are paying around £200 a week for there new car , having a age limit on cars is against the guidelines of the department of transport who say there should be no age limit as a 15 yr old car can be as safe as a 5yr old car if serviced and looked after</p>
8	<p>1. Do you agree there should be an increase in the taxi tariff/fare? NO</p> <p>2. Do you agree with the following proposal that has been requested? 10% increase across all tariffs and extra charges. NO</p> <p>3. Any other proposals/ideas/ comments regarding a fare increase, please provide details:</p>

	<p>inflation running at over 10%, above inflation wage rise, increasing garage costs electricity costs increasing by over 50%. Reduction in the speed limits from 30 mph to 20 mph increasing journey times Card payment processing fees reducing fares by 2-3%</p> <ol style="list-style-type: none"> 1. All of the above are the very reasons we can't afford a rate increase again. 2. Taxis are a luxury for many of the older generation; it's thier only means of getting out as they can't get to a bus stop. 3.You already struggle to get enough taxis out at night to get people to and from the night time economy. 4. This then affects Pubs, restaurants and nightclubs. 5. People walk home now and could put young females in a vulnerable position. 6. Also damage caused to property by drunken youths. <p>The last two 5 & 6 take up valuable police time. 7. If drivers earn more during the day the less will turn up at night. 8. 20 mph speed limit nobody knows really what financial effect this will have at present.The biggest issue will be points on licenses and increased emissions from vehicles.</p>
<p>9</p>	<ol style="list-style-type: none"> 1. Do you agree there should be an increase in the taxi tariff/fare? NO 2. Do you agree with the following proposal that has been requested? 10% increase across all tariffs and extra charges. NO 3. Any other proposals/ideas/ comments regarding a fare increase, please provide details: inflation running at over 10%, above inflation wage rise, increasing garage costs electricity costs increasing by over 50%. Reduction in the speed limits from 30 mph to 20 mph increasing journey times Card payment processing fees reducing fares by 2-3% <ol style="list-style-type: none"> 1. All of the above are the very reasons we can't afford a rate increase again. 2. Taxis are a luxury for many of the older generation; it's thier only means of getting out as they can't get to a bus stop. 3.You already struggle to get enough taxis out at night to get people to and from the night time economy. 4. This then affects Pubs, restaurants and nightclubs. 5. People walk home now and could put young females in a vulnerable position.

	<p>6. Also damage caused to property by drunken youths. The last two 5 & 6 take up valuable police time.</p> <p>7. If drivers earn more during the day the less will turn up at night.</p> <p>8. 20 mph speed limit nobody knows really what financial effect this will have at present. The biggest issue will be points on licenses and increased emissions from vehicles.</p>
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Prisiau a Ffioedd Uchaf Gerbydau Hacni o 1 Gorffennaf 2022 ymlaen

Tariff 1

Rhwng 6am a hanner nos
 Prisiau Cychwynnol (ar gyfer y filltir gyntaf) £3.50
 Yna 25c am bob un degfed filltir neu ran o hynny
 Amser aros – 30 ceiniog y funud

Tariff 2

Rhwng hanner nos a 6am
 Prisiau Cychwynnol (ar gyfer y filltir gyntaf) £5.25
 Yna 37.5c am bob un degfed filltir neu ran o hynny
 Amser aros – 40 ceiniog y funud

Gwyliau Cyhoeddus a Gwylly Banc Sul y Pasg, Dydd Nadolig, Gwyl San Steffan a Diwrnod y Flwyddyn Newydd yn ôl Tariff 2 Trwy'r Dydd. Noswyl Nadolig a Noswyl Blwyddyn Newydd yn ôl Tariff 2 o 6pm ymlaen.

Bagiau (ar wahan i fagiau siopa, cadeiriau olwyn a chadeiriau gwthio) tu allan i seddi teithwyr: 20c am bob eitem.

Pob anifail domestig, ac eithrio cŵn tywys: 20c am bob anifail domestig Tâl am Faeddu'r

Cerbyd £100.00.

Tâl ychwanegol am bob teithiwr ar gyfer siwrneiau mwy na 4 teithiwr– 20c y teithiwr dros 4 teithiwr

Cynghorir Cwsmeriaid I ystyried y ffi yn erbyn y metr.

Adran Drwyddedu, Caledfryn, Ffordd Y Ffair, Dinbych LL16 3RJ E-bost: trwyddedu@denbighshire.gov.uk Ffôn: 01824 706342

Maximum Hackney Fares and Charges with effect from 1st July 2022

Tariff 1

Between 6am and midnight
 Start fare (for the first mile) £3.50
 Thereafter 25p per 1/10th mile or part thereof
 Waiting time – 30p each minute

Tariff 2

Between midnight and 6am
 Start fare (for the first mile) £5.25
 Thereafter 37.5p per 1/10th mile or part thereof
 Waiting time – 40p each minute

Public and Bank Holidays, Easter Sunday, Christmas Day, Boxing Day and New Year's Day to be charged at Tariff 2 all day. Christmas Eve and New Year's Eve to be charged at Tariff 2 from 6pm.

Luggage (excluding shopping, wheelchairs and pushchairs) outside the passenger compartment - 20p each item.

Carriage of each domestic pet, excluding guide dogs - 20p each pet

Soiling Charge - £100.00.

Surcharge per passenger for journeys more than 4 passengers – 20p each passenger over 4 passengers

Customers are advised to check the fare charged against the meter

Licensing Section, Caledfryn, Smithfield Road, Denbigh LL16 3RJ Email: licensing@denbighshire.gov.uk Tel: 01824 706342

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COMPARISON TABLE – TARIFF AND CHARGES

TARIFF AND CHARGES	CURRENT FARES	PROPOSED 5% - RPI INCREASE – Consultant recommendation	PROPOSED 10% INCREASE – driver proposal
TARIFF 1 Start fare (first mile) Thereafter per 1/10 th * mile Waiting time each minute	£3.50 £0.25p £0.30p	£3.67 £0.26p* £0.31p*	£3.85 £0.27p* £0.33p
TARIFF 2 Start fare (first mile) Thereafter per 1/10 th mile Waiting time per minute	£5.25 £0.37p £0.40p	£5.51 £0.38p* £0.42p*	£5.77 £0.40p* £0.44p*
ADDITIONAL CHARGES Luggage per item Soiling charge	£0.20 p £100	£0.21p* £105	£0.22p* £110
TARIFF 1 – 2 MILE JOURNEY	£6.00	£6.27	£6.55

*Rounded down to the nearest whole pence to avoid ½ pence denomination.

The maximum Tariff 1 current fares for journeys in hackney carriage vehicles for the six North Wales Counties can be seen in the table below:

Current average of six counties – 2 mile journey	Denbighshire	Anglesey	Conwy	Flintshire	Wrexham	Gwynedd
£6.05	£6.00	£6.30	£6.60	£5.80	£5.60	£6.00

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REPORT TO:	Licensing Committee
DATE:	13 September 2023
LEAD OFFICER:	Head of Planning, Public Protection & Countryside Services
CONTACT OFFICER:	Senior Licensing Officer licensing@denbighshire.gov.uk 01824 706433
SUBJECT:	Proposed revised Hackney Carriage Byelaws

1. PURPOSE OF THE REPORT

- 1.2 To present, to Members, revised Byelaws relating to Hackney Carriage regulation, for their consideration.

2. EXECUTIVE SUMMARY

- 2.1 For Members to consider approving the Department for Transport Model Byelaws under Section 68 of the Town Police Clauses Act 1847.

3. BACKGROUND INFORMATION

- 3.1 The Council, as the Licensing Authority, has the responsibility under the Town Police Clauses Act 1847, and the Local Government (Miscellaneous Provisions) Act 1976 for the licensing of Hackney Carriages and their drivers.
- 3.2 Since reorganisation in 1996 the Council has exercised this responsibility through the Council's Hackney Carriage and Private Hire Licensing Conditions (The Blue Book) and through Byelaws relating to Rhyl and Prestatyn only.
- 3.3 Expert Legal advice has recommended that the Council adopt Byelaws which cover the whole of the County to ensure that they accurately reflect changes in legislation and to ensure a fair, transparent and consistent approach is taken when determining enforcement and other issues relating to hackney carriage vehicles and drivers.
- 3.4 Section 68 of The Town Police Clauses Act 1847 allows a local authority

to make Byelaws for regulating the conduct of the proprietors and drivers of Hackney Carriages within their authority area.

- 3.5 The Department for Transport has produced a set of Model Byelaws as a basis for local authorities to use and it is not the intention to deviate from these model Byelaws, which can be found at Appendix A.
- 3.6 Making byelaws under s68 of the Town Police Clauses Act 1847 is a Council function (as opposed to an Executive function) under the Local Authorities Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2007. A report will therefore need to be presented to Full Council at a later date if Members are minded to support the model Department for Transport Byelaws.
- 3.7 The current Byelaws relate to the Rhyl and Prestatyn only and were confirmed on the 25th January 1972 (for Rhyl) and the 18th April 1975 (for Prestatyn) by the Secretary of State. Should the Council adopt the model Byelaws the Rhyl and Prestatyn Byelaws will be repealed. A copy of the current Byelaws can be found at Appendix B.

4. **CONSULTATION**

- 4.1 Should Members be minded to support the proposed Department for Transport Model Byelaws, Officers will start formal consultation with all Hackney Carriage Proprietors and licensed drivers.
- 4.2 Any representations following the consultation will be reported to Full Council for Members consideration.

5. **RECOMMENDATION**

- 5.1 For Members to support the proposed Department of Transport Model Byelaws found at Appendix A and authorise Officers to commence consultation as detailed in 4.1 above.

BYELAWS – HACKNEY CARRIAGES

Made under Section 68 of the Town Police Clauses Act 1847, and Section 171 of the Public Health Act 1875, by Denbighshire County Council with respect to hackney carriages in the county of Denbighshire

Interpretation

1. Throughout these byelaws “the Council” means the County Council of Denbighshire and “the District” means the County of Denbighshire

Provisions regulating the manner in which the number of each hackney carriage corresponding with the number of its licence, shall be displayed

2. (a) The proprietor of a hackney carriage shall cause the number of the licence granted to him in respect of the carriage to be legibly painted or marked on the outside and inside of the carriage or on plates provided by the Council prominently affixed at the front and rear
(b) A proprietor or driver of a hackney carriage shall not: –
 - (i) wilfully or negligently cause or permit any such number to be concealed from public view while the carriage is standing or plying for hire;
 - (ii) cause or permit the carriage to stand or ply for hire with any such painting, marking or plate so defaced that any figure or material particular is illegible.

Provisions regulating how hackney carriages are to be furnished or provided

3. The proprietor of a hackney carriage shall:-
 - (a) provide sufficient means by which any person in the carriage may communicate with the driver;
 - (b) cause the roof or covering to be kept watertight;

- (c) provide any necessary windows and a means of opening and closing not less than one window on each side;
 - (d) cause the seats to be properly cushioned or covered;
 - (e) cause the floor to be provided with a proper carpet, mat, or other suitable covering;
 - (f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service;
 - (g) provide means for securing luggage, if the carriage is so constructed as to carry luggage;
 - (h) provide an efficient fire extinguisher which shall be carried in such a position as to be readily available for use; and
 - (i) provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver.
4. The proprietor of a hackney carriage shall cause any taximeter with which the carriage is provided to be so constructed, attached and maintained as to comply with the following requirements, that is to say:-
- (a) the taximeter shall be fitted with a key, flag or other device, the operating of which will bring the machinery of the taximeter into action and cause the word "HIRED" or the word "HURIWYD" to appear on the face of the taximeter;
 - (b) such key, flag or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter;
 - (c) when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures a fare equal to the rate or fare which the proprietor or driver is entitled to demand and take for hire of the carriage by time and distance in pursuance of the tariff fixed by the Council;
 - (d) the word "FARE" or "PRIS" shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon;
 - (e) the taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed in the carriage and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring; and

- (f) the taximeter and all the fittings thereof shall be so affixed to the carriage in such a way so that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances.

Provisions regulating the conduct of the proprietors and drivers of hackney carriages plying within the district in their several employments, and determining whether such drivers shall wear any and what badges

5. The driver of a hackney carriage provided with a taximeter shall:-
- (a) when standing or plying for hire, keep the key, flag or other device fitted in pursuance of the byelaw in that behalf locked in the position in which no fare is recorded on the face of the taximeter;
 - (b) before beginning a journey for which a fare is charged for distance and time, bring the machinery of the taximeter into action by moving the said key flag or other device, so that the word "HIRED" or the word "HURIWYD" is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring; and
 - (c) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is between half an hour after sunset and half an hour before sunrise, and also at any other time at the request of the hirer.
6. A proprietor or driver of a hackney carriage shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided, with the fittings thereof, or with the seals affixed thereto.
7. The driver of a hackney carriage shall, when plying for hire in any street and not actually hired:-
- (a) proceed with reasonable speed to one of the stands appointed by the Council
 - (b) if a stand, at the time of his arrival, is occupied by the full number of carriages authorised to occupy it, proceed to another stand
 - (c) on arriving at a stand not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction; and
 - (d) from time to time when any other carriage immediately in front is driven off or moved forward, cause the carriage to be moved forward

so as to fill the place previously occupied by the carriage driven off or moved forward.

- (e) remain with the carriage and be ready to be hired at once by any person when his carriage has remained on the stand for a longer period of time than any other carriage waiting to be hire on the said stand.
8. A proprietor or driver of a hackney carriage, when standing or plying for hire, shall not make use of the services of any other person to importune any person to hire such carriage.
 9. The driver of a hackney carriage shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
 10. The proprietor or driver of a hackney carriage who has agreed or has been hired to be in attendance with the carriage at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place
 11. A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage;
 12. If a badge has been provided by the Council and delivered to the driver of a hackney carriage he shall, when standing or plying for hire, and when hired, wear that badge in such position and manner as to be plainly visible.
 13. If requested by the hirer of the hackney carriage the driver shall provide a receipt for the fare paid. The receipt shall include the first name, the surname and badge number of the driver and the name of the Operator (if any).
 14. The driver of a hackney carriage so constructed as to carry luggage shall, when requested by any person hiring or seeking to hire the carriage:-
 - (a) convey a reasonable quantity of luggage;
 - (b) afford reasonable assistance in loading and unloading; and
 - (c) afford reasonable assistance in removing it to or from the entrance of any building, station or place at which they may take up or set down such person.

Provisions fixing the rates or fares to be paid for hackney carriages within the district and securing the due publication of such fares

15. (a) The proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire of the carriage the rate or fare prescribed by the Council, the rate or fare being calculated by a combination of distance and time unless the hirer express at the commencement of the hiring his desire to engage by time.
- (b) Provided always that where a hackney carriage furnished with a taximeter is hired by distance and time the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the taximeter, save for any extra charges authorised by the Council which it may not be possible to record on the face of the taximeter.
16. (a) The proprietor of a hackney carriage shall cause a statement of the fares fixed by Council resolution to be exhibited inside the carriage in clearly distinguishable letters and figures.
- (b) The proprietor or driver of a hackney carriage bearing a statement of fares in accordance with this byelaw shall not wilfully or negligently cause or permit the letters or figures in the statement to be concealed or rendered illegible at any time while the carriage is plying or being used for hire.

Provision securing the safe custody and re-delivery of any property accidentally left in hackney carriages and fixing the charges to be made in respect thereof

17. The proprietor or driver of a hackney carriage shall immediately after the termination of any hiring or as soon as practicable thereafter carefully search the carriage for any property which may have been accidentally left therein.
18. The proprietor or driver of a hackney carriage shall, if any property accidentally left therein by any person who may have been conveyed in the carriage be found by or handed to him:-
- (a) carry it as soon as possible and in any event within 48 hours, if not sooner claimed by or on behalf of its owner, to a Police Station in the district, and leave it in the custody of the officer in charge of the station on his giving a receipt for it;
- (b) be entitled to receive from any person to whom the property shall be re-delivered an amount equal to five pence in the pound of its estimated value (or the fare for the distance from the place of finding to the Police Station, whichever be the greater) but not more than five pounds.

PENALTIES

19. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale and in the case of a continuing offence to a further fine not exceeding two pounds for each day during which the offence continues after conviction therefor.

REPEAL OF BYELAWS

- (i) The byelaws relating to hackney carriages in the former Urban District of Rhyl which were made by the Council of the Borough of Rhuddlan on the 11th day of February 1975 and which were confirmed by the Secretary of State on the 18th April 1975 and came into operation on the 1st day of May 1975; and
- (ii) The byelaws relating to hackney carriages in the former Urban District of Prestatyn which were made by the Council of the Borough of Rhuddlan on the 11th day of February 1975 and which were confirmed by the Secretary of State on 18th April 1975 and came into operation on the 1st day of May 1975

in so far as such byelaws apply to the urban district areas of Rhyl and Prestatyn are hereby revoked.

The Common Seal of
Denbighshire County Council was
hereunto affixed in the presence of:

Chair.

Authorised Signatory.

Seal No.

BYELAWS

made under Section 68 of the Town Police Clauses Act 1847, and Section 171 of the Public Health Act 1875, by the Council of the Borough of Rhuddlan with respect to Hackney carriages in the former Urban District of Rhyl.

INTERPRETATION

1. Throughout these byelaws "the Council" means the Council of the Borough of Rhuddlan and "the district" means the former Urban District of Rhyl.

Provisions regulating the manner in which the number of each hackney carriage corresponding with the number of its licence, shall be displayed.

2. (a) The proprietor of a hackney carriage shall cause the number of the licence granted to him in respect of the carriage to be legibly painted or marked on the outside and inside of the carriage, or on plates affixed thereto,
 - (b) A proprietor or driver of a hackney carriage shall:-
 - (i) not wilfully or negligently cause or suffer any such number to be concealed from public view while the carriage is standing or plying for hire;
 - (ii) not cause or permit the carriage to stand or ply for hire with any such painting, marking or plate so defaced that any figure or material particular is illegible.

Provisions regulating how hackney carriages are to be furnished or provided.

3. The proprietor of a hackney carriage shall:-
 - (a) provide sufficient means by which any person in the carriage may communicate with the driver;
 - (b) cause the roof or covering to be kept water-tight;
 - (c) provide any necessary windows and a means of opening and closing not less than one window on each side;

- (d) cause the seats to be properly cushioned or covered;
- (e) cause the floor to be provided with a proper carpet, mat, or other suitable covering;
- (f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service;
- (g) provide means for securing luggage if the carriage is so constructed as to carry luggage;
- (h) provide an efficient fire extinguisher which shall be carried in such a position as to be readily available for use;
- (i) provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver.

4. The proprietor of a hackney carriage shall,

cause the same to be provided with a taximeter so constructed as to be capable of registering two alternative tariffs and so attached and maintained as to comply with the following requirements, that is to say,

- (a) If the taximeter is fitted with a flag or other device bearing the words "FOR HIRE";
 - (i) the words "FOR HIRE" shall be exhibited on each side of the flag or other device in plain letters at least one and a half inches in height and the flag or other device shall be capable of being locked in a position in which the words are horizontal and legible;
 - (ii) when the flag or other device is so locked the machinery of the taximeter shall not be in action and the means of bringing it into action shall be by moving the flag or other device so that the words are not conveniently legible;
 - (iii) when the flag or other device is so locked that the aforesaid words are horizontal and legible no fare shall be recorded on the face of the taximeter.

- (b) If the taximeter is not fitted with a flag or other device bearing the words "FOR HIRE":
 - (i) the taximeter shall be fitted with a key or other device the turning of which will bring the machinery of the taximeter into action and cause the word "HIRED" to appear on the face of the taximeter;
 - (ii) such key or device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and no fare is recorded on the face of the taximeter.
- (c) When the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in figures clearly legible and free from ambiguity a fare not exceeding the rate which the proprietor or driver is entitled to demand and take in pursuance of the byelaw in that behalf of the hire of the carriage by distance.
- (d) The taximeter shall be so constructed as to be capable of registering two alternative tariffs, the one tariff being that applicable to daytime hirings under the provisions as to charges contained in byelaw 17 hereof and the other tariff being that applicable to hirings between midnight and 7.00 a.m. comprising a surcharge of Fifty per centum on the charges for mileage and waiting time.
- (e) The word "FARE" shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon.
- (f) The taximeter shall be so placed that all letters and figures on the face thereof may be at all times plainly visible to any person being conveyed in the carriage, and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring.
- (g) The taximeter and all the fittings thereof shall be so affixed to the carriage with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances.

5. The proprietor of a hackney carriage provided with a taximeter not fitted with a flag or other device bearing the words "FOR HIRE" shall cause the carriage to be provided with a sign so constructed as to comply with the following requirements, that is to say:

- (i) the sign shall bear the words "FOR HIRE" in plain letters at least one and a half inches in height;
- (ii) the sign shall be capable of being so operated that it indicates clearly and conveniently to persons outside the carriage whether or not the carriage is for hire.

Provisions regulating the conduct of the proprietors and drivers of hackney carriages plying within the district in their several employments, and determining whether such drivers shall wear any and what badges.

6. The driver of a hackney carriage shall:-

(a) if the taximeter is fitted with a flag or other device bearing the words "FOR HIRE";

(i) when standing or plying for hire keep such flag or other device locked in the position in which the words are horizontal and legible;

(ii) as soon as the carriage is hired by distance, and before commencing the journey, bring the machinery of the taximeter into action by moving the flag or other device so that the words are not conveniently legible and keep the machinery of the taximeter in action until the termination of the hiring.

(b) if the taximeter is not fitted with a flag or other device bearing the words "FOR HIRE":

(i) when standing or plying for hire keep the taximeter locked in the position in which no fare is recorded on the face of the taximeter and operate the sign provided in pursuance of byelaw 5 so that the words "FOR HIRE" are clearly and conveniently legible by persons outside the carriage;

(ii) as soon as the carriage is hired whether by distance or by time, operate the said sign so that the words "FOR HIRE" are not conveniently legible by persons outside the carriage;

(iii) as soon as the carriage is hired by distance, and before commencing the journey, bring the machinery of the taximeter into action by moving the key or other device fitted for the purpose so that the word "HIRED" is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring.

(c) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is during the hours of darkness as defined for the purposes of the Road Traffic Act 1972 and also at any other time at the request of the hirer.

7. A proprietor or driver of a hackney carriage shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided, with the fitting thereof, or with the seals affixed thereto.

8. The driver of a hackney carriage shall, when plying for hire in any street and not actually hired:-

(a) proceed with reasonable speed to one of the stands fixed by the byelaw in that behalf;

(b) if a stand, at the time of his arrival, is occupied by the full number of carriages authorised to occupy it, proceed to another stand;

(c) on arriving at a stand not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction;

(d) from time to time when any other carriage immediately in front is driven off or moved forward cause his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward.

9. A proprietor or driver of a hackney carriage, when standing or plying for hire, shall not, by calling out or otherwise, importune any person to hire such carriage and shall not make use of the services of any other person for the purpose.
10. The driver of a hackney carriage shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
11. The proprietor or driver of a hackney carriage who has agreed or has been hired to be in attendance with the carriage at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.
12. The driver of a hackney carriage when hired to drive to any particular destination shall, subject to any directions given by the hirer, proceed to that destination by the shortest available route.
13. A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage.
14. If a badge has been provided by the Council and delivered to the driver of a hackney carriage he shall, when standing or plying for hire, and when hired, wear that badge in such position and manner as to be plainly visible.
15. The driver of a hackney carriage so constructed as to carry luggage shall, when requested by any person hiring or seeking to hire the carriage;
 - (a) convey a reasonable quantity of luggage;
 - (b) afford reasonable assistance in loading and unloading;
 - (c) afford reasonable assistance in removing it to or from the entrance of any building, station, or place at which he may take up or set down such person.

Provisions fixing the stands of hackney carriages.

16. Each of the several places specified in the following list shall be a stand for such number of hackney carriages as is specified in the list -

	No. of Cars
(1) East Parade, opposite White Rose Garage ... (Northerly side)	2
(2) Marine Lake, adjacent to main entrance ...	6
(3) Queen Street, adjoining Town Hall frontage	7
(4) Maude Street, frontage of 42 John Street ...	2
(5) Crescent Road, opposite Nos. 4 to 12 Crescent Road (Easterly side)	6
(6) West, Parade, opposite Queens Hotel (Northerly side)	4
(7) West Parade, opposite Haven Hotel (Northerly side)	2
(8) West Parade, opposite Dixieland Bar (Northerly side)	2
(9) Marine Drive, opposite Hotel Marina (Northerly side)	2

Provisions fixing the rates or fares to be paid for hackney carriages within the district, and securing the due publication of such fares.

17. The proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire of the carriage the rate or fare prescribed by the following table, the rate or fare being calculated by distance.

Provided always that where a hackney carriage furnished with a taximeter shall be hired by distance the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, together with any extra charge authorised by the following table :-

FARE FOR DISTANCE

(a) Mileage

If the distance does not exceed 4/6 mile	22p
If the distance exceeds 4/6 mile, for each subsequent 1/6 mile	4p

(b) Waiting Time

For each period of 2 minutes 40 seconds or uncompleted part thereof	4p
--	----

(c) Extra Charges

- (i) For hirings begun between midnight and 7.00 a.m.—
50% of the above rate or fare.
- (ii) For each article of luggage conveyed outside the passenger compartment of the carriage 4p
- (iii) For each person in excess of 2 4p

- 18. (a) The proprietor of a hackney carriage shall cause a statement of the fares fixed by the byelaw in that behalf to be exhibited inside the carriage, in clearly distinguishable letters and figures.
- (b) The proprietor or driver of a hackney carriage bearing a statement of fares in accordance with this byelaw shall not wilfully or negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time while the carriage is plying or being used for hire.

Provisions securing the safe custody and re-delivery of any property accidentally left in hackney carriages, and fixing the charges to be made in respect thereof.

19. The proprietor or driver of a hackney carriage shall immediately after the termination of any hiring or as soon as practicable thereafter carefully search the carriage for any property which may have been accidentally left therein.
20. The proprietor or driver of a hackney carriage shall, if any property accidentally left therein by any person who may have been conveyed in the carriage be found by or handed to him:
 - (a) carry it as soon as possible and in any event within 48 hours, if not sooner claimed by or on behalf of its owner, to the Police Station in Rhyl, and leave it in the custody of the officer in charge of the office on his giving a receipt for it;
 - (b) be entitled to receive from any person to whom the property shall be re-delivered an amount equal to five pence in the pound of its estimated value (or the fare for the distance from the place of finding to the said Police Station, whichever be the greater) but not more than five pounds.

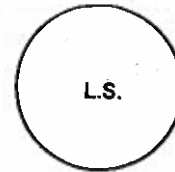
PENALTIES

21. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding twenty pounds and in the case of a continuing offence to a further fine not exceeding five pounds for each day during which the offence continues after conviction therefor.

REPEAL OF BYELAWS

22. The byelaws relating to hackney carriages which were made by the former Urban District Council of Rhyl on 16th November 1971 and the byelaws relating to hackney carriages which were made by the Council on 8th June 1974, and which were confirmed by one of Her Majesty's Principal Secretaries of State on 25th January 1972 and 17th July 1974 respectively, are hereby repealed.

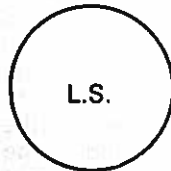
GIVEN under the Common Seal of the Council this Eleventh day of February One thousand nine hundred and seventy-five:



W. E. CONWAY,
Mayor

R. S. JONES,
Borough Secretary

The Secretary of State this day confirmed the foregoing byelaws and fixed the date on which the byelaws are to come into operation as the 1st day of May, 1975.



K. P. WITNEY,
An Assistant Under Secretary
of State.

Home Office,
Whitehall.
18th April 1975.

BYELAWS

made under Section 68 of the Town Police Clauses Act 1847, and Section 171 of the Public Health Act 1875, by the Council of the Borough of Rhuddlan with respect to Hackney carriages in the former Urban District of Prestatyn.

INTERPRETATION

1. Throughout these byelaws "the Council" means the Council of the Borough of Rhuddlan and "the district" means the former Urban District of Prestatyn.

Provisions regulating the manner in which the number of each hackney carriage corresponding with the number of its licence, shall be displayed.

2. (a) The proprietor of a hackney carriage shall cause the number of the licence granted to him in respect of the carriage to be legibly painted or marked on the outside and inside of the carriage, or on plates affixed thereto,
 - (b) A proprietor or driver of a hackney carriage shall:-
 - (i) not wilfully or negligently cause or suffer any such number to be concealed from public view while the carriage is standing or plying for hire;
 - (ii) not cause or permit the carriage to stand or ply for hire with any such painting, marking or plate so defaced that any figure or material particular is illegible.

Provisions regulating how hackney carriages are to be furnished or provided.

3. The proprietor of a hackney carriage shall:-
 - (a) provide sufficient means by which any person in the carriage may communicate with the driver;
 - (b) cause the roof or covering to be kept water-tight;
 - (c) provide any necessary windows and a means of opening and closing not less than one window on each side;

- (d) cause the seats to be properly cushioned or covered;
- (e) cause the floor to be provided with a proper carpet, mat, or other suitable covering;
- (f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service;
- (g) provide means for securing luggage if the carriage is so constructed as to carry luggage;
- (h) provide an efficient fire extinguisher which shall be carried in such a position as to be readily available for use;
- (i) provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver.

4. The proprietor of a hackney carriage shall, not later than 1st May 1975, cause the same to be provided with a taximeter so constructed as to be capable of registering two alternative tariffs and so attached and maintained as to comply with the following requirements, that is to say,

- (a) If the taximeter is fitted with a flag or other device bearing the words "FOR HIRE";
 - (i) the words "FOR HIRE" shall be exhibited on each side of the flag or other device in plain letters at least one and a half inches in height and the flag or other device shall be capable of being locked in a position in which the words are horizontal and legible;
 - (ii) when the flag or other device is so locked the machinery of the taximeter shall not be in action and the means of bringing it into action shall be by moving the flag or other device so that the words are not conveniently legible;
 - (iii) when the flag or other device is so locked that the aforesaid words are horizontal and legible no fare shall be recorded on the face of the taximeter.

- (b) If the taximeter is not fitted with a flag or other device bearing the words "FOR HIRE":
 - (i) the taximeter shall be fitted with a key or other device the turning of which will bring the machinery of the taximeter into action and cause the word "HIRED" to appear on the face of the taximeter;
 - (ii) such key or device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and no fare is recorded on the face of the taximeter.
- (c) When the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in figures clearly legible and free from ambiguity a fare not exceeding the rate which the proprietor or driver is entitled to demand and take in pursuance of the byelaw in that behalf of the hire of the carriage by distance.
- (d) The taximeter shall be so constructed as to be capable of registering two alternative tariffs, the one tariff being that applicable to daytime hirings under the provisions as to charges contained in byelaw 17 hereof and the other tariff being that applicable to hirings between midnight and 7.00 a.m. comprising a surcharge of Fifty per centum on the charges for mileage and waiting time.
- (e) The word "FARE" shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon.
- (f) The taximeter shall be so placed that all letters and figures on the face thereof may be at all times plainly visible to any person being conveyed in the carriage, and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring.
- (g) The taximeter and all the fittings thereof shall be so affixed to the carriage with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances.

5. The proprietor of a hackney carriage provided with a taximeter not fitted with a flag or other device bearing the words "FOR HIRE" shall cause the carriage to be provided with a sign so constructed as to comply with the following requirements, that is to say:

- (i) the sign shall bear the words "FOR HIRE" in plain letters at least one and a half inches in height;
- (ii) the sign shall be capable of being so operated that it indicates clearly and conveniently to persons outside the carriage whether or not the carriage is for hire.

Provisions regulating the conduct of the proprietors and drivers of hackney carriages plying within the district in their several employments, and determining whether such drivers shall wear any and what badges.

6. The driver of a hackney carriage shall:-

(a) if the taximeter is fitted with a flag or other device bearing the words "FOR HIRE";

(i) when standing or plying for hire keep such flag or other device locked in the position in which the words are horizontal and legible;

(ii) as soon as the carriage is hired by distance, and before commencing the journey, bring the machinery of the taximeter into action by moving the flag or other device so that the words are not conveniently legible and keep the machinery of the taximeter in action until the termination of the hiring.

(b) if the taximeter is not fitted with a flag or other device bearing the words "FOR HIRE":

(i) when standing or plying for hire keep the taximeter locked in the position in which no fare is recorded on the face of the taximeter and operate the sign provided in pursuance of byelaw 5 so that the words "FOR HIRE" are clearly and conveniently legible by persons outside the carriage;

(ii) as soon as the carriage is hired whether by distance or by time, operate the said sign so that the words "FOR HIRE" are not conveniently legible by persons outside the carriage;

- (iii) as soon as the carriage is hired by distance, and before commencing the journey, bring the machinery of the taximeter into action by moving the key or other device fitted for the purpose so that the word "HIRED" is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring.
 - (c) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is during the hours of darkness as defined for the purposes of the Road Traffic Act 1972 and also at any other time at the request of the hirer.
7. A proprietor or driver of a hackney carriage shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided, with the fitting thereof, or with the seals affixed thereto.
8. The driver of a hackney carriage shall, when plying for hire in any street and not actually hired:-
- (a) proceed with reasonable speed to one of the stands fixed by the byelaw in that behalf;
 - (b) if a stand, at the time of his arrival, is occupied by the full number of carriages authorised to occupy it, proceed to another stand;
 - (c) on arriving at a stand not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction;
 - (d) from time to time when any other carriage immediately in front is driven off or moved forward cause his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward.

9. A proprietor or driver of a hackney carriage, when standing or plying for hire, shall not, by calling out or otherwise, importune any person to hire such carriage and shall not make use of the services of any other person for the purpose.
10. The driver of a hackney carriage shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
11. The proprietor or driver of a hackney carriage who has agreed or has been hired to be in attendance with the carriage at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.
12. The driver of a hackney carriage when hired to drive to any particular destination shall, subject to any directions given by the hirer, proceed to that destination by the shortest available route.
13. A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage.
14. If a badge has been provided by the Council and delivered to the driver of a hackney carriage he shall, when standing or plying for hire, and when hired, wear that badge in such position and manner as to be plainly visible.
15. The driver of a hackney carriage so constructed as to carry luggage shall, when requested by any person hiring or seeking to hire the carriage;
 - (a) convey a reasonable quantity of luggage;
 - (b) afford reasonable assistance in loading and unloading;
 - (c) afford reasonable assistance in removing it to or from the entrance of any building, station, or place at which he may take up or set down such person.

Provisions fixing the stands of hackney carriages.

16. Each of the several places specified in the following list shall be a stand for such number of hackney carriages as is specified in the list -

	No. of Cars
(1) High Street, between Railway Hotel and Central Buildings	6
(2) Sandy Lane, opposite Catherine Villas	3
(3) Station Road, opposite west end of Coronation Gardens	3
(4) Bastion Road, North End	3
(5) Bryn Melyd Road, opposite Melyd Arms, Meliden	2

Provisions fixing the rates or fares to be paid for hackney carriages within the district, and securing the due publication of such fares.

17. The proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire of the carriage the rate or fare prescribed by the following table, the rate or fare being calculated by distance.

Provided always that where a hackney carriage furnished with a taximeter shall be hired by distance the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, together with any extra charge authorised by the following table :-

FARE FOR DISTANCE

(a) Mileage

If the distance does not exceed 4/6 mile	22p
If the distance exceeds 4/6 mile, for each subsequent 1/6 mile	4p

(b) Waiting Time

For each period of 2 minutes 40 seconds or uncompleted part thereof	4p
--	----

(c) Extra Charges

- (i) For hirings begun between midnight and 7.00 a.m.—
50% of the above rate or fare.
- (ii) For each article of luggage conveyed outside the passenger compartment of the carriage 4p
- (iii) For each person in excess of 2 4p

18. (a) The proprietor of a hackney carriage shall cause a statement of the fares fixed by the byelaw in that behalf to be exhibited inside the carriage, in clearly distinguishable letters and figures.

(b) The proprietor or driver of a hackney carriage bearing a statement of fares in accordance with this byelaw shall not wilfully or negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time while the carriage is plying or being used for hire.

Provisions securing the safe custody and re-delivery of any property accidentally left in hackney carriages, and fixing the charges to be made in respect thereof.

19. The proprietor or driver of a hackney carriage shall immediately after the termination of any hiring or as soon as practicable thereafter carefully search the carriage for any property which may have been accidentally left therein.
20. The proprietor or driver of a hackney carriage shall, if any property accidentally left therein by any person who may have been conveyed in the carriage be found by or handed to him:
 - (a) carry it as soon as possible and in any event within 48 hours, if not sooner claimed by or on behalf of its owner, to the Police Station in Prestatyn, and leave it in the custody of the officer in charge of the office on his giving a receipt for it;
 - (b) be entitled to receive from any person to whom the property shall be re-delivered an amount equal to five pence in the pound of its estimated value (or the fare for the distance from the place of finding to the said Police Station, whichever be the greater) but not more than five pounds.

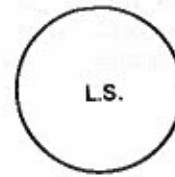
PENALTIES

21. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding twenty pounds and in the case of a continuing offence to a further fine not exceeding five pounds for each day during which the offence continues after conviction therefor.

REPEAL OF BYELAWS

22. The byelaws relating to hackney carriages which were made by the former Urban District Council of Prestatyn on 22nd September 1952 and 4th March 1971 and which were confirmed by one of Her Majesty's Principal Secretaries of State on 22nd November 1952 and 28th May 1971 respectively are hereby repealed.

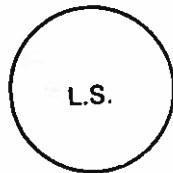
GIVEN under the Common Seal of the
Council this Eleventh day of February
One thousand nine hundred and
seventy-five:



W. E. CONWAY,
Mayor

R. S. JONES,
Borough Secretary

The Secretary of State this day confirmed the foregoing
byelaws and fixed the date on which the byelaws are to come
into operation as the 1st day of May, 1975.



K. P. WITNEY,
An Assistant Under Secretary
of State.

Home Office,
Whitehall.
18th April 1975.

REPORT TO:	Licensing Committee
DATE:	13 September 2023
LEAD OFFICER:	Head of Planning, Public Protection & Countryside Services
CONTACT OFFICER:	Senior Licensing Officer licensing@denbighshire.gov.uk 01824 706433
SUBJECT:	Review of Hackney Carriage and Private Hire driver medical requirements

1. PURPOSE OF THE REPORT

- 1.1 Following the publication of the Welsh Government White Paper on the proposals to reform the taxi licensing regime, a review of our current practices has taken place and some areas have been identified where we can make improvements to the current regime.
- 1.2 Officers have identified an existing practice that could be adopted that would meet with the Welsh Government proposals and improve our policy whilst also bring the authority into line with other Welsh authorities, namely implementing Group 2 medical checks, in place of the current Group 1 medical check.

2. EXECUTIVE SUMMARY

- 2.1 To seek approval to review the current medical requirements in line with the proposals set out in the Welsh Government White Paper and Department for Transport standards.
- 2.2 To seek approval to consult with the licensed trade on the proposals should members be minded to approve.

3. POWER TO MAKE THE DECISION

- 3.1 The Local Government (Miscellaneous Provisions) Act 1976

4. BACKGROUND INFORMATION

- 4.1 Responsibility for determining the standards, including medical requirements, to be applied to taxi drivers rests with the Local Authority.

- 4.2 Current best practice advice is contained in the booklet 'Fitness to Drive: A Guide for Health Professionals' published on behalf of the Department by The Royal Society of Medicine Press Limited (RSM) in 2006
- 4.3 In March 2023 the Welsh Government published a White Paper "Taxi and Private Hire Vehicle (PHV) (Wales) Bill" to help modernise the taxi and private hire sector and bring greater consistency throughout Wales by proposing national minimum standards for the licensed trade.
- 4.4 Consultation on the White Paper closed on the 1st June 2023 however, there are no set timescales for the results of the consultation to be published due to the high volume of responses received, it is therefore proposed to continue reviewing our current practices with the Welsh Government proposals in mind, with the first review being our current medical standards.
- 4.5 There are currently two DVLA Licence Groups for medical standards:
Group 1 – includes motor cars and motor cycles.
Group 2 – includes large lorries (category C) and buses (category D).
- 4.6 The medical standards for group 2 drivers are more stringent than those for Group 1 because of the size and weight of the vehicle and the higher risk emanating from drivers' hours.
- 4.7 Group 2 medical standards have been implemented throughout 19 of the 22 local authorities in Wales, which includes all of our neighbouring authorities.
- 4.8 The Council currently requests a medical examination to Group 1 standard signed by a registered medical practitioner on application for a licence and every 3 years thereafter. At 60 years of age a medical certificate is required annually. A copy of the current medical form is attached at appendix A.
- 4.9 Officers propose that applicants and existing drivers would need to meet the DVLA Group 2 medical standards of fitness to drive, and the following conditions are proposed:
- i. The medical must be carried out by the applicant's own general practitioner (GP) or another GP at the applicant's registered practice that has full access to their medical records.
 - ii. In exceptional circumstances, and only with prior agreement from the Licensing authority, a medical assessment may be carried out

by another registered GP practice as long as the applicant's full medical history has been viewed and assessed by that GP.

- iii. For existing licence holders, during the transition to move from Group 1 to Group 2 medical standards, the licensing authority may direct any licence holder to supply satisfactory evidence in the form of a medical certificate, stating the licence holder meets the required Group 2 standards, should their medical fitness be called into question.
- iv. Any applicant for the grant or renewal of a licence who is unable to satisfy the licensing authority that they meet the required medical standard shall not have a licence granted to them, or the licence shall not be renewed, or shall be revoked.
- v. The requirement for applicants/licensed drivers to complete a medical examination is as follows:
 - A. Upon application and on first renewal following the implementation of Group 2 medical standards and every 3 years thereafter between the ages of 45 and 65 ie if you are under 45 years of age after the grant or renewal of your licence you will not require another medical until you are 45 years of age and then every three years thereafter.
 - B. Every year when the driver is aged 65 years or over
 - C. Or anytime as required by the licensing authority or a medical practitioner.
- vi. The medical form is valid for 4 months from the date the examining doctor, optician or optometrist signs it.
- vii. All licence holders are required to inform the licensing authority of any illness or condition that affects their ability to drive.
- viii. All costs associated with obtaining the relevant medical certificate are to be met by the applicant/licence holder.
- ix. At each renewal of licence (3 years) up to the age of 45 years the licence holder will be required to declare any medical issues that they may be aware of affecting their suitability to meet the Group 2 medical standards. Any medical declarations may require a Group 2 medical certificate at that renewal.

4.10 Welsh Government have also developed a standardised Group 2 standards medical form for Welsh local authorities to implement, which

can be found at Appendix B.

- 4.11 To assist Members, the costs associated with both Group 1 and 2 medicals have been sourced from a number of GP Surgeries throughout Denbighshire and the current average costs are detailed below, which are met by the applicant/licence holder:

Group 1: £60 - £75 Group 2: £95 - £140

- 4.12 Should Members be minded to support the proposed changes to the medical standards it is suggested that at least 6 months' notice is given to existing licence holders before the proposed changes come in to force. This will allow licence holders time to comply with the new requirements and provide a new medical certificate on their next renewal. However, for new applicants it is proposed that the new medical standards come in to force sooner at an agreed date.

5. **CONSULTATION**

- 5.1 Any proposed change to the current policy will require the requisite consultation with all licence holders and interested parties.
- 5.2 It is therefore proposed that a 6 week consultation process will take place and the responses received will be taken into consideration.
- 5.3 Should objections be received to the proposals, Officers will report back to the next scheduled Licensing committee after the end of consultation.
- 5.4 However, should there be no representations objecting to the proposals, the proposed standards will come into effect at an agreed date.

6. **RECOMMENDATION**

- 6.1 It is recommended that Members consider the contents of the report and resolve to:
- 6.2 Authorise officers to consult with current licensed drivers and licensed Operators and Proprietors on the implementation of Group 2 medical standards, and
- 6.3 Where no objections are received following the consultation period, Members authorise officers to:
- i. Implement a requirement for Group 2 medical certificates for

licensed drivers as set out at 4.5 above, with effect from 1st December 2023 for new applicants and 1st June 2024 for renewal licence holders.

- 6.4 Where objections are raised during the consultation period, Members instruct officers to prepare a report for a future Licensing Committee meeting where objections can be considered.

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MEDICAL CERTIFICATE
Applications for Hackney Carriage/Private Hire Drivers Licence

Note for applicant: This certificate must be completed by your own registered GP, failure to comply with this will result in you being required to undergo another medical, with your registered GP. This certificate is not one which must be issued free of charge as part of your National Health Service. The Council accepts no liability to pay for any medical examinations.

Note for medical practitioners: In completing this medical certificate, medical practitioners are asked to have regard to the recommendations by the Medical Commission for Accident Prevention in their booklet 'Medical Aspects of Fitness to Drive' or to the Notes for Guidance of Doctors conducting those examinations prepared by the British Medical Association.

FULL NAME:

ADDRESS:

SIGNATURE OF APPLICANT:

(To be signed in the presence of the Medical Examiner signing this certificate)

Questions

1. Has the applicant, to the best of your knowledge, ever had an epileptic attack since the age of 3?

.....

2. Is the applicant, to the best of your judgement, subject to -

(i) vertigo, or sudden attacks of disabling giddiness or fainting

.....

OR

(ii) any mental ailment likely to interfere with the efficient discharge of his/her duties as a licensed driver?

.....

3. Has the applicant any deformity, loss of limbs/members or physical disability likely to interfere with the efficient discharge of his/her duties as a licensed driver?

.....

4. Does the applicant suffer from any heart or lung disorder likely to interfere with the discharge of his/her duties as a licensed driver?

.....

5. Is there any serious hearing defects? And if so to what extent?

.....

6. Does the applicant show any evidence of addiction to the excessive use of alcohol or drugs?

.....

7. Does the applicant appear to be suffering from any other disease or physical disability likely to interfere with the efficient discharge of his/her duties as a licensed driver **OR** to cause the driving of a licensed vehicle by him/her to be a source of danger to the public?

.....

8. (i) Acuity of vision (with glasses if worn) by Snellens type test:

(i) Right Eye

(ii) Left Eye

(ii) Did the applicant wear his/her own glasses/contacts for this test?

.....

(iii) Is the applicant's field of vision by hand test satisfactory?

.....

(iv) Did you consider that the applicants vision is likely to cause the driving by him/her of a licensed vehicle to be a source of danger to the public?

.....

(This question need only be answered if the acuity with glasses, if worn, is below 6/12 with one eye and 6/38 with the other eye, or if the field of vision is not satisfactory)

9. In your opinion, does the applicant qualify for exemption from carrying dogs in a vehicle?

.....

(i) If so, state conditions which relate

(ii) Is this condition permanent?

(iii) Does this condition require scrutiny at a further date, and if so, after what period?

.....

If you are NOT the patients Registered GP, please could you confirm that you had access and viewed the patient's full medical history for this examination:

I confirm I have seen the patient's full medical history

I did NOT have sight of the patient's full medical history

Not Applicable, I am the patient's Registered GP

I certify that I have this day, examined the above applicant, who has signed this certificate in my presence, and who in my opinion is

FIT
UNFIT

To drive hackney carriages/ private hire vehicles; tick as appropriate

Signed: Date:
(Medical Practitioner carrying out this medical and with whom the patient is registered)

Address of
Surgery:
.....
.....
.....

Please use official stamp



Comments, if any:
.....
.....
.....

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Medical form: medical report on an applicant for a hackney carriage or private hire vehicle driver's licence

Sections 1-10 of this medical report must be carried out by the applicant's own general practitioner (GP) or another GP at the applicant's registered practice that has full access to their medical records.

The Vision assessment must be carried out by an optician, optometrist or doctor.

Notes to the Medical Practitioner

It is a requirement under Section 57 of the Local Government (Miscellaneous Provisions) Act 1976 to provide a Medical Examination Report that a person is physically fit to drive a Hackney Carriage or Private Hire Vehicle.

Please note that the licensing authority requires all applicants to meet the DVLA Group II medical standard.

In completing this Medical Certificate, Medical Practitioners MUST have regard to the current edition of the booklet "*Assessing Fitness to Drive- a guide for medical professionals*" issued by the Drivers Medical Group, DVLA, Swansea. This can be viewed on-line at: <https://www.gov.uk/government/publications/assessing-fitness-to-drive-a-guide-for-medical-professionals>

Where appropriate please provide as much detail as possible with relevant questions. In addition where specific medical investigations have taken place (e.g. exercise cardiac testing, echocardiography, EEG) or where relevant specialist reports (e.g. outpatient or discharge reports) are available then copies of these should accompany the application form and details recorded in **Section 6**. Failure to do so may delay the application process.

- Please complete this form in full including **Section 10** – GP Declaration and whether the applicant meets or does not meet the Group 2 Medical requirements. The form must be signed and dated and include the Surgery stamp.
- Any fee charged is payable direct by the applicant to the GP
- When attending the appointment applicants must take photo identification a passport or DVLA driver licence with them so that the Doctor can confirm the identity of the person attending medical. GP's must ensure the identity of the individual who has attended for the Medical Assessment and must write the full name and date of birth on the bottom of each sheet of the medical certificate.

- The applicant must complete Driver Declaration in front of the doctor who is carrying out the examination.

Applicant's Full Name:	
Applicant's Full Address:	
Post Code:	

Date of Birth:		National Insurance No:	
----------------	--	------------------------	--

Is the applicant registered with your surgery? Yes No

Have you had access to the Applicant's full Medical Records? Yes No

How long has the applicant been registered at this practice? Click or tap to enter a date.

<p>Vision Assessment</p> <p>To be completed by an Optician, Optometrist or Doctor</p>

Please check the appropriate boxes

1	Is the visual acuity at least 6/7.5 in the better eye or at least 6/60 in the other (corrective lenses may be worn) as measured by the Snellen chart	Yes <input type="checkbox"/> No <input type="checkbox"/>
2	Do corrective lenses have to be worn to achieve this standard?	Yes <input type="checkbox"/> No <input type="checkbox"/>
3	If glasses (not contact lenses) are worn for driving is the corrective power greater than plus (+8) dioptres in any meridian of either lens?	Yes <input type="checkbox"/> No <input type="checkbox"/>
4	If a correction is worn, is it well tolerated?	Yes <input type="checkbox"/> No <input type="checkbox"/>
5	Is there a history of any medical condition that may affect the applicant's binocular field of vision (central and/or peripheral)?	Yes <input type="checkbox"/> No <input type="checkbox"/>
6	Is there any diplopia? Is it controlled?	Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/>
7	Does the applicant have any other ophthalmic condition?	Yes <input type="checkbox"/> No <input type="checkbox"/>

--	--	--

If **Yes** to 5, 6, or 7 please give details in **section 6** and enclose any relevant visual field charts or hospital letters.

Please state the visual acuity of each eye (see INF4D). Snellen readings with a (+) or (-) are not acceptable. If 6/7.5, 6/60, standard is not met. The applicant may need further assessment by an optician.

Uncorrected		Corrected	
R	L	R	L

Examining Doctor/Optician/Optometrlist (Print) Name:

Signature:		Date:	
------------	--	-------	--

GOC, HIPC or GMC No:									
-------------------------	--	--	--	--	--	--	--	--	--

Section 1 – Neurological Diseases

Is there any history of, or evidence of any neurological disorder? Yes No

If no go to **Section 2**. If yes answer all questions below; Give details in **Section 6** where you have answered 'Yes' and enclose relevant hospital notes.

1	Has the applicant had any form of seizure?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	a) Has the applicant had more than one attack?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	b) Date of first Attack: DD/MM/YYYY Date of last Attack: DD/MM/YYYY	DD/MM/YYYY
	c) Is the applicant currently on anti-epileptic medication? If 'Yes' please give details of current medication in Section 7	Yes <input type="checkbox"/> No <input type="checkbox"/>
	d) If no longer treated, please give date when the treatment ended	DD/MM/YYYY
	e) Has the applicant had a brain scan?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	f) Has the applicant had an EEG?	Yes <input type="checkbox"/> No <input type="checkbox"/>
2	Stroke or TIA? If yes please give date:	Yes <input type="checkbox"/> No <input type="checkbox"/> DD/MM/YYYY

	a) Has there been a full recovery?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	b) Has the applicant had an EEG?	Yes <input type="checkbox"/> No <input type="checkbox"/>
3	Sudden and disabling dizziness /vertigo within the past 1 year with liability recur	Yes <input type="checkbox"/> No <input type="checkbox"/>
4	Subarachnoid Haemorrhage?	Yes <input type="checkbox"/> No <input type="checkbox"/>
5	Serious traumatic brain injury within the last 10 years?	Yes <input type="checkbox"/> No <input type="checkbox"/>
6	Any form of brain tumour?	Yes <input type="checkbox"/> No <input type="checkbox"/>
7	Other brain surgery or abnormality?	Yes <input type="checkbox"/> No <input type="checkbox"/>
8	Chronic Neurological Disorder?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9	Parkinson's Disease?	Yes <input type="checkbox"/> No <input type="checkbox"/>
10	Is there any history of blackout or impaired consciousness within the past 5 years?	Yes <input type="checkbox"/> No <input type="checkbox"/>
11	Does the applicant suffer from narcolepsy?	Yes <input type="checkbox"/> No <input type="checkbox"/>

Section 2 – Diabetes Mellitus

Does the applicant have Diabetes Mellitus? (if no go to **Section 3**) Yes No

If **yes** please answer **all** of the following questions

1.	(a) Is the diabetes managed by insulin? If yes please give date started on insulin	Yes <input type="checkbox"/> No <input type="checkbox"/> DD/MM/YYYY
	(b) If treated with insulin is there evidence of at least 3 continuous months of blood glucose readings stored on a memory meter(s)? If 'No please give details in Section 6 of the form	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(c) Are there other injectable treatments?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(d) Is there a Sulphonyl urea or a Glinide?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(e) Oral hypoglycaemic agents or diet?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(f) Diet Only?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes to any (a-e) fill in current medication in Section 7		
2.	Are you satisfied that the applicant has provided evidence (last 3 months) that-	
	(a) Blood sugar is tested at least twice every day?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(b) Blood sugar is tested at times relevant to *driving? (*no more than 2 hours before the start of a journey and every 2 hours whilst driving)	Yes <input type="checkbox"/> No <input type="checkbox"/>
Do you have confidence that the applicant:		
	(c) Keeps fast-acting carbohydrate within easy reach whilst driving?	Yes <input type="checkbox"/> No <input type="checkbox"/>

	(d) Has a clear understanding of diabetes and the necessary precautions for safe driving	Yes <input type="checkbox"/> No <input type="checkbox"/>
3.	Is there any evidence of impaired awareness of hypoglycaemia?	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.	Is there a history of hypoglycaemia in the last 12 months requiring the assistance of another person	Yes <input type="checkbox"/> No <input type="checkbox"/>
5.	(a) Is there any evidence of loss of visual field?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(b) Severe peripheral neuropathy, sufficient to impair limb function for safe driving?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If Yes, to 4-5 above please give details in Section 6 .		
6	Has there been any laser treatment or intravitreal treatment for retinopathy? If yes please give date(s) of treatment	Yes <input type="checkbox"/> No <input type="checkbox"/> DD/MM/YYYY DD/MM/YYYY DD/MM/YYYY

Section 3 – Cardiac

Section 3A - Coronary Artery Disease

Is there a history of or evidence of coronary artery disease? Yes No

If No go to **Section 3b**

If **Yes** please answer all questions below and give details at **section 6**

1	Has the applicant suffered from angina? If yes please give date of last known attack	Yes <input type="checkbox"/> No <input type="checkbox"/> DD/MM/YYYY
2	Acute coronary syndrome, including myocardial infarction? If yes please give date	Yes <input type="checkbox"/> No <input type="checkbox"/> DD/MM/YYYY
3	Coronary angioplasty (PCI)? If yes give date of most recent intervention	Yes <input type="checkbox"/> No <input type="checkbox"/> DD/MM/YYYY
4	Coronary artery bypass graft surgery? If yes please give date	Yes <input type="checkbox"/> No <input type="checkbox"/> DD/MM/YYYY

Section 3B – Cardiac Arrhythmia

Is there a history or any evidence of cardiac arrhythmia? Yes No

If **No** go to **section 3c**

If **Yes**, please answer all questions and give details in **Section 6** and enclose relevant hospital notes.

1	Has there been a significant disturbance of cardiac rhythm (ie. sinoatrial disease, significant atrioventricular conduction defect, and atrial flutter/fibrillation, narrow or broad complex tachycardia) in the last 5 years?	Yes <input type="checkbox"/> No <input type="checkbox"/>
2	Has the arrhythmia been controlled satisfactorily for at least 3 months?	Yes <input type="checkbox"/> No <input type="checkbox"/>
3	Has an ICD or biventricular pacemaker (CRST-D type) been implanted?	Yes <input type="checkbox"/> No <input type="checkbox"/>
4	Has a pacemaker been fitted?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(a) If yes please give date	DD/MM/YYYY
	(b) Is the patient free of symptoms that caused the device to be fitted?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(c) Does the patient attend a pacemaker clinic regularly?	Yes <input type="checkbox"/> No <input type="checkbox"/>

Section 3C – Peripheral Arterial Disease

Is there a history or evidence of peripheral arterial disease? Yes No

(Excluding Buerger's disease aortic aneurysm/dissection)

If **No** go to **section 3d**

If **Yes** answer all questions below and give details in **section 6** of the form and enclose relevant hospital notes.

1	Peripheral Arterial Disease?(excluding Buerger's disease)	Yes <input type="checkbox"/> No <input type="checkbox"/>
2	Does the applicant have claudication? If Yes, how long in minutes can the applicant walk at a brisk pace before being symptom-limited:	Mins
3	Aortic aneurysm?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(a) Site of aneurysm?	Thoracic <input type="checkbox"/> Abdominal <input type="checkbox"/>
	(b) Has it been repaired successfully?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(c) Is the transverse diameter currently > 5.5cm If not please provide latest measurement and date obtained	Yes <input type="checkbox"/> No <input type="checkbox"/> Measurement DD/MM/YYYY
4	Dissection of the aorta repaired successfully? If Yes please provide copies of all reports to include those dealing with any surgical treatment	Yes <input type="checkbox"/> No <input type="checkbox"/>
5	Is there a history of Marfan's disease? If Yes please provide relevant hospital notes	Yes <input type="checkbox"/> No <input type="checkbox"/>

Section 3D – Valvular / Congenital Heart Disease

Is there a history or evidence of valvular/congenital heart disease? Yes No

If **No** go to **section 3e**

If **Yes** answer all questions below and give details in **section 6** of the form and enclose relevant hospital notes.

1	Is there a history of congenital heart disease?	Yes <input type="checkbox"/> No <input type="checkbox"/>
2	Is there a history of heart valve disease?	Yes <input type="checkbox"/> No <input type="checkbox"/>
3	Is there a history of aortic stenosis? If Yes please provide relevant reports	Yes <input type="checkbox"/> No <input type="checkbox"/>
4	Is there a history of embolism (not pulmonary embolism)?	Yes <input type="checkbox"/> No <input type="checkbox"/>
5	Does the applicant currently have significant symptoms?	Yes <input type="checkbox"/> No <input type="checkbox"/>
6	Has there been any progression since the last licence application? (where relevant)	Yes <input type="checkbox"/> No <input type="checkbox"/>

Section 3E – Cardiac Other

Is there a history or evidence of heart failure? Yes No

If **No** go to **section 3f**

If **Yes** answer all questions below and give details in **section 6** of the form and enclose relevant hospital notes.

1	Established cardiomyopathy?	Yes <input type="checkbox"/> No <input type="checkbox"/>
2	Has a left ventricular assist device (LVAD) been implanted?	Yes <input type="checkbox"/> No <input type="checkbox"/>
3	A heart or heart/lung transplant?	Yes <input type="checkbox"/> No <input type="checkbox"/>
4	Untreated atrial myxoma?	Yes <input type="checkbox"/> No <input type="checkbox"/>

Section 3F – Cardiac Channelopathies

Is there a history or evidence of either of the following conditions? Yes No

If **No** go to **section 3g**

If **Yes** answer all questions below and give details in **section 6** of the form and enclose relevant hospital notes.

1	Brugada syndrome?	Yes <input type="checkbox"/> No <input type="checkbox"/>
2	Long QT syndrome? If Yes to either, give details and enclose copies of relevant hospital notes	Yes <input type="checkbox"/> No <input type="checkbox"/>

Section 3G – Blood Pressure

If resting blood pressure is 180 mm/HG systolic or more and or 100 Hg diastolic or more, please take a further 2 readings at least 5 minutes apart and record the best of the 3 reading in the box provided.

1	Please record today's best resting blood pressure reading	Reading
2	Is the applicant on ant-hypertensive treatment?	Yes <input type="checkbox"/> No <input type="checkbox"/>

	If Yes, please provide three previous readings with dates if available	Reading 1 DD/MM/YYYY Reading 2 DD/MM/YYYY Reading 3 DD/MM/YYYY
3	Is there a history of malignant hypertension? If Yes please provide details in Section 6 (including date of diagnosis and any treatment etc)	Yes <input type="checkbox"/> No <input type="checkbox"/>

Section 3F – Cardiac Investigations

Have any cardiac investigations been undertaken or planned?

Yes No

If **No** go to **section 4**

If **Yes** answer questions 1-6

1	Has a resting ECG been undertaken? If yes does it show:	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(a) pathological Q waves?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(b) left bundle branch block	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(c) right bundle branch block?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If Yes to a, b, or c please provide a copy of the relevant ECG report or comment at Section 6		
2	Has an exercise ECG been undertaken? If yes please give date Provide details in Section 6 and relevant reports if available	Yes <input type="checkbox"/> No <input type="checkbox"/> DD/MM/YYYY
3	Has an echocardiogram been undertaken or planned? (a) If yes please give date (b) Provide details in Section 6 and relevant reports if available (c) If undertaken, is/was the left ejection fraction greater than or equal to 40%? Provide relevant reports	Yes <input type="checkbox"/> No <input type="checkbox"/> DD/MM/YYYY Yes <input type="checkbox"/> No <input type="checkbox"/>
4	Has a coronary angiogram been undertaken? If yes please give date Provide details in Section 6 and relevant reports if available	Yes <input type="checkbox"/> No <input type="checkbox"/> DD/MM/YYYY
5	Has a 24 hour ECG tape been undertaken? If yes please give date	Yes <input type="checkbox"/> No <input type="checkbox"/> DD/MM/YYYY

	Provide details in Section 6 and relevant reports if available	
6	Has a myocardial perfusion scan or stress echo study been undertaken (or planned)? If yes please give date Provide details in Section 6 and relevant reports if available	Yes <input type="checkbox"/> No <input type="checkbox"/> DD/MM/YYYY

Section 4 – Psychiatric Illness & Substance Misuse

Is there a history of psychiatric illness or drug/alcohol abuse within the last three years? Yes No

If **No** go to question 5. If **Yes** please answer all questions and provide full details in **Section 6**, including dates, period of stability and, where appropriate, consumption and frequency of use.

1	Significant psychiatric disorder within the past 6 months?	Yes <input type="checkbox"/> No <input type="checkbox"/>
2	Psychosis or hypomania/mania within the past 12 months, including psychotic depression?	Yes <input type="checkbox"/> No <input type="checkbox"/>
3	Dementia or cognitive impairment?	Yes <input type="checkbox"/> No <input type="checkbox"/>
4	Persistent alcohol misuse in the past 12 months?	Yes <input type="checkbox"/> No <input type="checkbox"/>
5	Alcohol dependency in the past 3 years?	Yes <input type="checkbox"/> No <input type="checkbox"/>
6	Persistent drug misuse in the past 12 months?	Yes <input type="checkbox"/> No <input type="checkbox"/>
7	Drug dependency in the past three years?	Yes <input type="checkbox"/> No <input type="checkbox"/>

Section 5 – General

All of the following questions must be answered. If **Yes** to any, give full details in **Section 6**

And enclose copies of relevant hospital notes

1	Is there any history of, or evidence of obstructive Sleep Apnoea Syndrome or any other medical condition causing excessive sleepiness?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	If yes please give the diagnosis: Diagnosis details	
	a) If obstructive Sleep Apnoea Syndrome please indicate the severity?	

	If another measurement other than AHI is used, it must be one that is recognised in clinical practice as equivalent to AHI. DVLA does not prescribe different measurements as this is a clinical issue.		
Mild (AHI<15) <input type="checkbox"/>	Moderate (AHI 15-19) <input type="checkbox"/>	Severe (AHI > 29) <input type="checkbox"/>	Not known <input type="checkbox"/>
(b) Please answer all questions (i) to (vi) for sleep conditions:			
	(i) Date of diagnosis	DD/MM/YYYY	
	(ii) Is it controlled successfully?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
	(iii) If yes please state treatment Treatment Details		
	(iv) Is the applicant compliant with treatment?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
	(v) Please state period of control	Years Months	
	(vi) Date of last review	DD/MM/YYYY	
2	Is there currently any functional impairment that is likely to affect control of the vehicle?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
3	Is there a history of bronchogenic carcinoma or other malignant tumour with a significant liability to metastasise cerebrally?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
4	Is there any illness that may cause significant fatigue or cachexia that affects safe driving?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
5	Is the applicant profoundly deaf? If yes, is the applicant able to communicate in the event of an emergency by speech or by using a device e.g. textphone?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
6	Does the applicant have a history of liver disease of any origin? If yes please give details in Section 6	Yes <input type="checkbox"/> No <input type="checkbox"/>	
7	Is there a history of renal failure? If yes please give details in Section 6	Yes <input type="checkbox"/> No <input type="checkbox"/>	
8	Does the applicant have severe symptomatic respiratory disease causing chronic hypoxia?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
9	Does any medication currently taken cause the applicant side effects that could affect safe driving? If yes please give details in Section 6	Yes <input type="checkbox"/> No <input type="checkbox"/>	
10	Does the applicant have any other medical condition that could affect safe driving? If yes please give details in Section 6	Yes <input type="checkbox"/> No <input type="checkbox"/>	

Additional Information

Applicant's Weight (Kg):

Applicant's Height (cm):

Number of alcohol units consumed each week:

Does the applicant smoke?

Yes No

Date of last appointment:

DD/MM/YYYY

Section 6 – Further Details

Please provide further details and forward copies of relevant hospital notes. Please do not send any notes that do not relate to 'Fitness to Drive'

Section 7 – Medication

Please provide details of all current medications including eye drops (continue on separate sheet if necessary).

Medication	Dosage
Reason for taking:	
Date started: DD/MM/YYYY	

Medication	Dosage
Reason for taking:	
Date started: DD/MM/YYYY	

Medication	Dosage
Reason for taking:	
Date started: DD/MM/YYYY	

Medication	Dosage
Reason for taking:	
Date started: DD/MM/YYYY	

Section 8 – Declarations

This section must be completed and must not be altered in any way

On occasion, as part of the investigation into your fitness to drive a hackney carriage or private hire vehicle, The Licensing authority may require you to undergo a medical examination or some form of practical assessment. In these circumstances, those personnel involved will require your medical background details to undertake an appropriate and adequate assessment. Such personnel might include doctors, orthoptists at eye clinics or paramedical staff at a driving assessment centre.

Only information relevant to the assessment of your fitness to drive will be released. In addition, where the circumstances of your case appear exceptional, the relevant medical information would need to be considered by the Licensing authority. Such information would be subject to legal restrictions on confidentiality

Applicant’s Consent & Declaration

This declaration must be completed by the applicant in front of the GP (Doctor) who is carrying out the medical examination and must not be altered in any way.

I understand that [Insert licensing authority] Council may in certain circumstances, as part of its assessment of my fitness to drive a hackney carriage or private hire vehicle, require additional information about my medical fitness.

I declare that I have checked the details I have given on this Group II Medical Assessment Application Form, and that to the best of my knowledge and belief they are correct.

I declare that I have told my doctor about any medical symptoms which may affect my driving.

I authorise my doctor(s) and specialist(s) to release reports/additional information to [Insert licensing authority] Council about my medical condition if necessary ie where an application/review needs to be determined at a hearing

(relating to medical fitness to drive).I declare that I have checked the details I have given on the enclosed questionnaire and that to the best of my knowledge they are correct.

I authorise [Insert licensing authority] Council to release, where applicable, medical information to my doctor(s) and/or specialist(s) about the outcome of any hearing relating to my medical fitness to drive a hackney carriage or private hire vehicle.

I understand that [Insert licensing authority] Council will never under any circumstances release information that is not relevant to fitness to drive, nor would the Council expect to receive this from your doctor(s).

Full Name (Print):	
Signature:	Date:

Details:

Address:	
	Postcode:

Date of Birth	DD/MM/YYYY
Hone Number:	
Mobile Number:	
Email Address:	

General Practitioner (Doctor) Declaration

To be completed by the General Practitioner carrying out the examination

I CERTIFY THAT: I am the named applicant's General Practitioner / General practitioner with full access to the applicants NHS records at the time of the examination

<p>I CERTIFY THAT I have examined the above named person and that he/she <u>Meets</u> the group 2 standards of medical fitness, as applied by the DVLA to the licensing of lorry and bus drivers, which is required for licensed hackney carriage and private hire drivers.</p> <p>Signature of Doctor:</p> <p>Date:</p>	<p>I CERTIFY THAT I have examined the above named person and that he/she does <u>Not Meet</u> the group 2 standards of medical fitness, as applied by the DVLA to the licensing of lorry and bus drivers, which is required for licensed hackney carriage and private hire drivers.</p> <p>Signature of Doctor:</p> <p>Date:</p>
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<p>I declare that the answers to all questions are true to the best of my knowledge and belief. I understand that it is an offence for the person completing this form to make a false statement or omit relevant details.</p>	
<p>GP Full Name (Print):</p>	
<p>Signature:</p>	<p>Date:</p>
<p>Surgery Address:</p>	
<p>Post Code:</p>	
<p>Email:</p>	
<p>Surgery Stamp:</p>	

REPORT TO:	Licensing Committee
DATE:	13 September, 2023
LEAD OFFICER:	Head of Planning, Public Protection and Countryside Services
CONTACT OFFICER:	Senior Licensing Officer licensing@denbighshire.gov.uk 01824 706433
SUBJECT:	Forward Work Programme 2023

1. PURPOSE OF THE REPORT

- 1.2 To advise Members of the priorities of the Licensing Section, together with an update on the agreed work programme for the Licensing Committee for the remainder of 2023.

2. EXECUTIVE SUMMARY

- 2.1 The priorities of the Licensing Section reflect the duty placed on the Authority in relation to its responsibilities in relation to its licensing function, and the effective regulation, control and enforcement of Licensees, and the Authority's commitment to safer communities and the development of the economy.
- 2.2 The Forward Work Programme approved by Members at a previous meeting has unfortunately had to be amended slightly and matters will be re-scheduled for consideration.

3. BACKGROUND INFORMATION

- 3.1 Members will recall that at the last meeting in June 2023, Officers presented an updated work programme which was approved, however the scheduled review of the Hackney Carriage and Private Hire Statement of Policy has been further postponed until the outcome of the consultation of the recently published Welsh Government White Paper; Taxi and Private Hire Vehicle (PHV)(Wales) Bill is known. A revised Forward Work Programme can be found at Appendix A.

4. RECOMMENDATION

- 4.1 It is recommended that Members note the contents of the report, and

- 4.2 It is further recommended that Members consider and approve the revised Forward Work Programme detailed at Appendix A for the remainder of 2023.

Licensing Committee
Forward Work Programme 2023

Committee Date	Report	Comment
6 December 2023	Review Private Hire vehicle plate exemption policy	To review the existing policy
	Review of Intended Use Policy	To review the existing policy
	Review of Medical Standards	Should representations be received following consultation
	Review of Hackney Carriage Fares	Should representations be received following consultation
	Review of Hackney Carriage Byelaws	Should representations be received following consultation
	Special Procedures	Update report on new legislation

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