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To: Cllr Tony Sharps (Chairman)

Councillors: Glyn Banks, David Cox, Adele Davies-Cooke, Rob Davies, Chris Dolphin, Rosetta Dolphin, Brian Lloyd, Ted Palmer, Mike Reece, Ralph Small and Martin White

7 February 2019

Dear Councillor

You are invited to attend a meeting of the Licensing Committee which will be held at 10.00 am on Wednesday, 13th February, 2019 in the Delyn Committee Room, County Hall, Mold CH7 6NA to consider the following items

## A G E N D A

**\*\*Following the meeting, Members are requested to attend a short training session on Safeguarding\*\***

### 1 **APOLOGIES**

**Purpose:** To receive any apologies.

### 2 **DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)**

**Purpose:** To receive any Declarations and advise Members accordingly.

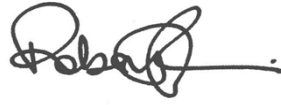
### 3 **MINUTES** (Pages 3 - 4)

**Purpose:** To confirm as a correct record the minutes of the meeting held on 8<sup>th</sup> November 2018.

### 4 **WELSH GOVERNMENT CONSULTATION: IMPROVING PUBLIC TRANSPORT** (Pages 5 - 16)

**Purpose:** For Members to consider the draft response to questions 22 to 38 of the Welsh Government Consultation: Improving Public Transport, which relate to taxi's and private hire.

Yours sincerely

A handwritten signature in black ink, appearing to read "Robert Robins", with a horizontal line extending to the right and a small dot at the end.

Robert Robins  
Democratic Services Manager

## **LICENSING COMMITTEE** **8<sup>TH</sup> NOVEMBER 2018**

Minutes of the meeting of the Licensing Committee of Flintshire County Council held at County Hall, Mold on Thursday, 8<sup>th</sup> November 2018.

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

Councillors: Glyn Banks, Adele Davies-Cooke, Rob Davies, Chris Dolphin, Rosetta Dolphin, Brian Lloyd and Ralph Small.

### **APOLOGIES:**

Councillors: Mike Reece and Martin White.

### **IN ATTENDANCE:**

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

## **10. DECLARATIONS OF INTEREST**

None were received.

## **11. MINUTES**

The minutes of the meeting held on 28<sup>th</sup> June 2018 had been circulated with the agenda.

### **RESOLVED:**

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

## **12. GAMBLING ACT 2005 REVIEW OF STATEMENT OF GAMBLING POLICY**

The Licensing Team Leader introduced the Gambling Act 2005 Review of Statement of Gambling Policy report which provided a copy of the draft policy which was out for consultation.

The new policy would be required to commence on 31<sup>st</sup> January 2019 in accordance with the Act.

With regard to the policy, and how the Council would discharge the functions, the policy must contain objectives on the following:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
- Ensuring that gambling is conducted in a fair and open way; and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

The policy must be approved by County Council and could last for a period of three years. Prior to approval, consultation must take place with:

- The Police;
- The Fire Authority;
- One or more persons who appeared to the Authority to represent the interests of persons carrying on gambling businesses in the Authority area; and
- One or more persons who appeared to the Authority to represent the interests of persons who are likely to be affected by the exercise of the Authority's functions under the Act.

Councillor Banks expressed his concern on 3.3.6 of the policy which referred to vulnerable persons and he felt there was not enough protection for them. The Licensing Team Leader explained that it was the responsibility of each venue to undertake their own risks assessments based on the procedures of the Council; they could not be dictated to but they could be pointed in the direction of Gamcare.

In response to a further comment from Councillor Bank, the Licensing Team Leader explained that the maximum stake for gaming machines was stipulated by Government. The Solicitor added that if the policy was not approved there would be a risk of a judicial review as the policy was underpinned by UK law.

**RESOLVED:**

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

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

There were no members of the press or public present.

(The meeting commenced at 10.00 a.m. and ended at 10.15am)

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**Chairman**



## LICENSING COMMITTEE

<b>Date of Meeting</b>	Wednesday, 13 February 2019
<b>Report Subject</b>	Welsh Government Consultation: Improving Public Transport
<b>Report Author</b>	Chief Officer, Planning, Environment and Economy

### EXECUTIVE SUMMARY

For Members to consider the draft response to questions 22 to 38 of the Welsh Government consultation, 'Improving Public Transport'

### RECOMMENDATIONS

1	That Members consider the draft response to questions 22 to 38 of the consultation.
2	That Members consider whether there is anything they wish to add to the draft response and that the Committee's views be reflected in the Councils response to the White Paper consultation.

### REPORT DETAILS

<b>1.00</b>	<b>EXPLAINING THE CONSULTATION</b>
1.01	Welsh Government (WG) have prepared a White Paper, entitled 'Improving Public Transport' setting out changes to how public transport, including taxi services will be delivered in the future.
1.02	A consultation in relation to this document was launched by WG on 10 December 2018. The consultation can be accessed by following this link: <a href="https://beta.gov.wales/improving-public-transport">https://beta.gov.wales/improving-public-transport</a>
1.03	The purpose of the consultation is to seek views on the WG legislative proposals for reforming the planning and delivery of local bus services in Wales, together with the licensing of taxis and private hire vehicles (PHV's).

1.04	<p>The intention of the proposals is to:</p> <ul style="list-style-type: none"> <li>• Provide the flexibility to better respond to local public transport needs; and</li> <li>• Ensure consistency and coordination of bus service delivery and a more modern approach to taxi / PHV licensing.</li> </ul>
1.05	<p>Part 2 of the consultation specifically deals with the licensing of taxis and private hire vehicles.</p>
1.06	<p>Taxis and PHVs are a regulated but decentralised service. A taxi cannot currently operate unless both the vehicle and driver are licensed by a local authority under the Town Police Clauses Act 1847. PHV vehicles, drivers and operators cannot operate without licenses granted under the Local Government (Miscellaneous Provisions) Act 1976.</p>
1.07	<p>WG state that ‘following on from consultations undertaken by the Law Commission between 2011 and 2014, and a Welsh consultation in 2017, work has been underway to consider how we might reform the taxi and PHV licensing system in Wales.</p>
1.08	<p>WG identify the issues with the current regime as follows:</p> <ul style="list-style-type: none"> <li>• <b>Inconsistent standards</b> – where local authorities have different licensing standards;</li> <li>• <b>Enforcement</b> – there is no statutory mechanism for enforcement against vehicles licensed in a different authority area from where an infringement has occurred; and</li> <li>• <b>Safeguarding</b> - authorities do not have the means to share safeguarding information.</li> </ul>
1.09	<p>WG indicate that their preferred option constitutes implementation of the following four proposals, also known as ‘Option A’.</p> <ul style="list-style-type: none"> <li>• <b>Proposal 1:</b> the standardisation of taxi and PHV standards between the twenty two local authorities in Wales;</li> <li>• <b>Proposal 2:</b> the inability to take enforcement action against vehicles operating ‘out of area’</li> <li>• <b>Proposal 3:</b> the difficulty in sharing relevant information in relation to safeguarding</li> <li>• <b>Proposal 4:</b> that the existing taxi and PHV licensing functions of the twenty two Welsh local authorities should be redirected to a single national licensing authority. The national authority would be the joint transport authority (JTA) (which is referred to earlier in the consultation paper)</li> </ul>
1.10	<p>WG have also put forward an ‘Option B’ for consideration, which would include the implementation of proposals 1 to 3 without proposal 4. This option would mean the JTA would not be used as the delivery vehicle for the licensing of taxi and private hire vehicles, drivers and operators</p>
1.11	<p>The draft consultation response is shown at Appendix A of this report.</p>
1.12	<p>Proposal 1: Questions 22 to 27 of the consultation address the introduction of national standards.</p>

	We are in agreement that the setting of national standards would benefit the current licensing regime, and the responses reflect this opinion.
1.13	<p>Proposal 2: Questions 28 to 30 address enforcement and the proposal to allow a licensing authority to take enforcement action against any vehicle operating in its area.</p> <p>We are in agreement that the power to suspend a vehicle operating in our area where it causes a direct threat to public safety would be welcome, but that any further action should be taken by the home authority. By doing this, we remove the immediate risk to the public and report the matter back to the home authority.</p>
1.14	Proposal 3: Questions 31 and 32 address information sharing for the purposes of safeguarding, which we agree is critical.
1.15	<p>Proposal 4: Questions 33 to 38 address the WG proposal to redirect all existing taxi functions away from local authorities and into a national licensing authority. A JTA.</p> <p>We do not agree with this proposal.</p>
1.16	As the consultation response reflects, we feel there is no evidence to support the need to redirect this function away from local authorities. There is no detail contained within the White Paper to explain how the JTA would undertake the licensing function and as such it is very difficult to be able to fully answer the question.
1.17	Our overriding concern should be the safety and protection of the public and there is nothing to suggest that this is at the forefront of this proposal. There are many advantages to retaining the function within local authorities, e.g. local knowledge, needs and issues.
1.18	Flintshire County Council believe that the current proposals contained within the White Paper fall far short of the reform that taxi and private hire licensing desperately requires. The previous set of proposals contained within the Taxi and Private Hire Vehicle Licensing in Wales [WG31865] would have introduced a robust taxi licensing regime which was fit for the 21 <sup>st</sup> century and afforded local authorities the necessary tools to protect the public, tackle cross border working and introduce more powers for better enforcement. Instead what is now being proposed is a quick fix and offers nothing more than a temporary solution. The existing legislation is archaic, not fit for purpose and requires fundamental reform with new primary legislation.
1.19	The Licensing income for taxi and private hire is approximately £130k annually. This income would be lost should the function be transferred to a JTA.
1.20	The consultation period ends on 27 March 2019.

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	Taxi and PHV licensing is a large part of the work currently undertaken by the licensing team. The loss of the function would result in the loss of the associated income and consequently would trigger a review of the Licensing Service.
<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	The aim of this report is to propose the draft response to a consultation.
<b>4.00</b>	<b>RISK MANAGEMENT</b>
4.01	The transfer of taxi and private hire licensing to a centralised JTA would have considerable implications for the Licensing Team. The function is now managed at local level, with the knowledge and experience of the officers, and the robust requirements we have in place, contributing to our overarching duty to protect the public.
<b>5.00</b>	<b>APPENDICES</b>
5.01	Appendix A – Draft Consultation Response
<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	<p>Link to WG consultation: <a href="https://beta.gov.wales/improving-public-transport">https://beta.gov.wales/improving-public-transport</a></p> <p><b>Contact Officer:</b> Gemma Potter – Team Leader  <b>Telephone:</b> 01352 703371  <b>E-mail:</b> <a href="mailto:gemma.potter@flintshire.gov.uk">gemma.potter@flintshire.gov.uk</a></p>
<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
7.01	<p><b>Private Hire</b> – a type of licensed vehicle which can only be booked through a licensed Operator’s office.</p> <p><b>Hackney Carriage</b> – Black Cab style taxi or purpose built vehicles which have distinguishable features and can be hailed from the street.</p> <p><b>Joint Transport Authority</b> – the purpose of a JTA is to discharge specified transport functions for the area it relates to.</p>



**Flintshire County Council**  
**Draft Response to the Welsh Government Consultation Document:**  
**Improving Public Transport**

**Q22. Do you agree with our proposal to introduce national standards which will apply to all taxis and PHVs in Wales? Yes/No? Please explain your answer.**

Yes, this is consistent with the previous consultation work undertaken between the Licensing Expert Panel, which Flintshire are represented at, and the Welsh Government lead on taxi reform in Wales. It is also consistent with recommendation 2 made by the “Ministerial Working Party into hackney carriage and private hire licensing in England [2018]” and the Law Commission review “reforming the law of taxi and private hire services” [2012]”.

National standards would ensure that taxi services are delivered consistently across Wales and deal with any perceptions of any unnecessary inconsistency across Councils.

This may cause issues with those counties who border England.

**Q23. Are there any matters which you would like to see contained in any National Standards?**

Flintshire County Council’s view is that separate National Standards should be defined for vehicles, drivers and operators. Our belief is that following matters should be included, although this is not an exhaustive list:

- Enhanced DBS and Barring List checks (certificate of good conduct for overseas applicants) for drivers, operators, proprietors and dispatchers. The Panel believe that anyone taking or holding an individual’s personal information should have to be vetted to ensure that that person is safe and suitable (“fit and proper”).
- Medical fitness and specifically the requirement of Group 2 Medical Standards and the need for the applicant’s full medical history to be noted by the completing GP. Standards should also consider consistency of the issue of exemption certificates in terms of Equality Act duties.
- Immigration checks specifically the Right to Work in the UK
- Suitability of applicants and licence holders. The Institute of Licensing has published guidance on determining the suitability of applicants and licence holders in the hackney carriage and private hire trades. The criteria used in this guidance should be incorporated into any National Standards  
[https://www.instituteoflicensing.org/documents/Guidance\\_on\\_Suitability\\_Web\\_Version\\_\(16\\_May\\_2018\).pdf](https://www.instituteoflicensing.org/documents/Guidance_on_Suitability_Web_Version_(16_May_2018).pdf)
- Nationally-recognised vocational qualifications to include disability quality and awareness training, safeguarding awareness training (Child Sexual abuse / Exploitation, County Lines), practical driving standards test, communication skills and literacy, customer care, handling of emergencies, managing conflict etc.

- Knowledge and suitability test (literacy, numeracy, highway-code, conditions, local area knowledge).
- Overseas driving licenses.

In addition, we recommend the following matters be included in relation to vehicles:

- National Inspection Standards and frequency of inspections and testing including the criteria for testing. Consideration should also be given to suitability, independency and availability of testing stations and how they are approved e.g. consider if use of Trade owned testing stations are appropriate.
- Accessibility standards including the carrying of assistance dogs.
- Design and appearance and internal spatial requirements of vehicles including the approach to identify taxis and private hire vehicles.
- The information which should be contained on any vehicle identification source (plates, door signs)
- Standards for specialist and novelty vehicles, such as stretched limousines, wedding and funeral cars, omnibuses and pedicabs
- Taxi Meter standards including the criteria for Pulse and GPS meters.
- The use and standards for CCTV within vehicles, both audible and video as outlined in recommendation 17 & 18 “Ministerial Working Party into hackney carriage and private hire licensing in England [2018]”. The Information Commissioner’s Office has produced advice for councils and other organisations in using surveillance and CCTV systems in licensed taxis. A National Standard should take account of this advice.  
<https://ico.org.uk/about-the-ico/news-and-events/blog-continuous-cctv-in-taxis-where-do-councils-stand> The LGA Guidance has also now been published. (The cost of fitting CCTV within licensed vehicles particularly for small businesses may require subsidy from Welsh Government)
- Record Keeping including the retention period required. The Panel believe that ideally records should be kept for every journey undertaken, however, there are obvious practical difficulties with taking this approach. A better option would be to use technology to better the safeguarding processes. The use of CCTV, trackers and GPS systems would not only provide a more robust system for record keeping, but would also not place an administrative burden on taxi drivers.
- Environmental considerations such as vehicle emission standards

The standards for some of the points recommended above are included in guidance already and should be taken into account when developing any National Standards, such as the Department of Transport Taxi and Private Hire Vehicle Licensing: Best Practice Guidance (March 2010), although this is in need of updating.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/212554/taxi-private-hire-licensing-guide.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/212554/taxi-private-hire-licensing-guide.pdf)

In addition we recommend mandating training for all individuals involved in the licensing decision-making process. Consistent and appropriate training of officers and councillors

is essential to ensure those applying standards are competent to do so. The content of the training should form part of National Standards.

Finally, any National Standards developed should be consistent with criteria implemented in England to reduce variations in driver, vehicle and operator requirements especially around the border areas.

**Q24. Are there any matters which you think should be excluded from any National Standards?**

There are no matters that should be excluded, although National Standards should not duplicate other legislation.

**Q25. What practical obstacles might there be to setting common national standards for both taxis and PHVs?**

The main obstacle will be incorporating the National Standards into the 10,000 vehicles and 12,000 drivers currently licensed in Wales and the provisions that will need to be in place for transitional arrangements and grandfather rights. Consideration will also need to be given to finding suitable consistent standards which work for both urban and rural areas, and those which have thriving town / city centres.

**Q26. What would be the best approach for determining the content of national standards?**

There are already a number of national policies in place which have been adopted by a number of Welsh Local Authorities in order to provide a level of consistency between areas, such examples include:

- National Inspection Standards for Hackney Carriage and Private Hire Vehicles, and
- Institute of Licensing Guidance on determining the suitability of applicants and licences in the hackney carriage private hire trade

There are also some excellent examples of local taxi licensing policies and standards in place which have been developed and applied at a local level.

Welsh Government will first need to establish what policies and standards are already in place in Wales and then draw on the knowledge of licensing practitioners who have expert practical experience of undertaking taxi licensing work on a daily basis.

It would be remiss of Welsh Government to disregard any policies, standards or procedures which have been developed by licensing professionals and which actually serve to provide a robust service against a backdrop of legislation which is woefully inadequate and outdated.

The All Wales Licensing Expert Panel, at which Flintshire are represented, consists of managers and team leaders who have extensive knowledge and experience in the taxi licensing field and would without question need to be heavily involved in the development of National Standards.

It is suggested that Welsh Government would also need to engage with passenger safety groups and operator representatives by way of meetings, seminars and workshops.

**Q27. Please provide any other comments or proposals around national standards that were not covered in the above questions.**

The previous Welsh Government consultation on Taxi and Private Hire Vehicle Licensing in Wales [WG31865] referred to “National Standards for all taxis and private hire vehicles, set by Welsh Ministers, with the power for local licensing authorities to set additional conditions where it is appropriate to do so”

Although the White Paper makes no reference to minimum national standards, it is worth noting that we would not recommend that local licensing authorities be permitted to set additional local conditions above the national standard.

**Q28. Should a local authority be able to revoke or suspend a licence relating to any vehicle operating in its area, even if it did not issue the original licence? Yes/No? Please explain your answer.**

Flintshire County Council believe that the revocation of a vehicle licence should be the responsibility of the home Licensing Authority. Where it is proposed that action is taken to revoke a licence, it is imperative that the licence holder is afforded the opportunity to be heard i.e. the opportunity of a fair hearing; this is a requirement of Article 6 Human Rights Act which protects your right to a fair trial. The Licensing Authority that has issued the licence will also have invaluable local knowledge about the licence holder, have immediate access to the history of the vehicle and any complaints received and should be responsible for recovering any fees associated with taking the enforcement action (It is noted that proposals in relation to fee setting are not included in the White Paper).

We also believe that it is appropriate for any authorised officer from any Licensing Authority area to have the power to suspend immediately (Section 68 LG (MP) 1976) a licence of any vehicle operating in their area (irrespective of where it was licensed) where there is an immediate public safety risk e.g. defective tyre, or potentially where the vehicle fails to meet the national standards e.g. missing door signs / back plates. The authority that issues the suspension, would then report the matter to the home Licensing Authority for them to consider whether to lift the suspension or take further action.

**Q29. Should a local authority be able to issue a lesser sanction in relation to any vehicle operating in its area, even if it did not issue the original licence? Yes/No? Please explain your answer.**

This would be considered to be of benefit to aid the home authority in order to determine whether any further action is required e.g. improvement notice / advisory / warning. For example introducing a system of issuing a Fixed Penalty Notices would bring taxi and private hire enforcement in line with other areas of local government. Some method of referral scheme would need to be developed to notify the issuing local authority, however the practical implications of this would need further consideration.

**Q30. Please provide any other comments or proposals around enforcement that were not covered in the above questions.**

Discussions have previously taken place with Welsh Government about introducing the power to stop and direct taxi and PHVs. This would be a useful and beneficial addition to the enforcement options currently available to local authorities.

Currently Licensing authorities are unable to attach conditions to hackney carriage driver licences, some local authorities, including Flintshire, have byelaws in place and we would recommend incorporating any relevant component of these into National Standards

Other enforcement provisions are recommended for introduction by Welsh Government, such as where a driver refuses a fare due to the short distance involved or for cases of overcharging.

We would recommend mandating training for all individuals involved in the licensing decision-making process (as mentioned above). Consistent and appropriate training of officers and councillors is essential to ensure those applying standards are competent to do so. The content of the training should form part of National Standards.

**Q31. Do you agree with our proposal to create a database or make other arrangements for relevant safeguarding information to be shared? Yes/No? Please explain your answer.**

The establishment of a mandatory national database of all licensed drivers is critical, however this database should be expanded to include vehicle and operators, proprietors and dispatchers to support stronger enforcement. This must be established quickly.

In the interim, the National Anti-Fraud Network (NAFN) currently provides an online register of taxi and private hire drivers who have been refused or had their licence

revoked. The database includes the reasons for any refusal or revocation, along with the relevant licensing authority details. The Welsh Government must introduce legislation to mandate its use as a priority. It was agreed in principle at Licensing Expert Panel that Welsh Authorities would use this database and at the time of this consultation response all local authorities were progressing this.

In addition any national database must be able to accommodate or link in with an equivalent database in England to avoid duplication of data entry and ensure public safety particularly around the border areas.

**Q32. Please provide any other comments or proposals around information-sharing that were not covered in the above questions.**

The Common Law Police Disclosure provisions have been highlighted as a significant concern previously. These proposals do not cover this issue. It's suggested that the current Disclosure provisions be reviewed to ensure that all relevant information of crimes and conduct by taxi and private hire drivers, including arrest, charge and conviction information, is shared with licensing authority immediately.

Welsh Government may be limited in influencing this suggestion but it is essential to ensure all drivers, operators, proprietors and dispatchers are safe and suitable. Any influence Welsh Government could have on this to improve information-sharing on public safety grounds would be welcomed.

**Q33. Do you agree with our proposal to redirect all of the existing taxi and PHV licensing functions away from local authorities and into a national licensing authority (Option A)? Yes/No? Please explain your answer.**

We do **not** support the proposal on the information provided, as there is no evidence to support the need to redirect the existing taxi and PHV licensing function away from Local Authorities. At this stage there is no detail contained within this white paper as to how the JTA would undertake the licensing function and therefore it is very difficult to be able to answer this question. The Panel feel that insufficient research has been undertaken in respect of this proposal and that Welsh Government must produce a far more detailed explanation on how the JTA would work. We feel that they would then be in a better position to comment on the proposal. Our overriding concern is the protection of the public, and there is nothing contained within this proposal which suggests that public safety is at the forefront of this proposal.

There are of course many advantages of retaining the function at a local level, with local knowledge, needs and issues.

We would be happy to consider the evidence for Welsh Government's proposals and to work with them further to ensure any reform of taxi and private hire vehicle legislation is robust, enforceable and improves public safety.

**Q34. Do you think that local authorities should continue to have responsibility for taxi and PHV licensing (Option B)? Yes/No? Please explain your answer.**

Yes, local authorities should continue to have responsibility for taxi and PHV licensing. The Licensing function requires strengthening as mentioned in option B of the consultation, but it is recognised that licensing at the local level works well. Additional evidence is requested from Welsh Government to justify the contrary to continuing with local authority responsibility.

**Q35. Please provide any other comments or proposals around responsibility for taxi/PHV licensing that were not covered in the above questions.**

Flintshire County Council believe that the current proposals contained within the White Paper fall far short of the reform that taxi and private hire licensing so desperately requires. The previous set of proposals contained within the Taxi and Private Hire Vehicle Licensing in Wales [WG31865] would have introduced a robust taxi licensing regime which was fit for the 21<sup>st</sup> century and afforded local authorities the necessary tools to protect the public, tackle cross border working and introduce more powers for better enforcement. Instead what is now being proposed is a quick fix and offers nothing more than a temporary solution. The existing legislation is archaic, not fit for purpose and requires fundamental reform with new primary legislation.

The radical, ambitious and exciting plans previously proposed by Welsh Government have effectively been overlooked, and are unlikely to be revisited. A viable alternative however is readily available by considering in more details adopting the recommendations of the “Ministerial Working Party into Hackney Carriage and Private Hire Licensing in England [2018]” which builds on the work undertaken by the Law Commission “Reforming the Law of Taxi and Private Hire Services [2012]”.

These recommendations offer far more in terms of a workable solution, and would modernise the legislative framework, introducing appropriate regulation and giving licensing authorities the necessary enforcement tools to better protect the public. The recommendations if implemented, would ensure that inconsistencies between Welsh and English authorities, particularly along the border, are negated.

**Q36. We would like to know your views on the effects that the legislative proposals set out in this paper would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English. What effects do you think there would be? How could positive effects be increased? or negative effects be mitigated?**

The Welsh Language Act specifies that anyone should be able to conduct business through the medium of either Welsh or English.

**Q37. Please also explain how you believe the proposals could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

The Welsh Language Act is in place to ensure the Welsh language is treated no less favourably than English.

**Q38. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them: Please enter here:**

No further comments.