

**Neath Port Talbot County Borough Council**  
**Cyngor Bwrdeistref Sirol Castell-nedd**

**Democratic Services**  
**Gwasanaethau Democrataidd**

**Chief Executive:** Steven Phillips

**Date:** 21 September, 2020

Dear Member,

**REGISTRATION AND LICENSING COMMITTEE - MONDAY, 21ST**  
**SEPTEMBER, 2020**

Please find attached the following report for consideration at the next meeting of the **Registration and Licensing Committee - Monday, 21st September, 2020.**

**Item**

- a) Renewal of Hackney Carriage Proprietor Licence (Pages 3 - 6)

Yours sincerely

p.p Chief Executive

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## **NEATH PORT TALBOT COUNTY BOROUGH COUNCIL**

### **Registration and Licensing Committee**

September 2020

### **Report of the Head of Legal Services – Craig Griffiths**

#### **Matter for Decision**

**Wards Affected:** All

### **Renewal of hackney carriage proprietor licence**

#### **Purpose of the Report**

1. To consider an application for the renewal of a hackney carriage proprietor licence, where the licence has recently expired.

#### **Executive Summary**

2. An application for the renewal a hackney carriage proprietor licence was received on 16 September 2020. The licence to which the application relates had expired on the 25 August 2020.
3. The applicant explained that he didn't receive the vehicle renewal application and the vehicle had been parked up due to the coronavirus
4. The Registration and Licensing Committee are being asked to consider the renewal application taking into consideration the Council's Taxi Licensing Policy and the ruling in Exeter City Council v Sandle [2011].

#### **Background**

5. The Council has adopted a Taxi Licensing Policy, which includes the process for administering the renewal of hackney carriage proprietor licences.

6. The process takes into consideration the judgement in Exeter City Council v Sandle [2011], which concluded that a licence is capable of renewal up to 3 days after the expiry date where a good reason is given, and beyond that in exceptional circumstances.
7. Delegated authority is provided to officers to determine renewal applications that are made within 3 days of the expiry of the licence. All other applications must be considered by the Registration and Licensing Committee.

### **Officer Report**

8. Carl Wilkinson submitted an application on the 16th September 2020 for the renewal of his hackney carriage proprietor licence; the licence had expired on the 25th August 2020.
9. A letter inviting Mr Wilkinson to renew his licence had been sent by the Licensing Authority, but Mr Wilkinson has no recollection of receiving it.
10. The vehicle has not been used and has been parked up due to limited work caused by the coronavirus.
11. Had Mr Wilkinson applied for the renewal of the licence prior to the expiry of the licence, it would have been approved by officers under delegated authority.

### **Equality Impact Assessment**

12. There are no equality impacts associated with this report.

### **Legal Impacts**

13. There is a right of appeal to the Magistrates' Court against a decision to refuse to renew a hackney carriage proprietor licence.

### **Risk Management**

14. There are no risk management associated with this report

### **Consultation**

15. Not applicable

## **Recommendation**

16. That members consider the application after hearing all submissions.

## **Reasons for Proposed Decision**

17. Members need to consider whether there are exceptional circumstances as to why the licence was not renewed prior to the expiry.

## **Implementation of Decision**

18. Immediate implementation

## **Appendices**

19. None

## **List of Background Papers**

20. Vehicle file

## **Officer Contact**

21. Neil Chapple  
Licensing Manager  
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