



REGISTRATION AND LICENSING COMMITTEE

10.00 AM - MONDAY, 22 AUGUST 2022

**MULTI LOCATION MICROSOFT TEAMS/COMMITTEE ROOMS 1&2
PORT TALBOT CIVIC CENTRE**

1. Chairpersons Announcements
2. Declarations of Interest
- Report of the Head of Legal Services.**
3. Renewal of hackney carriage proprietor licence - Case 1 (*Pages 3 - 6*)
4. Urgent Items
Any urgent items at the discretion of the Chairperson pursuant to Section 100B(4)(b) of the Local Government Act 1972.
5. Access to Meetings
That pursuant to Section 100A(4) and (5) of the Local Government Act 1972, the public be excluded for the following items of business which involved the likely disclosure of exempt information as defined in Paragraph 12 of Part 4 of Schedule 12A of the above Act.
- Private Report of the Head of Legal Services**
6. Hackney Carriage and Private Hire Driver Licensing - Case 2 (*Pages 7 - 10*)
7. Hackney Carriage and Private Hire Driver Licensing - Case 3 (*Pages 11 - 14*)

8. Hackney Carriage and Private Hire Driver Licensing - Case 4
(Pages 15 - 18)
9. Hackney Carriage and Private Hire Driver Licensing - Case 5
(Pages 19 - 22)

K.Jones
Chief Executive

Civic Centre
Port Talbot

Tuesday, 16 August 2022

Committee Membership:

Chairperson: Councillor A.J.Richards

**Vice
Chairperson: Councillor J.Henton**

Members: Councillors S.Paddison, D.Whitelock,
W.Carpenter, M.Crowley, A.Dacey, H.Davies,
L.Jones, D.Lewis, A.Lodwig, K.Morris, S.Renkes,
S.Thomas and L.Williams

c.c. Superintendent of Police, Neath
Chief Fire Officer, Neath

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Registration and Licensing Committee

August 2022

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 4th August 2022. The licence to which the application relates had expired on the 2nd July 2022.
3. The applicant Mr Carl Wilkinson contacted the Legal Regulatory Office to explain that his father sadly passed away on 5th July 2022 and he therefore forgot to renew the vehicle on time.
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. Mr Wilkinson submitted an application on the 4th August 2022 for the renewal of his hackney carriage proprietor licence; the licence had expired on the 2nd July 2022.
9. Mr Wilkinson explained his father has been unwell since the beginning of June and sadly passed away on 5th July 2022. During this time Mr Wilkinson explained that he had been at the hospital every day watching his father deteriorate, which severely affected his mental health and that he was struggling with life in general.
10. A letter inviting Mr Wilkinson to renew his licence had been sent by the Legal Regulatory Services.
11. Members are being asked to consider whether there are exceptional circumstances that led to Mr Wilkinson not being able to renew his licence.

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 determine the application after hearing all submissions.

Reasons for Proposed Decision

17. To enable members to determine whether there are exceptional reasons for the late renewal.

Implementation of Decision

18. Immediate implementation

Appendices

19. None

List of Background Papers

20. Proprietor licence file

Officer Contact

21. Neil Chapple
Licensing Manager
Tel (01639) 763050
Email n.chapple@npt.gov.uk

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