



REGISTRATION AND LICENSING COMMITTEE

10.00 AM - MONDAY, 6 MARCH 2023

MULTI LOCATION MICROSOFT TEAMS/COUNCIL CHAMBER

Webcasting/Hybrid Meetings:

This meeting may be filmed for live or subsequent broadcast via the Council's Internet Site. By participating you are consenting to be filmed and the possible use of those images and sound recordings for webcasting and/or training purposes.

1. Chairpersons Announcements
2. Declarations of Interest
3. Minutes of the Previous meeting (*Pages 3 - 4*)

Report of the Head of Legal Services.

4. Decision report Revised Taxi Licensing Policy - Electric Vehicles (*Pages 5 - 16*)
5. Urgent Items
Any urgent items at the discretion of the Chairperson pursuant to Section 100B(4)(b) of the Local Government Act 1972.
6. 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 and 15 of Part 4 of Schedule 12A of the above Act.

Private Report of the Head of Legal Services

7. Hackney Carriage and Private Hire Driver Licensing - Private Report (Pages 17 - 20)

K.Jones
Chief Executive

Civic Centre
Port Talbot

Tuesday, 28 February 2023

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

EXECUTIVE DECISION RECORD

REGISTRATION AND LICENSING COMMITTEE

13 DECEMBER 2022

Cabinet Members:

Councillors: A. Richards (Chair), J. Henton (Vice Chair), S. Renkes, M. Crowley, H. Davies and S. Thomas

Officers in Attendance:

N.Chapple, G.White and S.McCluskie

1. CHAIRPERSONS ANNOUNCEMENTS

The Chairperson welcomed everyone to the meeting.

2. DECLARATIONS OF INTEREST

The following declaration of interest was received;

Cllr M Crowley at Agenda item 7 – Application for a Hackney Carriage and Private Hire Licence.

It was noted Cllr Crowley believed he knew a close associate to the Applicant, it was therefore deemed to be a personal interest. Following this, Cllr Crowley withdrew from the meeting, and did not take part in the decision

3. MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting, held on the 14th November 2022, were approved as an accurate record.

4. URGENT ITEMS

There were no urgent items.

5. ACCESS TO MEETINGS

Resolved:

That pursuant to Section 100BA (2) & (7) of the Local Government Act 1972 and the undermentioned Exempt Paragraph 12 of Part 4 of Schedule 12A to the above Act. Pursuant also to Paragraph 21 of the Schedule, and in all the circumstances of the case, the public interest in maintaining the exemption, is considered to outweigh the public interest in disclosing the information

6. **HACKNEY CARRIAGE AND PRIVATE HIRE LICENCE - CASE 1**

Members were given an overview of the private circulated report and were asked to consider if an applicant was a fit and proper person to hold a Hackney Carriage and Private Hire Driver Licence.

The Applicant attended the meeting

RESOLVED: That after considering the report, and hearing all representations and taking into account the Councils Taxi Licensing Policy, the Applicant's request of a Hackney Carriage and Private Hire Licence be **APPROVED**.

7. **HACKNEY CARRIAGE AND PRIVATE HIRE LICENCE - CASE 2**

Members were given an overview of the private circulated report and were asked to consider if an applicant was a fit and proper person to hold a Hackney Carriage and Private Hire Driver Licence.

The Applicant attended the meeting

RESOLVED: That after considering the report, and hearing all representations and taking into account the Council's Taxi Licensing Policy, the Applicant's request of a Hackney Carriage and Private Hire Driver's Licence be **REFUSED**, on the grounds that; they did not meet the Authority's Taxi Licensing Policy; and that the Applicant did not advance any exceptional reasons why the Committee should depart from the provisions of its taxi policy.

CHAIRMAN

NEATH PORT TALBOT COUNCIL

Registration and Licensing Committee

6th March 2023

Report of the Head of Legal and Democratic Services – Craig Griffiths

Matter for Decision

Wards Affected

All Wards

Taxi Licensing Policy Amendment - Electric Vehicles

Purpose of the Report

1. To consider an amendment to the Taxi Licensing Policy following the end of the consultation period.

Executive Summary

2. This report seeks to make an amendment to the existing Taxi Licensing Policy ("the policy") which requires all new hackney carriage proprietor licences to be for vehicles which are wheelchair accessible vehicles.
3. It is proposed that zero-emission vehicles be excepted from the requirement that all new hackney carriage proprietor licences be for wheelchair accessible vehicles.
4. A consultation exercise with the existing hackney carriage and private hire trade was carried out between November 2022 and January 2023. There were 6 responses to the consultation.
5. Members are now being asked to consider whether to implement the change in policy after considering the consultation responses.

Background

6. The Registration and Licensing Committee adopted the latest version of the Taxi Licensing Policy on 10th February 2020 which contains the procedures, specifications and conditions which all prospective and existing licence holders need to be aware of.
7. The policy currently in place requires that all new hackney carriage proprietor licences are for vehicles that are wheelchair accessible. Non-wheelchair accessible vehicles can only be licensed, where the vehicle is replacing an existing non-wheelchair accessible vehicle.
8. The policy is designed to ensure that there is an adequate supply of both non-wheelchair accessible and wheelchair accessible vehicles licensed within Neath Port Talbot.
9. Welsh Government's "Wales Transport Strategy 2021" states that by 2040 all hackney carriage and private hire vehicles will be zero-emission.
10. To ensure that the authority maintains as far as possible the current proportion of wheelchair accessible hackney carriage vehicles, it is proposed that officers undertake a monthly review to look for any pattern of wheelchair accessible hackney carriage vehicles being replaced by zero-emission non-wheelchair accessible vehicles.
11. Where such a pattern is observed, a report to review the policy will be brought back before members.
12. A report was considered by the Registration and Licensing Committee on the 17th October 2022 and members determined to commence a consultation exercise with the existing trade

Officer Report

13. A consultation exercise with the existing hackney carriage and private hire trade, which included; the various registered taxi associations; RMT Union; and all drivers proprietors and operators, was carried out between November 2022 and January 2023.
14. There were 6 responses to the consultation, 3 in support, 1 against and 2 that provided additional comments. The consultation responses numbered 1 - 6 are attached at appendix 1.

15. Consultation responses 1, 2 and 3 support the proposal.
16. Consultation response 4 - this respondent is initially against the proposal, although later suggests that he would support a change in policy if it applied to all vehicles i.e. not just fully electric vehicles.
17. Consultation response 5 - this respondent refers to the lack of charging infrastructure and cost of the vehicles. However, the proposal for the change in policy is simply to encourage the uptake of electric vehicles for those that wish to do so. The proposed change in policy does not place an obligation on any person to change to an electric vehicle.
18. Consultation response 6 - this respondent asks a number of questions for clarification purposes and suggests that a move to electric vehicles is premature. As with the response to consultation response 5 above, the policy amendment is for any operators that wish to voluntarily licence a fully electric vehicle. Officers have responded to the questions posed by this respondent to reassure him that the existing arrangements for diesel and petrol vehicles are not being changed.
19. Following the completion of the consultation exercise and consideration of the 6 responses. Members are now being asked to consider implementing the proposed policy change.

Financial Impacts

No implications

Integrated Impact Assessment

20. A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016. The first stage assessment has indicated that a more in-depth assessment is not required.

Valleys Communities Assessment

21. No implications

Workforce Impacts

22. No implications

Legal Impacts

23. No implications

Risk Management Impacts

24. No implications

Consultation

25. A consultation exercise with the existing hackney carriage and private hire trade was carried out between November 2022 and January 2023.

Recommendation

26. It is recommended that having due regard to the integrated impact screening assessment, members approve an amendment to the taxi Licensing Policy as follows:
27. Appendix E Specification 8 - to read "Non-wheelchair accessible vehicles shall only be considered for licensing as a replacement for an existing non-wheelchair accessible vehicle, with the exception of fully electric vehicles i.e., vehicles that are powered solely by battery and do not also have an internal combustion engine.
28. Appendix E Specification 10 - to read "New vehicle licences will only be issued to wheelchair accessible vehicles and fully electric vehicles i.e., vehicles that are powered solely by battery and do not also have an internal combustion engine.

Reasons for Proposed Decision

29. There was no strong opposition to the proposed policy amendment following a consultation exercise with the existing trade. The amendment in policy will encourage the uptake of fully electric hackney carriage vehicles.

Implementation of Decision

30. The decision is proposed for immediate implementation.

Appendices

31. Appendix 1 - Consultation Responses
32. Appendix 2 - First Stage Impact Assessment

List of Background Papers

33. Existing Taxi Licensing Policy

www.npt.gov.uk/media/4270/taxi_licensing_policy.pdf

Officer Contact

34. Neil Chapple
Legal Regulatory Manager
Tel (01639) 763050
Email n.chapple@npt.gov.uk

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Appendix 1

Consultation Response 1

“Just a quick email to confirm I support the consultation to put electric vehicles on”

Consultation Response 2

“I agree with the consultation to put ev vehicle plates on”

Consultation Response 3

“Just a quick email to confirm I support the consultation to put electric vehicles on. Thanks”

Consultation Response 4

“It is my view that vehicles that are not wheelchair friendly SHOULD not be aloud to be granted a hackney plate don't matter what it uses for power ie: electric, petrol or diesel.

When i asked for a non wheelchair vehicle to be plated i was refused a plate event thought i have medical problem that prevents me for doing wheelchairs. If you pass this then it should be for all hackney vehicles not only electric.

Can you please let me know the outcome of your decision on this matter.”

Consultation Response 5

“I'm replying to the proposal of zero emissions taxi being given a license.

I fail to see how for 1 it would work in port Talbot or anywhere else in Wales other than a city centre where you can easily charge them. Also the price in these vehicles would quickly put the small business taxi driver out of business. There is far too many licenses being issued as it is and us drivers are finding it increasingly difficult TO earn a living. Perhaps the council would consider lowering the license fee to help us already providing a service with the maintenance and upkeep of our vehicles. Thank you”

Consultation Response 6

“Hi I am responding to your letter dated the 15th of November regarding electric vehicles which I have questions on

In response I want to clarify as to our existing diesel vehicles we can still replace like for like as I do mainly airport travel and the battery range for electric 8 seaters is not very good.

Also are neath port talbot council thinking of installing electric charging points at our taxi ranks .

In my own personal opinion I think this policy change should be delayed by 2 years so charging infrastructure can improve in the area and the cost of electric vehicles (which on average is about 45 to 60 thousand pounds to buy new)

should be better as the second hand car market is still expensive after covid .

I understand about the councils stance about the environment and being all electric and green energy but unfortunately the technology for batteries is not quite there yet but in 5 years time we will have a better understanding”

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Impact Assessment - First Stage

1. Details of the initiative

Initiative description and summary: Taxi Licensing Policy – Fully Electric Hackney Carriage Vehicles
Service Area: Legal Regulatory Services
Directorate: Chief Executives

2. Does the initiative affect:

	Yes	No
Service users	✓	
Staff		✓
Wider community	✓	
Internal administrative process only		✓

3. Does the initiative impact on people because of their:

	Yes	No	None/ Negligible	Don't Know	Impact H/M/L	Reasons for your decision (including evidence)/How might it impact?
Age		✓				It is anticipated that there will be none or negligible impact on the existing accessibility level of wheelchair accessible vehicles. Should there be a pattern of wheelchair accessible vehicles being replaced by non-wheelchair accessible fully electric vehicles, then the policy will quickly be reviewed by the Registration and Licensing Committee and suitable amendments made appropriately.
Disability			✓			
Gender Reassignment		✓				
Marriage/Civil Partnership		✓				
Pregnancy/Maternity		✓				
Race		✓				
Religion/Belief		✓				
Sex		✓				

Sexual orientation		✓				
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4. Does the initiative impact on:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence used) / How might it impact?
People's opportunities to use the Welsh language		✓				There is no impact on any of these as this policy relates to hackney carriage vehicle licensing.
Treating the Welsh language no less favourably than English		✓				

5. Does the initiative impact on biodiversity:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence) / How might it impact?
To maintain and enhance biodiversity		✓				No impact
To promote the resilience of ecosystems, i.e. supporting protection of the wider environment, such as air quality, flood alleviation, etc.	✓					The move to fully electric vehicles will undoubtedly have benefits to air quality. This policy amendment will make it easier for hackney carriage operators to licence a fully electric vehicle.

6. Does the initiative embrace the sustainable development principle (5 ways of working):

	Yes	No	Details
Long term - how the initiative supports the long term well-being of people	✓		The policy change will provide those that wish to purchase a fully electric vehicle the opportunity to purchase and licence a cheaper alternative to a fully electric wheelchair accessible vehicle. The proposal however will have safeguards in place to ensure that as far as possible the existing wheelchair accessible vehicle availability be retained.
Integration - how the initiative impacts upon our wellbeing objectives	✓		Taxi drivers play an important role in ensuring a safe night time economy, providing an essential service for people to get home safely. Ensuring that unsuitable drivers are prevented from obtaining a licence helps safeguard the wellbeing of both adults and children.
Involvement - how people have been involved in developing the initiative	✓		It is proposed to carry out a consultation exercise with the existing hackney carriage and private hire trade including the RMT union and the taxi associations.
Collaboration - how we have worked with other services/organisations to find shared sustainable solutions	✓		The proposed amendment to the policy is designed to assist with Welsh Government's Transport Strategy plan 2021 which aims to have all hackney carriage and private hire vehicles zero emission by 2040.
Prevention - how the initiative will prevent problems occurring or getting worse	✓		The proposed policy amendment will help with the move towards zero emission vehicles. However, there is a risk that taxi operators may look to replace existing wheelchair accessible vehicles with zero emission non-wheelchair accessible vehicles. To protect against this, officers will monitor patterns of vehicles being replaced and report to members where patterns are observed.

7. Declaration - based on above assessment (tick as appropriate):

A full impact assessment (second stage) is not required	✓
Reasons for this conclusion	
The proposal is not expected to impact on the availability of wheelchair accessible vehicles and therefore there should be none or negligible impact on any of the protected characteristics.	

	Name	Position	Date
Completed by	Neil Chapple	Legal Regulatory Manager	7th October 2022
Signed off by	Craig Griffiths	Head of Legal & Dem. Serv.	7th October 2022

By virtue of paragraph(s) 12 of Part 4 of Schedule 12A
of the Local Government Act 1972.

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