



REGISTRATION AND LICENSING COMMITTEE

10.00 AM - MONDAY, 21 MARCH 2016

PORT TALBOT CIVIC CENTRE - COMMITTEE ROOM 1/2

PART 1

1. To receive any declarations of interest from Members.

Report of the Head of Legal Services.

2. Hackney Carriage Driver Licensing (*Pages 3 - 6*)
3. Any urgent items at the discretion of the Chairman pursuant to Section 100B(4)(b) of the Local Government Act 1972.
4. Access to Meetings - to resolve to exclude the public for the following item pursuant to Section 100A (4) and (5) of the Local Government Act 1972 and Exempt Paragraph 12 of Schedule 12A to the above Act.

PART 2

Private Report of the Head of Legal Services (enclosed).

5. Application for a Hackney Carriage and Private Hire Driver licence - Case 1 (*Pages 7 - 12*)
6. Hackney Carriage Driver Licensing - Case 2 (*Pages 13 - 16*)

S.Phillips
Chief Executive

Committee Membership:

Chairman: Councillor E.E.Jones

Vice Chairman: Councillor H.M.Bebell

Members: Councillors H.G.Rawlings, J.S.Evans,
Mrs.R.Davies, R.James, A.Jenkins, Mrs.D.Jones,
J.Miller, Ms.C.Morgans, D.M.Peters, J.Warman,
D.Whitelock, A.Taylor and Mrs.A.Wingrave

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

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Registration and Licensing Committee

21st March 2016

Report of the Head of Legal Services – David Michael

Matter for decision

Wards Affected: All

Hackney Carriage Driver Licensing

Purpose of the Report

1. To consider an application from Christopher Logan - HD210 for the renewal of his hackney carriage driver licence, where the results of his DBS (Disclosure and Barring Service) check have not yet been received.

Executive Summary

2. Mr Logan submitted an application to renew his existing hackney carriage driver licence on the 14th March 2016.
3. The application was required to be accompanied by the results of a DBS check; the DBS check however has not yet been returned. As the application is incomplete, the application is currently on hold and the renewed licence has not been issued.
4. Mr Logan's existing licence expired on the 16th March 2016, and he has been unable to drive since that date.

5. Mr Logan has asked that members consider granting the renewal of the licence whilst the DBS check results remain pending.

Background

6. The Taxi Policy requires that licensed drivers complete a DBS check every 3 years. When a driver requires a DBS check as part of the licence renewal application, a DBS application form is sent by the Licensing Office to the applicant 4 months prior to the expiry of the licence.
7. The letter states that the applicant must attend at the Licensing Office with their completed DBS application form promptly or in any event at least 2 months before the expiry of the licence.
8. The Licensing Section require applicants to attend at the Licensing Office at least 2 months before the expiry of the licence with their DBS application, as it can take up to 6 weeks for the DBS check results to be returned.
9. The DBS check results are required to be submitted at the same time as the licence renewal application.

Officer Report

10. Mr Logan attended at the Licensing Office on the 7th March 2016 with a completed DBS application; this was less than 2 weeks before the expiry of the licence. The DBS application was processed and sent the same day, however the application remains pending and may take several weeks to be returned.
11. Officers have delegated powers to issue driver renewal applications where the officer is satisfied that the applicant is a fit and proper person. It has not been possible however to determine whether Mr Logan is a fit and proper person as officers are unsure whether any information will be revealed on the DBS check results.
12. Mr Logan's renewal application is therefore currently on hold and cannot be progressed until the DBS check results are received.
13. Mr Logan has requested that members consider granting the renewal application whilst the DBS check results remain pending.

Financial Impact

14. There are no financial impacts associated with this report.

Equality Impact Assessment

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

Legal Impacts

16. There are no legal impacts associated with this report.

Risk Management

17. There are no risk management issues associated with this report.

Consultation

18. There is no requirement under the constitution for external consultation on this item.

Recommendation

19. That members determine the application after hearing all submissions.

Reasons for Proposed Decision

20. It is considered the matters reported should be determined by the Registration and Licensing Committee to establish if the applicant is a fit and proper person to hold a driver's licence.

Implementation of Decision

21. The decision is for immediate implementation.

Appendices

22. Not applicable.

List of Background Papers

23. Driver's renewal application form
Neath Port Talbot CBC Taxi Licensing Policy

Officer Contact

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

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