



REGISTRATION AND LICENSING COMMITTEE

10.00 AM - MONDAY, 6 AUGUST 2018

COMMITTEE ROOM 1/2 - PORT TALBOT CIVIC CENTRE

PART 1

1. Declarations of Interest

Report of the Head of Legal Services.

2. Explosive Regulations 2014 - Delegated Authority (*Pages 3 - 6*)
3. Urgent Items
Any urgent items at the discretion of the Chairperson pursuant to Section 100B(4)(b) of the Local Government Act 1972.

PART 2

4. 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

5. Hackney Carriage and Private Hire Driver Licence - Case 1 (*Pages 7 - 10*)
6. Hackney Carriage and Private Hire Driver Licensing - Case 2 (*Pages 11 - 14*)

7. Hackney Carriage and Private Hire Driver Licensing - Case 3
(Pages 15 - 18)

S.Phillips
Chief Executive

Civic Centre
Port Talbot

Tuesday, 31 July 2018

Committee Membership:

Chairperson: **Councillor S.Paddison**

Vice **Councillor D.Whitelock**
Chairperson:

Members: Councillors A.P.H.Davies, J.Miller, D.M.Peters,
J.Warman, C.Edwards, M.Protheroe,
N.J.E.Davies, S.E.Freeguard, N.T.Hunt,
C.James, L.Jones, S.A.Knoyle and R.Mizen

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

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Registration and Licensing Committee

6th August 2018

Report of the Head of Legal Services – Craig Griffiths

Matter for Decision

Wards Affected: All

Explosive Regulations 2014 - Delegated Authority

Purpose of the Report

1. To seek an amendment to the delegated authority for officers to issue licenses under the Explosive Regulations 2014.

Executive Summary

2. This report is to seek approval to amend the existing delegated authority for officers to issue licences under the Explosive Regulations 2014.
3. The Explosive Regulations 2014 allow the Local Authority to issue licences for a maximum period of 5 years.
4. Currently officers have delegated authority to issue annual licences but it is proposed that the delegated authority be extended to enable officers to issue licences for up to 5 years.

Background

5. The Explosive Regulations 2014 were introduced on the 1st October 2014 and provide the framework under which licenses for firework storage are issued.

6. Officers currently have delegated authority to issue annual licences subject to:-
 - All new licence applications that are premises based to be notified to local members.
 - Consultation on licence applications be sought in accordance with legal or policy requirements
 - That there are no objections to the application.
 - All licences to expire on the 30th September
7. The Explosive Regulations 2014 allow local authorities to issue licences for up to 5 years, aligning them with equivalent HSE / Police-issued licences.

Officer Report

8. There have now been a number of enquiries from existing operators who wish to apply for a longer licence. Under existing officer delegated authority, an application for a longer licence would need to be determined by the Registration and Licensing Committee irrespective of whether an objection had been made against the application.
9. It is suggested that referring applications to the Registration and Licensing Committee where there have been no objections, would not be the most efficient use of member and officer resources, particularly as there would be no grounds on which to refuse the application.
10. All licensed premises are inspected by Licensing Officers at least once annually to ensure that firework storage is compliant with the regulations and HSE guidance.
11. Licensing Officers have powers to seize any fireworks which are deemed to be unsafely stored and licences are capable of being revoked by the Registration and licensing Committee where necessary.
12. It is therefore proposed that the delegated authority currently afforded to officers be extended to allow licences to be issued up to the maximum period of 5 years as permitted by the legislation.

Equality Impact Assessment

13. Not applicable

Risk Management

14. Not applicable

Consultation

15. Not applicable

Recommendation

16. That the Director of Finance, Head of Legal Services and the Licensing Manager be provided with delegated authority to issue licences under the Explosive Regulations 2014 for up to 5 years, subject to the following: -
- All new licence applications that are premises based to be notified to local members.
 - Consultation on licence applications be sought in accordance with legal or policy requirements
 - That there are no objections to the application.
 - All licences to expire on the 30th September

Reasons for Proposed Decision

17. To ensure that applications for licences under the Explosive Regulations 2014 are processed and issued in an efficient manner.

Implementation of Decision

18. Immediate implementation

Appendices

19. Not Applicable

List of Background Papers

20. Explosive Regulations 2014

Officer Contact

21. 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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