



REGISTRATION AND LICENSING COMMITTEE

10.00 AM - MONDAY, 11 MARCH 2019

COMMITTEE ROOM 1/2 - PORT TALBOT CIVIC CENTRE

PART 1

1. Declarations of Interest
2. Minutes of the Previous Meetings held on 29 October, 2018, 26 November, 2018 and 11 February 2019 (*Pages 3 - 14*)

Report of the Head of Legal Services

3. Hackney Carriage Fare Increase (*Pages 15 - 22*)
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 and 15 of Part 4 of Schedule 12A of the above Act.

PART 2

Private Report of the Head of Legal Services

6. Application for a Hackney Carriage and Private Hire Driver licence - Case 1 (*Pages 23 - 64*)

7. Application for a Hackney Carriage and Private Hire Driver licence - Case 2 (Pages 65 - 70)
8. Application for a Hackney Carriage and Private Hire Driver licence - Case 3 (Pages 71 - 76)

S.Phillips
Chief Executive

Civic Centre
Port Talbot

Tuesday, 5 March 2019

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

REGISTRATION AND LICENSING COMMITTEE

(Port Talbot Civic Centre - Committee Room 1/2)

Members Present:

29 October, 2018

Chairperson: Councillor S.Paddison

Vice Chairperson: Councillor D.Whitelock

Councillors: A.P.H.Davies, J.Miller, D.M.Peters, J.Warman,
C.Edwards, N.T.Hunt, C.James and S.A.Knoyle

Officers In Attendance C.Griffiths, N.Chapple, G.White, P.Malough and
N.Headon

1. **DECLARATION OF INTEREST**

Councillor C.James Re: Report of the Head of Legal Services, Item 5, Application for a Hackney Carriage and Private Hire Driver Licence (Case 1), as the advocate for the applicant was childhood friend of his brother.

2. **MINUTES OF THE PREVIOUS MEETING HELD ON 3 SEPTEMBER, 2018**

Noted by Committee.

3. **ACCESS TO MEETINGS**

RESOLVED: 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 to the above Act.

4. **APPLICATION FOR A HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCE - CASE 1**

Members were asked to consider, an application for a Hackney Carriage and Private Hire Driver's Licence, as detailed in the private circulated report.

The applicant attended the meeting along with a representative.

RESOLVED: that the application for the grant of Hackney Carriage and Private Hire Driver's Licence, be refused.

5. **HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE - CASE 2**

Members were provided with information in respect of the suspension of a Hackney Carriage and Private Hire Driver's Licence.

RESOLVED: that the report be noted.

6. **HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE - CASE 3**

Members were provided with information in respect of the suspension of a Hackney Carriage and Private Hire Drive Licence.

RESOLVED: that the report be noted.

7. **HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE - CASE 4**

Members were provided with information in respect of the suspension of a Hackney Carriage and Private Hire Driver's Licence.

RESOLVED: that the report be noted.

8. **APPLICATION FOR A HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCE - CASE 5**

Members were asked to consider an application for the renewal of a Hackney Carriage and Private Hire Drivers Licence, as detailed in the private circulated report.

The Applicant was present at the meeting.

Members requested that the Licensing Manager meet with the applicant to clarify the outcome of the Committee, which would also be followed up in writing to the applicant.

RESOLVED: that the application for the grant of a Hackney Carriage and Private Hire Driver's Licence, be renewed.

CHAIRPERSON

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REGISTRATION AND LICENSING COMMITTEE

(Committee Room 1/2 - Port Talbot Civic Centre)

Members Present:

26 November, 2018

Chairperson: Councillor S.Paddison

Vice Chairperson: Councillor D.Whitelock

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, L.Jones and R.Mizen

Officers In Attendance: P.Malough, G.White and T.Davies

1. **ACCESS TO MEETINGS**

RESOLVED: 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 to the above Act.

2. **APPLICATION FOR A HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCE - CASE 1**

Members were asked to consider an application for a Hackney Carriage and Private Hire Driver Licence, as detailed in the private circulated report.

The applicant attended the meeting along with representatives.

RESOLVED: that the application for the grant of a Hackney Carriage and Private Hire Driver Licence, be refused.

3. **APPLICATION FOR A HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCE - CASE 2**

Members were asked to consider an application for a Hackney Carriage and Private Hire Driver Licence, as detailed in the private circulated report.

The applicant attended the meeting along with a representative.

RESOLVED: that the application for the grant of a Hackney Carriage and Private Hire Driver Licence, be approved.

4. **HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCE - CASE 3**

Members noted the outcome of an Appeal against the decision to revoke a Driver Hackney Carriage and Private Hire Driver Licence, as detailed in the private circulated report.

RESOLVED: that the report be noted.

6. **URGENT ITEMS**

Because of the need to deal now with the matter contained in Minute Number 6 below, the Chairperson agreed that this could be raised at today's meeting as an urgent item pursuant to Section 100B (4) (b) of the Local Government Act 1972.

Reason

Due to the time element.

7. **HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENSING - CASE 4**

Members were given an overview of the private, urgent, circulated report which contained an update on the revocation of a Driver Hackney Carriage and Private Hire Driver Licence.

RESOLVED: that the report be noted.

CHAIRPERSON

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REGISTRATION AND LICENSING COMMITTEE

(Committee Room 1/2 - Port Talbot Civic Centre)

Members Present:

11 February, 2019

Chairperson: Councillor S.Paddison

Vice Chairperson: Councillor D.Whitelock

Councillors: A.P.H.Davies, N.J.E.Davies, N.T.Hunt, J.Miller,
R.Mizen, D.M.Peters, M.Protheroe and
J.Warman

Officers In Attendance: N.Chapple, M.Shaw and N.Headon

1. **WELSH GOVERNMENT WHITE PAPER - IMPROVING PUBLIC TRANSPORT**

Members were provided with an update on the draft response to the Welsh Government's White Paper "Improving Public Transport" Part 2 - Taxis and Private Hire Vehicles, and were asked to approve the submission of the consultation response which replicated the response by the All Wales Licensing Expert Panel, on behalf of Neath Port Talbot County Borough Council.

RESOLVED: that the draft response to the Welsh Government's White Paper "Improving Public Transport" Part 2 - Taxis and Private Hire Vehicles as contained in the circulated report, be submitted as a response to Welsh Government on behalf of Neath Port Talbot County Borough Council.

2. **URGENCY ACTION: 0316: HACKNEY CARRIAGE PROPRIETORS LICENCE RENEWAL - TOWN POLICE CLAUSES ACT 1847**

RESOLVED: that the following Urgency Action decision taken by the Head of Legal Services in consultation with the requisite Members, be noted.

Urgency Action No. 0316

Application for the renewal of a Hackney Carriage Proprietors Licence, Mr Wayne Brettle.

3. **ACCESS TO MEETINGS**

RESOLVED: 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 to the above Act.

4. **HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENSING - CASE 1**

The Committee was asked to consider the appropriate action in respect of an existing Hackney Carriage and Private Hire Driver's Licence, where the driver had incurred a conviction using a vehicle uninsured and to consider the renewal application by him of the Hackney Carriage and Private Hire Driver's Licence.

The Applicant was present at the meeting to disclose details of the incident.

RESOLVED:

1. that the Applicants current Hackney Carriage and Private Hire Driver licence be suspended until 19 March, 2019;
2. that following the expiration of the above suspension, the Applicants application to renew his licence be granted from 20 March, 2019.

5. **EQUALITY ACT 2010 - HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER MEDICAL EXEMPTION - CASE 2**

The Committee was asked to consider an application for medical exemption from the duties specified under the Equality Act for Hackney Carriage and Private Hire Drivers, following receipt of their

General Practitioners (GP) advice, as detailed in the private circulated report.

The Applicant was present at the meeting.

RESOLVED:

1. that the Hackney Carriage and Private Hire driver's application for a medical exemption from the duties specified under the Equality Act for Hackney Carriage and Private Hire Drivers, be granted for a period of three months;
2. that delegated authority be granted to the Principal Licensing Officer to grant an extension to this time period if necessary, with a recommendation from the applicant's GP.

6. **HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENSING - CASE 3**

Members were provided with information in respect of the suspension of a Hackney Carriage Driver's Licence.

RESOLVED: that the report be noted.

7. **HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENSING - CASE 4**

Members were provided with information in respect of the suspension of a Hackney Carriage Driver's Licence.

RESOLVED: that the report be noted.

8. **HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENSING - CASE 5**

Members were provided with information in respect of the suspension of a Hackney Carriage Driver's Licence.

RESOLVED: that the report be noted.

CHAIRPERSON

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Registration and Licensing Committee

11th March 2019

Report of the Head of Legal Services – Craig Griffiths

Matter for Information

Wards Affected: All

Hackney Carriage Fare Increase

Purpose of the Report

1. To provide information to members in respect of a request to increase the maximum permitted fare level which a hackney carriage may charge.
2. To discuss members views on an appropriate level for the increase.

Executive Summary

3. To provide information to members in respect of a request to increase the maximum permitted fare level which a hackney carriage may charge.
4. The decision on whether to increase the maximum fare level is an Executive function and therefore cannot be made by the Registration and Licensing Committee.
5. The Registration and Licensing Committee are therefore being asked to consider the request and provide their views on the level of fare increase that should be considered.

Background

6. The Local Government (Miscellaneous Provisions) Act 1976 allows the Council to set a maximum fare for hackney carriages.
7. The fare applies to distance, time and all other charges in connection with the hire of a vehicle.
8. The Council has already set a maximum permitted fare, and has published a table of fares, which is displayed in all hackney carriage vehicles. The current table of fares, last amended on the 1st May 2011, is attached at appendix 1.
9. Following a meeting between the Licensing Authority and the various taxi associations, several proposals have now been received for an increase to the maximum fare level; these proposals are attached at appendix 2.
10. The request is to consider increasing the maximum fare that can be made. Hackney carriage proprietors do not have to set the fare at the maximum level, but most do.
11. The setting of fares under the Local Government (Miscellaneous Provisions) Act 1976 is an Executive function, and therefore any decision to amend the maximum permitted fare must be an executive decision.
12. The Registration and Licensing Committee are therefore being asked to consider the request, and to provide their views on the level of fare increase that should be considered.

Officer Report

13. When considering the level of increase, it is suggested that the following cost factors are taken into consideration:
 - Petrol/diesel prices
 - Insurance costs
 - Licence fee costs
 - Inflation
14. Petrol / Diesel Prices - in May 2011 the average U.K cost of unleaded petrol was £136.7p and diesel £141.5p. The current prices of unleaded

and diesel are £118.9p and 126.9p respectively. This represents a 13% reduction in the cost of unleaded petrol and a 10% reduction in the cost of diesel.

15. Insurance costs - enquiries with a local insurance broker revealed that in 2011 a new single vehicle insurance policy for a new driver would have cost approximately £2000. The same insurance policy in 2017 would have cost approximately £3200; a 60% increase. A request for a price for 2019 has been submitted but at the time of writing this report, a response had not yet been received.
16. Licence fee costs - Licence fees payable to the Council in respect of proprietors licences i.e. vehicle fees, have not changed since 2011.
17. Inflation - the Consumer Price Index (CPI) is the official measure of inflation of consumer prices of the United Kingdom.; there has been a 15.04% rise between the end of 2011 and end of 2018.
18. The table attached at Appendix 2, outlines the existing fare tariff and 3 proposals submitted by the trade; a preferred proposal suggested by the Licensing Officer is also shown.
19. It is proposed that following receipt of members' views on a proposed increase, an informal consultation reflecting those views will be undertaken with hackney carriage drivers and proprietors. A final report will then be submitted for consideration to the Council's Executive.

Equality Impact Assessment

20. Not applicable at this stage

Legal Impacts

21. Not applicable

Risk Management

22. Not applicable

Consultation

23. It is proposed that an informal consultation be carried out with all hackney carriage drivers and proprietors prior to a report being submitted to the Council's Executive.
24. Where a decision is taken by the Executive to increase the maximum fare, the proposed increase must be advertised on one occasion in a local newspaper for a period of at least 14 days; any objections must then be considered before the increase can become effective.

Recommendation

25. That members consider the request and provide their views on an appropriate increase to the maximum fare level.

Implementation of Decision

26. A report will be provided to the Executive for determination.

Appendices

27. Appendix 1 - Existing NPTCBC table of fares
28. Appendix 2 - Proposed increase to the maximum hackney carriage fare tariff.

List of Background Papers

None

Officer Contact

Neil Chapple
Licensing Manager
Tel (01639) 763056
Email n.chapple@npt.gov.uk



Neath Port Talbot Castell-nedd Port Talbot

County Borough Council Cyngor Bwrdeistref Sirol

FARE TARIFF EFFECTIVE FROM 1st May 2011

First Tariff

For the first 7/10 mile or part thereof	£2.40
For each subsequent 1/10 mile or part thereof	0.20
Waiting time per 30 seconds	0.12
Minimum charge for hiring	2.40

Second Tariff

For the first 6/10 mile or part thereof	£3.00
For each subsequent 1/10 mile or part thereof	0.23
Waiting time per 30 seconds	0.12
Minimum charge for hiring	3.00

Note - The second tariff applies to journeys commenced:

- 1 Between 11.00pm and 7.00am on any day**
- 2 On Sundays and Bank Holidays**
- 3 From 6.00pm on Xmas Eve & New Years Eve**

Tariff 3

100% surcharge on Tariff 1 – Xmas Day & New Years Day only.

Extra Charges

- 1 For each passenger exceeding four-.50p per passenger**
- 2 Soiling of Vehicle-£100.00 maximum.**

Complaints regarding fares, vehicles or drivers should be made to the Licensing Section, Civic Centre, Port Talbot SA13 1PJ quoting the licence number of the vehicle and the number of the drivers badge. TEL No. 01639 763050

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Tariff 1													
	Initial distance	Start Rate	per 1/10	1 mile	% Increase	2 mile	% Increase	3 mile	% Increase	5 mile	% Increase	10 mile	% Increase
Existing	7/10 mile	£2.40	£0.20	£3.00		£5.00		£7.00		£11.00		£21.00	
Proposal 1 - Port Talbot Proprietors Association	7/10 mile	£2.45	£0.25	£3.20	6.6%	£5.70	14.0%	£8.20	17.1%	£13.20	20.0%	£25.70	22.3%
Proposal 2 - Port Talbot Drivers Association	6/10 mile	£2.40	£0.22	£3.28	9.3%	£5.48	9.6%	£7.68	9.7%	£12.08	9.8%	£23.08	9.9%
Proposal 3 - RMT Union	4/7 mile	£2.40	£0.30	£3.30	10.0%	£5.40	8.0%	£7.50	7.1%	£11.70	6.3%	£22.20	5.7%
Proposal 4 - Licensing Officer	7/10 mile	£2.60	£0.22	£3.26	8.6%	£5.46	9.2%	£7.66	9.4%	£12.06	9.6%	£23.06	9.8%

Tariff 2													
	Initial distance	Start Rate	per 1/10	1 mile	% Increase	2 mile	% Increase	3 mile	% Increase	5 mile	% Increase	10 mile	% Increase
Existing	6/10 mile	£3.00	£0.23	£3.92		£6.22		£8.52		£13.12		£24.62	
Proposal 1 - Port Talbot Proprietors Association	5/10 mile	£3.00	£0.25	£4.25	8.4%	£6.75	8.5%	£9.25	8.6%	£14.25	8.6%	£26.75	8.7%
Proposal 2 - Port Talbot Drivers Association	5/10 mile	£3.00	£0.25	£4.25	8.4%	£6.75	8.5%	£9.25	8.6%	£14.25	8.6%	£26.75	8.7%
Proposal 3 - RMT Union	4/7 mile	£3.00	£0.35	£4.05	3.3%	£6.50	4.5%	£8.95	5.0%	£13.85	5.5%	£26.10	6.0%
Proposal 4 - Licensing Officer	6/10 mile	£3.20	£0.25	£4.20	7.1%	£6.70	7.7%	£9.20	7.9%	£14.20	8.2%	£26.70	8.4%

Tariff 3													
No changes proposed. Tariff 3 is 100% surcharge on Tariff 1 - applicable on Xmas day & New Years' Day Only													

Extra Charges													
No changes proposed to soiling or additional cost for passengers exceeding 4													

Notes													
Tariff 2 applicable times to remain but in addition to include "Boxing day" where Boxing Day falls on a Saturday													

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