

Neath Port Talbot County Borough Council
Cyngor Bwrdeistref Sirol Castell-nedd

Democratic Services
Gwasanaethau Democrataidd

Decision Notice

REGISTRATION AND LICENSING COMMITTEE - URGENCY ACTION ,
WEDNESDAY, 7TH OCTOBER, 2020

Please see below approval of decision as follows:

1. **Renewal of Hackney Carriage Proprietor Licence - 15NH**
(Pages 3 - 6)

To consider an application for the renewal of a hackney carriage proprietor licence, where the licence has recently expired.

That the application be approved, as detailed in the attached report.

For Immediate Implementation

Yours sincerely

p.p Chief Executive

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NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Registration and Licensing Committee

6 October 2020

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 30th September 2020. The licence to which the application relates had expired on the 20th September 2020.
3. The applicant explained she didn't receive the renewal application.
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. Bethan Pearce submitted an application on the 30th September 2020 for the renewal of her hackney carriage proprietor licence; the licence had expired on the 20th September 2020.
9. Mrs Pearce submitted her application as soon as she realised it had expired.
10. A letter inviting Mrs Pearce to renew her licence had been sent by the Licensing Authority, but Mrs Pearce has no recollection of receiving it.
11. Mrs Pearce has never been late renewing a vehicle before and due to the Covid19 restrictions was not able to contact the Licensing Authority in the manner that she usually would have.

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 approve the renewal application.

Reasons for Proposed Decision

17. It is considered that there are exceptional circumstances that led to Mrs Pearce not being able to renew his licence at an earlier stage.

Implementation of Decision

18. Immediate implementation

Appendices

19. None

List of Background Papers

20. Driver file

Officer Contact

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