

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Registration and Licensing Committee

26th September 2016

Report of the Head of Legal Services – David Michael

Matter for Decision

Wards Affected: All

Taxi Licensing Policy (Amendments)

Purpose of the Report

1. To consider amendments to the Taxi Licensing Policy.

Executive Summary

2. This report is to consider amendments to the Taxi Licensing Policy.
3. Following the decision of a district judge to overturn the Council's decision to refuse a new Hackney Carriage Vehicle Licence, it is necessary to make some minor amendments to the renewal process contained within the Taxi Licensing Policy.
4. To ensure that all the procedures and process contained within the policy are unambiguous, some other minor amendments are also proposed.

Background

5. A report was presented to the Registration and Licensing Committee on the 26th September 2016, with details of an appeal against the Council's decision to refuse to grant a new hackney carriage vehicle licence.
6. As a result of the appeal hearing, it has become apparent that the renewal process for both vehicles and drivers as detailed in the Taxi Licensing Policy, requires some minor amendments.
7. The policy as a whole is also being continually reviewed. On occasion, the review identifies an area where the policy is not as clear as it could be. Some other minor amendments have therefore been made to the policy and need to be considered by the Registration and Licensing Committee.

Officer Report

8. It is proposed that the renewal process for both vehicles and drivers be amended to clarify how the Council will deal with an application that is received after the expiry of the licence. The amendments are shown bold and underlined at paragraph 2.9 and 3.10 in the policy attached at appendix 1
9. The other amendments to the policy are detailed below and the revised wording is shown bold and underlined in the policy attached at appendix 1.
10. Paragraph 2.3 - The requirement that a DBS is required prior to every renewal does not account for those that are issued with annual licences.
11. Paragraph 2.3 and 2.9 - Revision required to clarify that DBS certificates must be less than 3 months old on determination of the application, not on receipt of the application.
12. Paragraph 2.5 - "Knowledge Test" renamed "Knowledge and Suitability Test"
13. Paragraph 2.6 and 2.9 - Revision required to clarify that Medical Examinations must be less than 4 months old on determination of the application, not on receipt of the application.

Equality Impact Assessment

14. A Screening Assessment has been undertaken to assist the Council in discharging its Public Sector Equality Duty under the Equality Act 2010. After completing the assessment it has been determined that this procedure does not require an Equality Impact Assessment.

Legal Impacts

15. Not applicable

Risk Management

16. Not applicable

Consultation

17. Not applicable

Recommendation

18. That the Taxi Licensing Policy be amended with the changes contained in the revised Taxi Licensing Policy attached at appendix 1.

Reasons for Proposed Decision

19. To ensure that the Taxi Licensing Policy is robust and unambiguous as possible

Implementation of Decision

20. The decision is proposed for immediate implementation

Appendices

21. Appendix 1 - Revised Taxi Licensing Policy

List of Background Papers

22. Existing Taxi Licensing Policy

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