

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Registration and Licensing Committee

28th April 2017

Report of the Head of Legal Services – David Michael

Matter for Decision

Wards Affected: All

Hackney Carriage Proprietor's Licence - Town Police Clauses Act 1847

Purpose of the Report

1. To consider an application from Mr. Kerry Thomas, to renew a hackney carriage proprietor's licence, where the licence has expired.
2. To consider an application from Mr. Kerry Thomas for a new hackney carriage proprietor's licence, where the vehicle does not comply with the Council's Taxi Licensing Policy.

Executive Summary

3. An application to renew a hackney carriage proprietor's licence, where the licence has expired, was received on the 26th April 2017; the licence expired on the 5th March 2017.
4. An application for a new hackney carriage proprietor's licence has also been submitted, however, the vehicle specified in the application, does not comply with the requirements stipulated in the Council's Taxi Licensing Policy (Appendix E - hackney carriage vehicle specifications) as it is not wheelchair accessible.

5. Officers only have delegated authority to grant a hackney carriage proprietor's licence, where the vehicle specified in the application, complies with the specifications set out in the Council's Taxi Licensing Policy.
6. The Registration and Licensing Committee are being asked to determine whether the vehicle licence can be renewed, and in the event that the application to renew is refused, the Committee will also be asked to consider a new application.

Background

7. Hackney carriage proprietor's licences are issued for 1 year, at the end of which it is necessary for the licence holder to apply to renew the licence.
8. In accordance with the Council's Taxi Licensing Policy (Paragraph 3.10 - Renewal of Licence), where an application for renewal is made after the licence expires, the Council will decide whether or not the licence can be renewed taking into account how long after the expiry of the licence the application was made and the reasons why the licence was not renewed prior to the expiry.
9. Applications for a new hackney carriage proprietors' licence can only be determined by officers, if the vehicle specified in the application complies with the specifications set out in the Council's Taxi Licensing Policy (Appendix E - hackney carriage vehicle specifications).
10. One such specification is that all new hackney carriage proprietors' licences must be for a vehicle that is wheelchair accessible.

Officer Report

11. A letter was sent to Mr Thomas on the 3rd January 2017 inviting him to apply to renew the hackney carriage proprietor's licence in respect of licence 502.
12. No application was received and consequently the licence expired on the 5th March 2017. A letter was sent on the 4th April 2017 informing Mr Thomas that the licence had expired and that the vehicle licence plate issued by the Council must be returned within 7 days.
13. Mr Thomas submitted a renewal application and a new application for a hackney carriage proprietor's licence on the 26th April 2017.

Equality Impact Assessment

14. There are no equality impacts associated with this report

Legal Impacts

15. There is a right of appeal to the Magistrates' Court against a decision to refuse to renew a hackney carriage proprietor's licence.
16. There is a right of appeal to the Crown Court against a decision to refuse to grant a hackney carriage proprietor's licence.

Risk Management

17. There are no risk management associated with this report

Consultation

18. Not applicable

Recommendation

19. The Registration and Licensing Committee are being asked to determine the applications after hearing all submissions.

Reasons for Proposed Decision

20. In accordance with the Council's Taxi Licensing Policy, the matters reported must be determined by the Registration and Licensing Committee

Implementation of Decision

21. Immediate implementation

Appendices

22. Not Applicable

List of Background Papers

23. Archived Hackney Carriage Proprietors Licence file

24. Neath Port Talbot CBC - Taxi Licensing Policy
25. Mr Thomas' application for the renewal of a hackney carriage proprietor's licence
26. Mr Thomas' application for a new hackney carriage proprietor's licence

Officer Contact

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