

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Registration and Licensing Committee

17th July 2017

Report of the Head of Legal Services – David Michael

Matter for Decision

Wards Affected: All

New Hackney Carriage Proprietors Licence - Town Police Clauses Act 1847

Purpose of the Report

1. To consider an application from Mr Kamrul Hassan for a new hackney carriage proprietor's licence where the vehicle does not comply with the Council's Taxi Licensing Policy.
2. Note: This report will only need to be considered in the event that members determine that the renewal of the hackney carriage proprietor's licence is not capable of being renewed. The renewal application is dealt with in a separate report.

Executive Summary

3. An application for a new hackney carriage proprietor's licence for a Toyota Avensis, was submitted on the 10th July 2017.
4. 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.

Background

6. The Council has adopted a Taxi Licensing Policy which at Appendix E - "hackney carriage vehicle specifications", sets out the requirements that the Licensing Authority expects will be met before a hackney carriage proprietor's licence will be issued.
7. One such specification is that all new hackney carriage proprietors' licences must be for a vehicle that is wheelchair accessible.
8. The purpose for requiring all new vehicles to be wheelchair accessible is to ensure that a mixed fleet of both wheelchair accessible and non-wheelchair accessible vehicles are available for members of the public to use.
9. There are currently 259 proprietors' licences, 86 of which are for vehicles that are wheelchair accessible and 173 for vehicles which are non-wheelchair accessible.

Officer Report

10. An application for a new Hackney carriage proprietor's licence for a Toyota Avensis, was submitted by Mr Kamrul Hassan on the 10th July 2017.
11. Mr Hassan previously held a hackney carriage proprietor's licence for this vehicle, however the licence expired on the 2nd July 2017, as an application for its renewal was not submitted prior to the expiry.
12. Had Mr Hassan applied for the renewal of the previous proprietor's licence prior to the expiry, it would have been renewed under officer delegated authority.
13. Mr Hassan's new application is for a Toyota Avensis, which is not wheelchair accessible and consequently does not comply with the Council's Taxi Licensing Policy.

Equality Impact Assessment

14. There are no equality impacts associated with this report

Legal Impacts

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

Risk Management

16. There are no risk management associated with this report

Consultation

17. Not applicable

Recommendation

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

Reasons for Proposed Decision

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

Implementation of Decision

20. Immediate implementation

Appendices

21. Not Applicable

List of Background Papers

22. Previous Hackney Carriage Proprietors Licence file
23. Neath Port Talbot CBC - Taxi Licensing Policy

24. Mr Hassan's application for the grant of a new hackney carriage proprietor's licence

Officer Contact

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