

**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL**

**S60 Local Government (Miscellaneous Provisions) Act 1976**

**Notice of refusal to renew a Hackney Carriage Proprietors Licence**

To: Mr Kerry Thomas, XXXX

On Friday 28 April 2017 Neath Port Talbot County Borough Council, the licensing authority for the said County Borough determined an application made by yourself to renew your Hackney Carriage Proprietors Licence (“your licence”). This related to a Skoda Superb vehicle, registration number XXXX licence number 502.

Your licence had previously been granted on 1<sup>st</sup> March 2016 for the period of one year, and the address you had supplied in respect of that licence was XXXX

In determining your application, the licensing authority considered a report presented by Mr Neil Chapple, Principal Licensing Officer and heard representations from yourself, and your father Mr Nicholas Thomas in support of your application. The representations you and your father made were:

1. You did not receive a letter from the licensing authority inviting you to renew the licence, as the letter had been sent to your previous address.
2. You had transferred your interest in the hackney carriage vehicle to your father and therefore assumed that the letter for renewal would be sent to your father at his address.
3. The vehicle was parked outside your father’s residence and he had not been using the vehicle due to family commitments.

In addition to these representations, the licensing authority took into account the following factors in making its decision.

1. Your Hackney Carriage Proprietors Licence expired on the 5<sup>th</sup> March 2017 as it was not renewed at or prior to that date

2. Your application to renew your licence was made on 26<sup>th</sup> April 2017, 52 days after the expiry of your licence.
3. A reminder had been sent to you on 3<sup>rd</sup> January 2017 by the licensing authority advising you that your licence was due to expire on the 5th March 2017.
4. A further letter was sent by the licensing authority to you on the 4<sup>th</sup> April 2017 to advise that your licence had not been renewed and had therefore expired

In accordance with Section 60(1)(c) Local Government (Miscellaneous Provisions) Act 1976 I hereby give you notice that you application to renew your licence has been refused on the following grounds.

- (i) That your renewal application was made nearly 2 months after your licence had expired and that you did not put forward any exceptional reasons for this delay.
- (ii) That despite indicating that you had transferred your licence to your father, there was no record of a transfer being received at the Licensing office. Additionally, your father was not in receipt of a licence in his name, which would have been issued by the licensing authority had a transfer request been received. Further, your father accepted that several months had passed without him receiving a transfer of your licence, but despite this no enquires were made of the authority regarding that transfer.
- (iii) You also accepted not checking with the licensing authority whether the transfer of your licence had been processed
- (iv) That although you own XXXX and owned it at the time the reminder letter was sent and the subsequent letter of 4<sup>th</sup> April 2017, you did not collect your mail from that address nor did you have any arrangements for the collection of your mail.
- (v) That the hackney carriage vehicle had a licence plate attached to the rear which clearly indicated the expiration date of the licence.

You have a right of appeal against this decision to Swansea Magistrates Court within 21 days of receiving this notice. The address for Swansea Magistrates Court is Grove Place, Swansea. If you are minded to appeal, please ensure the appeal is made to the court and not to this authority.

Date:

Time:

Signed:

(Licensing Manager)