

# **NEATH PORT TALBOT COUNTY BOROUGH COUNCIL**

## **Registration and Licensing Committee**

August 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 11 August 2020. The licence to which the application relates had expired on the 31 July 2020.
3. The applicant had made several attempts to contact the Licensing Section, but was unable to make contact.
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. Peter Thomas submitted an application on the 11 August for the renewal of his hackney carriage proprietor licence; the licence had expired on the 31 July 2020.
9. Mr Thomas had attempted to make contact, unsuccessfully, on a number of occasions by phone and also by attending both Civic Centres at Neath and Port Talbot.
10. Mr Thomas states that he is not conversant with online applications or emails and relies on family members to assist him.
11. A letter inviting Mr Thomas to renew his licence had been sent by the Licensing Authority, but Mr Thomas has no recollection of receiving it.
12. As Mr Thomas was not able to contact the Licensing Authority in the manner that he usually would, it appears that there are exceptional circumstances that led to him not being able to renew his licence at an earlier stage; it is considered therefore that the renewal application should be approved.

## **Equality Impact Assessment**

13. There are no equality impacts associated with this report.

## **Legal Impacts**

14. There is a right of appeal to the Magistrates' Court against a decision to refuse to renew a hackney carriage proprietor licence.

## **Risk Management**

15. There are no risk management associated with this report

## **Consultation**

16. Not applicable

## **Recommendation**

17. That members approve the renewal application.

## **Reasons for Proposed Decision**

18. It is considered that there are exceptional circumstances that led to Mr Thomas not being able to renew his licence at an earlier stage.

Implementation of Decision

## **Implementation of Decision**

19. Immediate implementation

## **Appendices**

20. None

## **List of Background Papers**

21. Driver file

## **Officer Contact**

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