

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Registration and Licensing Committee

September 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 16 September 2020. The licence to which the application relates had expired on the 25 August 2020.
3. The applicant explained that he didn't receive the vehicle renewal application and the vehicle had been parked up due to the coronavirus
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. Carl Wilkinson submitted an application on the 16th September 2020 for the renewal of his hackney carriage proprietor licence; the licence had expired on the 25th August 2020.
9. A letter inviting Mr Wilkinson to renew his licence had been sent by the Licensing Authority, but Mr Wilkinson has no recollection of receiving it.
10. The vehicle has not been used and has been parked up due to limited work caused by the coronavirus.
11. Had Mr Wilkinson applied for the renewal of the licence prior to the expiry of the licence, it would have been approved by officers under delegated authority.

Equality Impact Assessment

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

Legal Impacts

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

Risk Management

14. There are no risk management associated with this report

Consultation

15. Not applicable

Recommendation

16. That members consider the application after hearing all submissions.

Reasons for Proposed Decision

17. Members need to consider whether there are exceptional circumstances as to why the licence was not renewed prior to the expiry.

Implementation of Decision

18. Immediate implementation

Appendices

19. None

List of Background Papers

20. Vehicle file

Officer Contact

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