

# **NEATH PORT TALBOT COUNTY BOROUGH COUNCIL**

## **Registration and Licensing Committee**

August 2022

### **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 4th August 2022. The licence to which the application relates had expired on the 2nd July 2022.
3. The applicant Mr Carl Wilkinson contacted the Legal Regulatory Office to explain that his father sadly passed away on 5th July 2022 and he therefore forgot to renew the vehicle on time.
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. Mr Wilkinson submitted an application on the 4th August 2022 for the renewal of his hackney carriage proprietor licence; the licence had expired on the 2nd July 2022.
9. Mr Wilkinson explained his father has been unwell since the beginning of June and sadly passed away on 5th July 2022. During this time Mr Wilkinson explained that he had been at the hospital every day watching his father deteriorate, which severely affected his mental health and that he was struggling with life in general.
10. A letter inviting Mr Wilkinson to renew his licence had been sent by the Legal Regulatory Services.
11. Members are being asked to consider whether there are exceptional circumstances that led to Mr Wilkinson not being able to renew his licence.

## **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 determine the application after hearing all submissions.

## **Reasons for Proposed Decision**

17. To enable members to determine whether there are exceptional reasons for the late renewal.

## **Implementation of Decision**

18. Immediate implementation

## **Appendices**

19. None

## **List of Background Papers**

20. Proprietor licence file

## **Officer Contact**

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