

**APPLICATION TO RE-INSTATE AN EXPIRED
HACKNEY CARRIAGE VEHICLE LICENCE OUTSIDE
STANDARD CONDITION 9.5 BY NICHOLAS JAMES
MADDY**

**REPORT BY:
Head of Environmental Health and Trading Standards**

Purpose

1. This report reintroduces an application made by Mr Maddy to deviate from the standard condition number 9.5. This condition states: -

‘All applications received after the date of expiry will be treated as grants and not renewals and the appropriate conditions and fees will apply’.

Legal Background

2. Under the terms of the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 local authorities may make reasonable conditions for the regulation of both hackney carriages and private hire vehicles, drivers and operators.
3. The current standard licence conditions were approved at Regulatory Committee on the 18 December 2007.

Issues

4. This Authority previously licensed a Skoda Octavia motor car on Plate No. H332.
5. On 6 March 2008 the Licensing Team wrote to Mr Maddy (Appendix 1 – Background Papers) advising him that this vehicle plate would expire on 9 April 2008. There is no mandatory requirement for the Licensing Team to do this.
6. No application was received from Mr Maddy and accordingly the plate expired on 9th April 2008.
7. On 5 June 2008 an application was received from Mr Maddy to licence the vehicle (Appendix 2 – Background Papers). However this had to be a new application to comply with the condition but as the vehicle did not meet the requirements for a new vehicle licence application the licence could not be granted under devolved powers.
8. The applicant requests to re-licence this vehicle.

Matter for Committee

9. In light of the above account the licence has still not been granted, but instead referred to this Regulatory Committee for consideration and determination as to whether the plate should be issued.

Options

It is for the Regulatory Committee to decide whether the vehicle licence: -

- can be granted outside of the standard conditions and or policy.
- cannot be granted and the licence be refused.
- can be further deferred in order to get more information before a fully informed decision can be made.
- or reach some other decision.

Background Papers

Appendix 1 – Renewal Letter to applicant

Appendix 2 – copy of application form