

**APPLICATION TO RE-INSTATE AN EXPIRED  
HACKNEY CARRIAGE VEHICLE LICENCE OUTSIDE  
STANDARD CONDITION 9.5 BY ROBERTO PAVI**

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

### **Purpose**

1. This report reintroduces an application made by Mr Pavi 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. H065.
5. On 21<sup>st</sup> August 2008 the Licensing Team wrote to Mr Pavi (Appendix 1 – Background Papers) advising him that this vehicle plate would expire on 6 October 2008. There is no mandatory requirement for the Licensing Team to do this.
6. No application was received from Mr Pavi and accordingly the plate expired on 6 October 2008.
7. On 9 October 2008 an application was received from Mr Pavi to licence the vehicle (Appendix 2 – Background Papers).
8. Mr Pavi was granted a licence until the date of this hearing to allow the Committee to make a decision regarding this matter. Accordingly the plate granted expires at midnight tonight.

### **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