

APPLICATION TO RE-INSTATE AN EXPIRED PRIVATE HIRE VEHICLE LICENCE OUTSIDE STANDARD CONDITION 9.5 BY CLIFFORD JAMES ADRIAN HOWELLS.

REPORT BY: Head of Environmental Health and Trading Standards

Purpose

1. The report introduces an application made by Mr Howells 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 taxi licence conditions were approved at Regulatory Committee on the 18th December 2007.

Issues

4. This Authority previously licensed a Ford Focus Estate on Plate No. P223.
5. On 28th September 2008 the Licensing Team wrote to Mr Howells (Appendix 1 – Background Papers) advising him that this vehicle plate would expire on 24th November 2008. There is no mandatory requirement for the Licensing Team to do this.
6. No application was received from Mr Howells and accordingly the plate expired on 24th November 2008.
7. On 27th November 2008 an application was received from Mr Howells to licence the vehicle (Appendix 2 – Background Papers).
8. Mr Howells was granted the 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.
9. The application requests to re-licence this vehicle.

Matter for Committee

10. In light of this the licence has not been granted but instead referred to this Regulatory Committee for consideration and determination whether the plate should be issued.

Options

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

- **Can be granted outside of the standard conditions and or policy.**
- **Cannot be granted and the licence be refused.**
- **Deferred decision in order to get more information.**
- **Or reach some other decision.**

Appendix 1 – standard vehicle licence conditions

Appendix 2 – copy of application forms