

APPLICATIONS TO RE-INSTATE AN EXPIRED HACKNEY CARRIAGE VEHICLE LICENCE OUTSIDE STANDARD CONDITION 9.5 BY LINDSAY OAKLEY-DAVIES

REPORT BY: Head of Environmental Health and Trading Standards

Purpose

1. The report introduces an application made by Mr Oakley-Davies 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 standard licence conditions were approved at Regulatory Committee on the 18th December 2007.

Issues

4. This Authority previously licensed a Ford Transit on Private Hire Licence P017
5. On 10th March 2009, Mr Oakley-Davies took over ownership of this vehicle and its licence from Mr Sexton. Beforehand, however, on 29th January 2009 the Licensing Team wrote to Mr Sexton advising him that this vehicle plate would expire on 7th March 2009. A further reminder letter was sent out on the 12th February 2009 to Mr Sexton. (Appendix 1 – computer generated print out of date of renewal letter). There is no mandatory requirement for the Licensing Team to do this.
6. No application was received from Mr Oakley-Davies and accordingly the plate expired on 7th March 2009.
7. On 13th March 2009 an application was received from Mr Oakley-Davies to licence the vehicle (Appendix 2 – Background Papers).
8. Mr Oakley-Davies 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 applicant 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 – Computer print out of renewal letter from Lalpac

Appendix 2 – copy of application forms

Appendix 3 – Copy of standard licence conditions