

APPLICATIONS TO RE-INSTATE AN EXPIRED HACKNEY VEHICLE LICENCE OUTSIDE STANDARD CONDITION 9.5 BY MR NICHOLAS MADDY

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

Purpose

1. The report introduces 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 standard licence conditions were approved at Regulatory Committee on the 18th December 2007.

Issues

4. This Authority previously licensed a Skoda Octavia saloon registration number GN53 HVG on Plate No. H332 which was first registered on 2.12.02.
5. Due to a procedural oversight the licence application details were not recorded on the computer last year and therefore no renewal reminders were sent. There is no mandatory requirement for the Licensing Team to do this and the responsibility for renewal lies with the applicant. In light of this a plate was issued until the Committee Hearing.
6. Mr Maddy's plate expired on 9th April 2009.
7. On 12th May 2009 an application (Appendix 1) was brought in to Garrick House by a representative of Mr Maddy to licence the vehicle. The licensing team member advised that as the application was late, the matter would have to be considered by Regulatory Committee.
8. The Committee may recall that Mr Maddy appeared before them on the 15th July last year, when again they were asked to consider renewal of this plate, on this vehicle, which again was submitted late. On that occasion you decided to grant the application.
9. As this application is outside the standard conditions there is no devolved power for the Licensing Officer to deal with this application.
10. The application requests to licence this vehicle.

Matter for Committee

11. 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 on a permanent basis.

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.**