

**REPORT FROM: REGENERATION SERVICES
ENGINEERING AND SPECIAL PROJECTS MANAGER**

TO: TAXI LICENSING COMMITTEE

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VEHICLE APPLICATIONS

PURPOSE OF REPORT

To consider when an application for a hackney carriage or private hire vehicle licence should be treated as a new application once the renewal date has passed.

RECOMMENDATION

That an application for the late renewal of a vehicle licence continues to be accepted no more than one month from the licence expiry date.

REASON FOR RECOMMENDATION

To enable vehicle owners a reasonable amount of time in which to get vehicle licences renewed.

BACKGROUND

1. At a meeting of this Committee in May 2012 it was agreed that a report be submitted on the procedure currently followed once a vehicle licence had expired following a question in public question time that the procedure currently followed was unfair.
2. If a vehicle proprietor does not submit an application for the renewal of a vehicle licence before the previous licence expires then the application should be treated as a new application and the policy for new vehicles should be applied in respect of age limits and vehicle types.
3. The procedure we currently follow is to accept an application for the renewal of a vehicle licence one month from the expiry date. This allows vehicle proprietors time to decide whether they wish to continue licensing the vehicle or for repairs to be carried out. Once this month has passed the application is treated as a new application and our policy for new applications is applied.

4. The age policy for new and renewal vehicles is for the vehicle to be no more than seven years old when first licensed and no more than nine years old on renewal, **or** if manufactured or adapted to allow for wheelchair accessibility no more than seven years old when first licensed and no more than 12 years on renewal.

CASE LAW

5. A recent appeal was won by a hackney carriage proprietor who was one day late in renewing his licence. Exeter City Council had ruled that it could not be renewed as they had a waiting list for licences and it would be unfair to accept the application. The court ruled that it was appropriate for a local authority to wait two to three days before it granted a new licence to another party, although it would be for an applicant to show that very good reasons existed for the late application for renewal.

CONCLUSION

6. Although the above applies to a hackney carriage licence, it can also be applied to a late renewal of a private hire vehicle licence. We allow one month for a proprietor to renew a vehicle licence and this seems a reasonable amount of time.

IMPLICATIONS

Policy: None arising directly from the report.

Financial: None arising directly from the report.

Legal: These are as set out in the body of the report.

Risk Management: None arising directly from the report.

Health and Safety: None arising directly from the report.

Sustainability: None arising directly from the report.

Community Safety: None arising directly from the report.

Equality and Diversity: None arising directly from the report.

APPENDICES

None.

LIST OF BACKGROUND PAPERS

Exeter City Council v Sandle Appeal 16/05/11