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ABERDEEN

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31 March 2014

Mr Tony Adu

Dear Sir

CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – TAXI & PRIVATE HIRE CAR LICENSING - TAXI LICENCE NUMBER T342 - H4 ADU & PK07 POA

Your application to renew Taxi Licence T342 was submitted on 29/01/14 and has not yet been processed. In addition an application to Substitute vehicle PK07 POA on to Taxi Licence T342 was submitted on 26/03/14.

You have been previously advised on two occasions to present vehicle H4 ADU for inspection at the Taxi Inspection Centre as information was received that the vehicle was accident damaged.

The Licensing Authority had not been notified of the damaged vehicle as required by condition 6 of the Taxi Licence conditions (quoted at the end of this letter) and you had not asked for extended time to repair the vehicle as required by the same condition.

It was also noted that you cancelled the scheduled taxi test for H4 ADU which was arranged for 08/01/2014.

You had confirmed by telephone that the vehicle was accident damaged and had in fact been written-off by the insurance company. At this point you were also advised that under Section 10 subsection 6 of the Civic Government (Scotland) Act 1982 you had 28 days from the disposal date of the vehicle (in this case the date that the insurance company confirmed the vehicle was written-off) to either substitute another vehicle on to the licence or surrender the licence.

Therefore your substitution and renewal applications will go before the Licensing Committee for consideration.

You will be notified of the date and time of the next Licensing Committee meeting in due course.

Yours faithfully

David McKane
Enforcement Officer
Litigation and Licensing

ANGELA SCOTT
DIRECTOR



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Condition 6 of the Taxi Licence Conditions states-

“The holder of this licence when the taxi is damaged in a vehicular accident or by any other means shall report the damage to the Taxi Inspector as soon as practicable, and if the taxi is roadworthy he shall present it for examination within the following two working days (being days on which the testing facilities operate) after the occurrence. It shall be at the discretion of the Taxi Inspector if he considers the taxi unroadworthy, to issue an instruction that the taxi shall not be used until the repairs have been completed and the taxi re-examined.

As soon as the repairs to the taxi have been completed (which shall be within a period of twenty-eight days, except in exceptional circumstances) the taxi shall be re-examined. In the event that the repairs cannot be completed within the period specified above, the licence holder shall apply in writing to the licensing authority for an extension thereto.”

Civic Government (Scotland) Act 1982

10 Taxi and private hire car licences

(6) Subject to subsection (5) above, the holder of a taxi or private hire car licence shall within 28 days of his selling or otherwise disposing of the vehicle to which the licence relates deliver to the licensing authority his licence and any licence plate or other thing which has been issued by the licensing authority for the purpose of indicating that the vehicle is a taxi or, as the case may be, private hire car, and if without reasonable excuse he fails to do so he shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding [F2level 2 on the standard scale].

Subsection 5 refers to the Substitution of a vehicle.

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DIRECTOR



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