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22 May 2014

Mr Tony Adu

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Dear Sir

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

I refer to my previous letter of 31/03/2014 regarding your submission of a renewal application for taxi licence T342 and the later submission of a substitution form for the same licence substituting the vehicle from H4 ADU to PK07 POA.

You were advised that your applications would have to go before the Licensing Committee for the renewal of your licence and thereafter the substitution to be determined.

It has since come to light that the vehicle PK07 POA is already subject to a current taxi licence and it is not possible to have two licences on one vehicle.

Therefore it would not be possible for the Licensing Committee to grant the substitution application. This would mean that as the original vehicle is written-off and no longer in your possession there is not a vehicle for taxi licence T342. A taxi licence cannot remain in force without a vehicle once the allowable 28 day period (to obtain a new vehicle) has expired- in your case this was January 2014.

If you still wish the Licensing Committee to determine your applications they will be heard at the next committee meeting on 01/07/14 (you will be sent an invitation to attend). If you wish to withdraw both applications please advise me of this as soon as possible.

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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