

**Planning and Public Protection Service**

**Name of Policy / Procedure / Protocol / Plan:**

**Procedure for dealing with expired insurance and compliance documents**

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<b>Date agreed and implemented:</b>	Agreed: 12th June 2013 Implemented: 1 <sup>st</sup> August 2013
<b>Agreed by:</b>	Licensing Committee
<b>Frequency of Review:</b>	Annual
<b>Review date:</b>	May/June 2014
<b>Equality Impact Assessment completed: (date)</b>	N/A
<b>Member involvement (if any)</b>	Licensing Committee
<b>Internal or Public Domain:</b>	Public Domain
<b>Head of Service Approval: (signature &amp; date)</b>	22 <sup>nd</sup> May 2013

**VERSION CONTROL:**

<b>Reference:</b>	<b>Status:</b>	<b>Authorised by:</b>	<b>Date:</b>
V01	Final	Licensing Committee	12.06.13

## 1. Purpose

To ensure consistency of administering and enforcing the Hackney Carriage and Private Hire legislation and the safety of the travelling public throughout the County of Denbighshire. This procedure aims to provide practical guidelines for officers to be clear on what process need to be followed when dealing with insurance and compliance documents and to ensure that legislation is adhered to.

## 2. Related Documents

Town Police Clauses Act 1847

Local Government (Miscellaneous Provisions) Act 1976 Section 49

Blue Book (Conditions and Policy)

Flowcharts Attached

## 3. Officer Delegations

The Licensing Committee have delegated to the Head of Service who has subsequently authorised the following Officers to carry out the functions detailed below.

<b>FUNCTION</b>	<b>OFFICER</b>
Suspension of vehicle licence under Section 60 LG(MP)A 1976	Head of Service or Public Protection Manager or Senior Licensing Officer or Senior Community Safety Enforcement Officer

## 4. Legislation/Policy

There is no specific section of the legislation that requires a proprietor of a vehicle licence to provide continuous cover of insurance and compliance/MOT certificates. It is a condition of their licence, contained within the policy and conditions.

The existing policy states:

The licensee shall ensure that renewed motor insurance cover and certificate of compliance are submitted to the Licensing Officer, in original form, either prior to or on their expiry. Failure to provide such documentation will result in the immediate suspension of licence(s)

## 5. Process

- i) Weekly report printed from Licensing System of documents that have expired
- ii) Suspension notice issued and signed by SLO/LEO. Suspension will only take effect after 21 days so it will give the licensee time to submit the updated document.

- iii) Update licensing system
- iv) Notify School Transport and Social Services Contract Teams
- v) If the documents are received within the 21 days then the suspension will be lifted
- vi) SLO to issue a letter lifting the suspension.
- vii) Inform School Transport and Social Services Contract Teams that the vehicle is no longer suspended
- viii) Update Licensing system.
- ix) If the documents are not received within the 21 days then the suspension is in force and Enforcement will be instructed to remove the plate(s) from the vehicle if the licence holder has not surrendered it.
- x) The vehicle will remain suspended until such time as original renewal documents have been received
- xi) Once documents have been received follow step (v) – (viii) above.

## **6. Right of Appeal**

The proprietor has a right of appeal against any of the Council's decisions , to the Magistrates Court .

## **7. Review of Procedure**

This procedure will be reviewed by the Licensing Section and Section Manager on an annual basis or sooner if changes to legislation are made.