



**Maidstone Borough Council**

**Local Government (Miscellaneous Provisions) Act 1976**

**Town Police Clauses Act 1847**

**Notice of Determination of Application for Hackney Carriage Vehicle**

**Applicant:** Mr Wakil Omar

**Vehicle Licence Plate Application:** GX09 HKG

**Date of Determination:** 8 September 2022

In accordance with the provisions of s.37 Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976, Maidstone Borough Council has decided to GRANT a licence for a hackney carriage vehicle for vehicle plate number GX09 HKG.

The Licensing Sub Committee considered the report, relevant law and guidance and the council's policy and have carefully considered all submissions made at the meeting on 8 September 2022.

The Sub Committee were satisfied that the vehicle is fundamentally safe. Although the car is over 3 years old and has more than 30,000 miles, the Sub Committee were satisfied that there are exceptional circumstances in the current application to allow them to grant the vehicle a hackney carriage licence contrary to the policy requirement. In particular, Mr Omar's actions since June have demonstrated a genuine belief that the vehicle licence had not been revoked. The Sub Committee also accepted that he had acted in continuous good faith to protect the public since purchasing the hackney carriage vehicle which unfortunately needed significant repair shortly after passing its MOT. In the normal course of events, had the licence not been revoked, the vehicle would not be subject to the policy as it had been a hackney carriage for a number of years. Accordingly the Sub Committee considered it reasonable in the exceptional circumstances to grant a licence for a hackney carriage vehicle outside of the policy guidelines.

Any person aggrieved by the decision may appeal to the Crown Court by way of complaint. S.47(3) Local Government (Miscellaneous Provisions) Act 1976 provides that any person aggrieved by any conditions attached to such a licence may appeal to the Magistrates Court within 21 days of the date of this Notice.

**Signed:**

**Date of Notice:** 8 September 2022

Councillor Joy  
Chairman of the Licensing Sub-Committee