

## **Policy on 'Good Cause' for late licence renewal applications**

The purpose of this policy is to guide applicants and officers of the City of Edinburgh Council ('the Council') in relation to the late submission of licence renewal applications.

The policy will apply to all late submissions of licence renewal applications in the following categories:

- Taxi Driver
- Private Hire Car Driver
- Taxi Vehicle
- Private Hire Car vehicle
- Second-hand Dealer
- Knife Dealer
- Metal Dealer
- Itinerant Metal Dealer
- Boat Hire
- Street Trader
- Market Operator
- Public Entertainment
- Indoor Sports Entertainment
- Late Hours Catering
- Window Cleaner
- Sex Shop
- Skin Piercing and Tattooing
- Hire Car Booking Office.

The [Civic Government \(Scotland\) Act 1982](#) ('the Act') provides that any application for licence renewal must be made before the expiry of the licence. Any application made up to 28 days later will be a 'late application.'

The Act further provides that where a late application is received, the original licence will expire on the date marked on the licence. However, if the Council determines that 'Good Cause' has been shown for the late submission of the application, the previous licence may be held to remain in effect while the renewal is processed.

Prior to making any application, **applicants should consider seeking independent legal advice.**

- I. It is the responsibility of the applicant or their agent to accompany any late application with a written explanation regarding why 'Good Cause' has been demonstrated.
- II. While 'Good Cause' is not defined, it would include events such as a bereavement, serious illness etc. which has had an impact upon the application.

- III. The applicant may be called upon to provide documents or other information in support of their request.
- IV. 'Good Cause' will not be taken to include an applicant's inability to secure or obtain any relevant or essential permissions, consents, leases or vehicles etc. The Council is unable to accept 'Good Cause' where the original licence a) is suspended at the date of expiry or b) subject to civil or criminal proceedings in the courts.
- V. No policy can be fully comprehensive or inclusive, and it is recognised that rules should be enforced in a fair and consistent manner. It is essential, however, that each case is treated on its merits and that decisions are reasonable in the circumstances.
- VI. It is the intention of the Council that, in applying this policy, due consideration will be given to an applicant's personal and domestic circumstances. These circumstances may include, but are not limited to, events described in paragraph II above.
- VII. Determination of 'Good Cause' will be considered by the Director of Services for Communities or their nominated officer, who will determine the response to the request based on the facts and circumstances. A written response will be provided, setting out whether or not 'Good Cause' has been demonstrated and the basis for this.
- VIII. The decision will be final and there is no right of appeal or review of that decision.

This policy does not affect any right to raise a complaint under the Council's [Complaints Procedure](#).