

BIRMINGHAM CITY COUNCIL

**REPORT OF THE DIRECTOR OF REGULATION AND ENFORCEMENT
TO THE LICENSING & PUBLIC PROTECTION COMMITTEE**

20 SEPTEMBER 2023
ALL WARDS

**ACTION TAKEN BY THE CHAIR OF THE LICENSING
& PUBLIC PROTECTION COMMITTEE:**

1. Summary
 - 1.1 This report advises your committee of action taken by the Chair between meetings, under authority delegated by the Licensing & Public Protection Committee, with an explanation as to why in each case, this authority was used.
2. Recommendation
 - 2.1 The report to be noted.

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3. Background Information

- 3.1 On 16 March 2007 Section 52 of the Road Safety Act 2006 came into force. This has had the effect of enabling a licensing authority to suspend or revoke a hackney carriage or private hire driver's licence with immediate effect – meaning that the suspension or revocation takes effect immediately once notice of the authority's decision has been given to the driver – where this decision is considered necessary in the interests of public safety.

4. Summary of Action Taken for May 2023

- 4.1 On 28 April 2023 officers contacted the Chair with respect to driver J, following receipt of information from West midlands Police, indicating the driver had pleaded guilty and was awaiting sentence for child sex offences.
- 4.2 Having considered the seriousness of the offences, on 2 May 2023 the Chair authorised immediate revocation of driver J's private hire driver's licence in accordance with Section 52 of the Road Safety Act 2006 and Section 61(2B) of the Local Government (Miscellaneous Provisions) Act 1976.

5. Summary of Action Taken for June 2023

- 5.1 On 13 June 2023 officers contacted the Chair in connection with driver K, as a result of information which had been released on the driver's Disclosure and Barring Service return.
- 5.2 The information disclosed, concerned an ongoing investigation into allegations of offences relating to money laundering and conspiracy to supply a Class A controlled drug, it was reported the driver had admitted to using his taxi to transport bags of cash on behalf of another individual on regular occasions. The matter was awaiting a Crown prosecution Service (CPS) charging decision.
- 5.3 Having considered the circumstances and the seriousness of the allegation, the Chair agreed driver K's private hire driver's licence should be refused renewal, with immediate effect, in accordance with Section 52 of the Road Safety Act 2006 and Section 61(2B) of the Local Government (Miscellaneous Provisions) Act 1976.

6. Implications for Resources

- 6.1 This report is for noting, there is no financial decision or implication as a result of the report recommendation. Following issuance of a S114 notice the Council is prevented, without explicit agreement of the Section 151 Officer, from entering into any new agreement or commitment for expenditure at this stage. All future expenditure decisions must follow the spend control process as per S114 arrangements.

7. Implications for Policy Priorities

- 7.1 The contents of the report contribute to the City Council's published policy priority of improving the standards of licensed vehicles, people and premises in the City.

8. Implications for Equality and Diversity

- 8.1 The actions identified in this report were taken in accordance with the Regulatory Services enforcement policy, which ensures that equality issues have been addressed.

DIRECTOR OF REGULATION AND ENFORCEMENT