

BIRMINGHAM CITY COUNCIL

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

20 JUNE 2018
ALL WARDS

**ACTIONS TAKEN BY THE CHAIR OF THE LICENSING
AND PUBLIC PROTECTION COMMITTEE DURING APRIL 2018**

1. Summary

- 1.1 This report advises the Committee of an action taken by the Chair under authority from the Licensing and Public Protection Committee, together with an explanation as to why this authority was used.

2. Recommendation

- 2.1 That the report 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 April 2018

- 4.1 On 19 April 2018 authority was sought to revoke with immediate effect the private hire driver licence held by driver reference 27558. On 19 April 2018 the Licensing Enforcement Section received information from the West Midlands Police: on or about the same date a female passenger was assaulted in a sexual manner by the driver of a private hire vehicle: the driver grabbed her by her scarf and attempted to “stick his tongue down her throat”. She was able to free herself and leave the vehicle. She approached the driver's window to pay him but he again grabbed her by the scarf and tried to kiss her but ended up licking her face and nose.
- 4.2 The interests of public safety being considered paramount, an authorisation of the Director of Regulation and Enforcement, acting in consultation with the Chair, was obtained and on 19 April 2018 notice was hand delivered personally to driver 27558 at his home address, advising that his private hire driver licence was revoked with immediate effect, in accordance with Sections 61(1)(b) and 61(2B) of the Local Government (Miscellaneous Provisions) Act 1976. Driver 27558's badge and vehicle identification plates were received from him.

5. Implications for Resources

- 5.1 No specific implications have been identified; however, drivers retain the right to appeal through a Magistrates' Court, which may result in the imposition of costs either to or against the City Council.

6. Implications for Policy Priorities

- 6.1 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.

7. Implications for Equality and Diversity

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

ACTING DIRECTOR OF REGULATION AND ENFORCEMENT