

BIRMINGHAM CITY COUNCIL

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

16 NOVEMBER 2016
ALL WARDS

**ACTIONS TAKEN BY THE CHAIR OF THE LICENSING AND PUBLIC
PROTECTION COMMITTEE DURING NOVEMBER 2016**

1. Summary
 - 1.1 This report advises the Committee of actions taken by the Chair under authority from the Licensing & Public Protection Committee, together with explanations 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 Actions Taken in November 2016

- 4.1 On 2 November 2016 authority was sought to revoke with immediate effect the private hire driver's licence held by driver reference 60363. On 2 November 2016 information was received that driver 60363 had been charged with and remanded in custody for having committed serious sexual offences against a female passenger whom he had picked up without a booking.
- 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on 3 November 2016 notice was delivered to driver 60363's home address advising that his private hire driver's licence was revoked with immediate effect, in accordance with Section 52 of the Road Safety Act 2006 and Section 61(2B) of the Local Government (Miscellaneous Provisions) Act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.
- 4.3 On 3 November 2016 authority was sought to revoke with immediate effect the private hire driver's licence held by driver reference 22901. On 2 November 2016 information was received that driver 22901 had been arrested for a public order offence involving an offensive weapon and threatening behaviour. Concern was also expressed, by both the Police and your Chair, with regard to mental health implications.
- 4.4 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 3 November 2016 notice was posted to driver 22901's home address advising that his private hire driver's licence was revoked 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.

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