

BIRMINGHAM CITY COUNCIL

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

10 MARCH 2021
ALL WARDS

**ACTION TAKEN BY THE CHAIR OF THE LICENSING
& PUBLIC PROTECTION COMMITTEE:**
January 2021

1. Summary
 - 1.1 This report advises the Committee of action taken by the Chair under authority from the Licensing & 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 January 2021

- 4.1 On 21 January 2021 authority was sought to revoke or suspend with immediate effect the private hire driver licence held by driver reference 3714, 2021 the Licensing Enforcement Section having received information from West Midlands Police to the effect that the driver had been arrested on two occasions in relation to offences of assault and threats to kill.
- 4.2 The interests of public safety being considered paramount, an authorisation of the Interim Assistant Director of Regulation and Enforcement, acting in consultation with the Chair, was obtained and notice was hand delivered personally to driver 3714's last known address by officers from West Midlands Police advising that his private hire driver licence was suspended with immediate effect, in accordance with Sections 61(1)(b) and 61(2B) of the Local Government (Miscellaneous Provisions) Act 1976.
- 4.3 On 23 January 2021 authority was sought to suspend or revoke with immediate effect the private hire driver licence held by driver reference 51380, the Licensing Enforcement Section having received information to the effect that the driver was being investigated for an allegation of possession of class A drugs with intent to supply.
- 4.4 The interests of public safety being considered paramount, an authorisation of the Interim Assistant Director of Regulation and Enforcement, acting in consultation with the Chair, was obtained on 23 January 2021, notice was hand delivered personally to driver 51380's last known 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.

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 Regulation and Enforcement enforcement policy, which ensures that equality issues have been addressed.

INTERIM ASSISTANT DIRECTOR OF REGULATION AND ENFORCEMENT