

Report to	-	Licensing and General Purposes Committee
Date	-	22 October 2018
Report of the	-	Executive Director
Subject	-	Hackney Carriage and Private Hire Licensing – Delegations to Officers

---

**Recommendation:** It be **RESOLVED:** That the Executive Director and Head of Service be granted delegated authority to revoke Hackney Carriage Licences (driver and vehicle) and Private Hire Licences (driver, operator and vehicle), where it is considered necessary for the protection of the public, following consultation with the Chairman or Vice-Chairman of the Licensing and General Purposes Committee.

---

**Head of Service: Richard Parker-Harding**

---

## **Introduction**

1. Officers currently have delegated authority (Minute LG15/29 refers) to revoke a Hackney Carriage and Private Hire Driver Licence, where it is considered necessary for the protection of the public, following consultation with the Chairman, or in his absence, the Vice-Chairman of the Licensing and General Purposes Committee.
2. A recent case has highlighted the need to extend this delegation to all types of licence, namely operator and vehicle licences. In this case the holder of a drivers licence was revoked by an Officer and it would have been desirable and practical to revoke his Operators and Vehicle Licence at the same time. In practice, when the driver's licence was revoked the driver would have been committing an offence to accept bookings or drive his licensed vehicle.
3. Since the delegation was granted in 2016 a drivers licence has only been revoked on two occasions when it was concluded that there was an urgent need to revoke a licence to protect public safety and it would have been negligent to delay.

## **Conclusion**

4. Revocation, without delay of a licence following information normally from the police of an accusation or investigation into a serious crime is necessary as the Council's overriding responsibility is the protection of the public.

Malcom Johnston  
Executive Director

## **Risk Assessment Statement**

A delay in revoking a licence following notification by the police or other agency that a licence holder is accused of a serious crime could impact on public safety. The

licence holder has a right of appeal to a Magistrates' Court if their licence is suspended or revoked. Thereby the Human Rights Act 1998 (right to a fair trial) is complied with.