

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PUBLIC PROTECTION COMMITTEE	17 JULY 2019	4

HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER - AC

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

At a meeting of the Public Protection Committee held on the 30th January 2019, a report was considered regarding the fitness and propriety of an existing licensed driver. The Committee resolved to:

- (1) to issue a warning letter to AC; and
- (2) That, before being issued with a further full term licence, AC must appear back before the committee rather than such a licence being issued by officers under delegated powers.

The licence is due for renewal and the Committee will be requested to determine the renewal application.

RECOMMENDATION

1. That the Committee consider the report and determine the application.

SUMMARY OF PREVIOUS DECISIONS

[Public Protection Committee, 30th January 2019](#)

- (1) to issue a warning letter to AC; and
- (2) That, before being issued with a further full term licence, AC must appear back before the committee rather than such a licence being issued by officers under delegated powers.

[Public Protection Committee - December 2014](#)

The committee considered the matter and RESOLVED to take no further action against AC.

CORPORATE PRIORITIES

Spending your money in the most efficient way to achieve excellent services (Value for Money)	
Delivering the services that customers expect of an excellent council (Clean and Green)	
Working with all partners (Vibrant Economy)	
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	√
Promoting Fylde as a great destination to visit (A Great Place to Visit)	

REPORT

1. AC is a licensed driver, holding a combined hackney carriage and private hire drivers licence which is due to expire on the 17th July 2019.
2. On the 30th January 2019, his fitness and propriety to hold such a licence was referred to the Public Protection Committee following a complaint regarding his conduct. The Committee considered the matter and resolved to issue a warning letter but also required that on licence renewal, the matter be referred back to the Committee for consideration.
3. AC's licence was due for renewal on the 4th May 2019 which, Members will recall, was the time of the local elections. As such, there was no committee in place to determine the application and a decision was taken to renew the licence, setting it to expire on the date of the following Public Protection Committee.
4. Section 61 of the Local Government (Miscellaneous Provisions) Act 1976 states, "a district council may suspend or revoke or ... refuse to renew the licence of a driver of a Hackney Carriage or a Private Hire vehicle on any of the following grounds:-
 - a) that he has since the grant of the licence:-
 - i) been convicted of an offence involving dishonesty, indecency or violence
 - ii) been convicted of an offence under or has failed to comply with the provisions of the Act of 1847 or of this part of the Act; or
 - b) any other reasonable cause."
5. Officers are able to confirm that there have not been any complaints concerning AC's conduct since January 2019 and the Committee are therefore requested to consider the renewal of this licence.

IMPLICATIONS	
Finance	There are no financial implications arising directly from the report.
Legal	The Committee should have regard to the requirements of fairness and proportionality and to the European Convention on Human Rights in reaching its decision. Where the Council has adopted a policy which applies to a particular matter, it must take the policy into account when making its decision. Although it is not bound to follow the policy, any decision that is contrary to it should be supported and explained by clear and adequate reasons for departing from the policy.
Community Safety	No implications arising directly from the report.
Human Rights and Equalities	Referred to in Legal implications
Sustainability and Environmental Impact	No implications arising directly from the report.
Health & Safety and Risk Management	No implications arising directly from the report.

LEAD AUTHOR	CONTACT DETAILS	DATE
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BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Hackney Carriage and Private Hire Licensing Policy	2017-2020	https://new.fylde.gov.uk/business/licensing/taxi-licensing/hackney-carriage-and-private-hire-licensing-policy/#1559202055516-446e0226-c907

