

EAST HERTS COUNCIL

LICENSING COMMITTEE - 21 JULY 2011

REPORT BY DIRECTOR NEIGHBOURHOOD SERVICES

DELEGATED AUTHORITY TO SUSPEND LICENCES

WARD(S) AFFECTED: ALL

Purpose/Summary of Report

- To report to Members on recent non-conviction information received about a taxi driver, and;
- To request Members to delegate to Director of Neighbourhood Services, the power to suspend a taxi driver's licence or taxi vehicle proprietor's licence, and to require return of the licences, badges, roof light and taxi licence plate, in appropriate circumstances, pending resolution of concerns over information received, whether or not the information leads to reference to Licensing Sub-Committee of a report on that (those) licence(s), that includes a recommendation from Officers for revocation of the licence.

| <u>RECOMMENDATION FOR DECISION – that:</u> | |
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| | Additional powers to suspend a taxi driver's licence or taxi vehicle proprietor's licence be delegated to the Director of Neighbourhood Services. |
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1.0 Background

1.1 On 22 July 2010 Licensing Committee granted delegated powers to the Director Neighbourhood Services, to suspend taxi licences pending reference to the Licensing Sub-Committee of a report on the licence, with a recommendation to revoke.

1.2 Licensing Officers became aware of an arrest of a licensed East Herts taxi driver on suspicion of rape of a young adult female

passenger, arising from circumstances that occurred during the course of the driver's self employment as a taxi driver.

1.3 The suspect was released on Police bail while Police investigations into the allegation continued.

1.4 In view of the serious nature of the alleged offence, Officers believe it is inappropriate for the suspect to continue working as a taxi driver, until he has been released from bail or found not guilty at Court.

2.0 Report

2.1 Licensing Committee has authority to suspend or revoke taxi driver and taxi vehicle licences for 'any reasonable cause'.

2.2 In exercising its functions, the Licensing Authority must treat the objective of upholding public safety as paramount.

2.3 Licensing Committee has authority to decide its own policy, and the delegated powers sought can be devolved by resolution of this committee.

3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Contact Member: Councillor Malcolm Alexander – Executive Member for Community Safety and Protection

Contact Officer: Brian Simmonds – Head of Community Safety and Licensing –Ext 1498

Report Author: Paul Newman – Licensing Process Manager

ESSENTIAL REFERENCE PAPER 'A'

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| Contribution to the Council's Corporate Priorities/ Objectives: | Promoting prosperity and well-being; providing access and opportunities <i>Enhance the quality of life, health and wellbeing of individuals, families and communities, particularly those who are vulnerable.</i> |
| Consultation: | Internal consultation only has taken place on the contents of this report. |
| Legal: | No issues that require approval identified by Contact Officer or Report Author. |
| Financial: | No issues that require approval identified by Contact Officer or Report Author. |
| Human Resource: | No issues that require approval identified by Contact Officer or Report Author. |
| Risk Management: | No issues that require approval identified by Contact Officer or Report Author. |