

Record of Decision

Licensing Sub Committee

Date of Hearing: Wednesday, 4 June 2025

Members: Councillors A Miscandlon (Chairman), J Carney and A Woollard

In attendance: Councillor A Hay (Substitute)

Determination of a Review Application for a Hackney Carriage Driver's Licence

The Licensing Sub-Committee heard an application to review a Taxi Driver's Licence.

In reaching its determination, the Sub-Committee found the following facts, in that the applicant:

- failed to report an accident involving a collision with an animal that took place prior to the accident in June 2024.
- did not know that it was his responsibility to report any accidents involving his vehicle, including those involving animals.
- was involved in an accident in June 2024, which he correctly reported to the Licensing Authority.
- cooperated with the Licensing Authority regarding subsequent checks to the vehicle, rectifying issues identified in a timely fashion.
- failed to notify his insurers of the accident in June 2024.
- failed to notify the Licensing Authority of the CPS charging decision, however, the Sub-Committee makes no finding as to the failure being the fault of the applicant.
- has, voluntarily, decided to hand back his licence, but that this was only done, without notice, at the Sub-Committee hearing.

The Sub-Committee did not take into account the following:

- the wider concerns raised regarding driver welfare. Although no doubt important, the Sub-Committee felt that these were matters that fell outside the scope of the hearing.
- the allegations of impropriety regarding how the Licensing Authority came to know that the applicant was driving the vehicle again following the accident. Again, the Sub-Committee felt that any complaints regarding officer behaviour should be made via the proper channels and were not matters for the Sub-Committee to determine.

- the charging decision of the CPS and whether this was the correct decision is not a matter for the Sub-Committee.

In reaching its decision, the Sub-Committee provides the following reasons for revoking the licence:

- that the safety of the public is a paramount consideration when considering fitness and propriety of drivers. This is supported by the relevant guidance and the Council's policy.
- that the Council's policy suggests that where issues of safety are raised that suspension or revocation of the licence is a likely outcome.
- that the applicant has indicated, by letter, that they wish to hand back their licence in any event. This indicated to the Sub-Committee that the applicant understood that the likely outcome would be revocation and that to some extent, that it is accepted that the applicant is no longer fit or proper to hold such a licence at this moment in time.
- the Sub-Committee were concerned by:
 - the failure to report the accident involving the animal and the applicant's apparent lack of understanding regarding the reporting of accidents generally. This falls below the standard expected of licensed taxi drivers holding a licence issued by the District Council.
 - the extensive list of failures relating to the vehicle upon first inspection, noting, of course, that there were subsequently rectified. The Sub-Committee were concerned with the significant number of faults identified to the vehicle, including matters such as not having a first aid kit.
- that the applicant had failed to notify the insurance company of the accident and that this fact was not challenged by the applicant. Again, this falls well below the standard expected of licensed taxi drivers.
- that in all the circumstances, the applicant is not presently fit and proper to hold a taxi driver's licence issued by the District Council and that the committee could not satisfy itself that they would allow a family member or other person to travel with the applicant as per the test set out in the Council's policy.

In our deliberations we were referred to:

- ❖ Our own Statement of Licensing Policy
- ❖ The statutory Government guidance issued under Section 182 of the Licensing Act 2003

Our decision is as follows:-

Having heard evidence from all parties, considered the relevant legislation, guidance and the Council's Licensing Policy, the Sub-Committee have determined to **REVOKE** the licence and that such revocation takes effect immediately.

PLEASE NOTE

Any person aggrieved by this decision can apply to appeal the decision within 21 days by making a complaint to:

Peterborough, Huntingdon and Fenland Magistrates Court
The Court House
Bridge Street
Peterborough
PE1 1ED

There may be a fee to pay.