

Report to Licensing Subcommittee
Date of meeting: 1st March 2011

Subject: Local Government (Miscellaneous Provisions) Act 1976 - Hackney Carriage Proprietor's Licence – Mr Fagbayi

Officer contact for further information: Kim Tuckey (01992 56 4034)

Committee Secretary: Mark Jenkins (01992 56 4607)



Decision Required: To consider the breach of the authority's vehicle licensing conditions

Report:

1. The above-mentioned holder of a hackney carriage proprietor's licence has failed to comply with this authority's licence conditions by failing to submit the vehicle for mechanical and /or other inspection in accordance with the conditions of the licence. This constitutes a breach of the licence conditions.
2. Reminder letters were sent to the proprietor. A sample of each letter is attached.
3. Under S60 of the Local Government (Miscellaneous Provisions) Act 1976 ('the 1976 Act') the Council may suspend or revoke a licence on any of the following grounds:
 - that the vehicle is unfit for use as a hackney carriage;
 - any offence under, or non-compliance with the provisions of the Town and Police Clauses Act 1847 or the 1976 Act; or
 - for any other reasonable clause.
4. In this case the members are asked to decide whether the failure to comply with the licensing conditions is considered to be a reasonable cause under the 1976 Act to suspend or revoke the licence.

Background Papers:

Sample two letters that the proprietor received
The Authority's Licensing Conditions for a Hackney Carriage Proprietor's Licence