

LICENSING REGULATORY COMMITTEE

Review of Recent Court Cases 8th January 2015

Report of Licensing Manager

PURPOSE OF REPORT

To inform Members of the outcomes of recent court cases in relation to hackney carriage and private hire drivers.

The report is public

RECOMMENDATIONS

The Committee is requested to note the report.

1.0 Introduction

1.1 Members have requested to be kept informed of licensing court cases, and it is intended to provide a quarterly report.

1.2 17th October 2014

Arshad Mahmood of Morecambe was convicted of driving a hackney carriage vehicle without first obtaining a licence and not having the relevant motor insurance. He was fined a total of £400 with £150 costs and ordered to pay a £40 victim surcharge. He was also given 8 penalty points on his DVLA driver's licence.

1.3 3rd October 2014

Keith Raby of Nether Kellet was convicted of plying for hire on a street which was not a designated rank contrary to Byelaws adopted by Lancaster City Council. He was fined £400 and ordered to pay £150 costs and a £40 victim surcharge.

1.4 3rd October 2014

Heida Bala of Lancaster was convicted of plying for hire on a street which was not a designated rank contrary to Byelaws adopted by Lancaster City Council. He was fined £400 and ordered to pay £150 costs and a £40 victim surcharge.

1.5 12th September 2014

Raymond Croft of Lancaster was convicted of plying for hire on a street which was not a designated rank contrary to Byelaws adopted by Lancaster City Council. He was fined £265 and ordered to pay £150 costs and a £26 victim surcharge.

2.0 Conclusion

2.1 Members are asked to note the report.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

Enforcement of licensing matters helps to assure the public that the Council does consider the issue of the safety of the public.

FINANCIAL IMPLICATIONS

Most prosecutions are conducted by the Council's internal solicitors, so that the costs are met from within existing staff budgets. However, on occasions, Legal Services instruct Counsel to represent the Council, for example where the other party is known to have instructed counsel or a specialist lawyer, or where the case is particularly complex. All of the prosecutions which are the subject of this report were conducted by the Council's internal solicitor.

LEGAL IMPLICATIONS

The Council are under a duty to ensure that the legislation in relation to hackney carriage and private hire licensing is enforced.

BACKGROUND PAPERS

None

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