



Cyngor **Abertawe**
Swansea Council

**Report of the Licensing and
Food & Safety Manager
General Licensing Committee
9th November 2018**

For Information

**Procedure for Immediate Actions – Suspension or
Revocation of a Hackney Carriage / Private Hire
driver’s licence**

1.0 Introduction

- 1.1 Following a report to Members detailing recent actions taken by officers to revoke a hackney carriage and private hire driver’s licence with immediate effect, clarification was sought regarding the action taken by officers following this decision to ensure a driver is prevented from driving a licensed vehicle. They also sought clarification regarding the powers available to officers to request that the licence and badges are returned to the Authority.
- 1.2 Section 61 of the Local Government (Miscellaneous Provisions) Act 1976, provides that following suspension or revocation of the licence the driver shall, on demand, return to the district Council, the driver’s badge issued. It is also an offence, if any person, without reasonable excuse contravenes the provisions of the Section and they shall be guilty of an offence, liable on summary conviction to a fine not exceeding level one on the standard scale.
- 1.3 Following the suspension or revocation of a hackney carriage and private hire driver’s licence, the drivers are notified of the action they are required to take following receipt of the notice and the relevant sections of the legislation are included in the notice. The letter specifies the requirement to return the drivers’ badges to the authority and also specifies the penalties if the driver fails to comply.
- 1.4 Officers then notify relevant Private Hire Operators and officers of South Wales Police of the action taken to ensure as far as possible that the driver subject to the suspension or revocation notice is prevented from driving. Enforcement action can be carried out if they do not comply with this requirement.

- 1.5 Every effort is made by officers to ensure badges are returned. This requirement is complied with in the majority of cases however where drivers do not return their badges officers determine the most appropriate enforcement action, in consultation with the Council’s legal officers.

The Licensing Committee’s instructions are requested.

Background Papers: None
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