

Classification	Item No.
Open / Closed	

Meeting:	Licensing and Safety Committee
Meeting date:	Licensing and Safety Committee 19 th March 2026 Full Council 20 th May 2026
Title of report:	Request for an additional Officer Delegation to immediately Suspend or revoke Public / Private Hire Driver Licences in the interests of Public Safety
Report by:	Executive Director (Corporate Core)
Decision Type:	Council
Ward(s) to which report relates	All

Executive Summary

This report requests that the Committee approve a further delegation to the Deputy Licensing Officer to immediately suspend or revoke a Hackney Carriage and Private Hire Drivers Licences following consultation with the Chair of the Licensing and Safety Committee in the interests of Public Safety. The Head of Public Protection and the Licensing Unit Manager have already been authorised to take this action.

Options & Recommended Options

1. To delegate to the Deputy Licensing Officer to immediately suspend or revoke a Hackney Carriage and Private Hire Drivers Licences following consultation with the Chair of the Licensing and Safety Committee in the interests of Public Safety.
2. To reject the delegation outlined above

Key considerations

This is a Council Function that is delegated to the Licensing and Safety Panel by the Council's Constitution.

This paper is in the public domain.

Community impact / Contribution to the Bury 2030 Strategy

Not applicable

Equality Impact and considerations:

Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

The public sector equality duty requires us to consider how we can positively contribute to the advancement of equality and good relations and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.

The Licensing Service have considered the Equality Act 2010 and due to each application being dealt with on its own merits there is no positive or negative on any of the protected characteristics.

Assessment of Risk:

The following risks apply to the decision:

Risk / opportunity	Mitigation
Not Applicable	.

Consultation:

Not applicable

Legal Implications:

Under the legislation the Council is required to determine representations. The report is in accordance with the appropriate legislation.

The costs of the licensing function are funded through the fees and charges levied by the Council. There may be additional costs if appeals are lodged with the Magistrates and Crown Courts.

Members are advised that Licences are regarded as possessions within the terms of the Human Rights Act 1998. Under the Act everyone is entitled to the peaceful enjoyment of one's possessions and so actions interfering with those possessions must be lawful, reasonable and proportionate. It is lawful to impose reasonable conditions as a way of protecting the safety of the travelling public, so long as it is not out of proportion. It is a balancing act between the public interest and the individual's rights.

Financial Implications:

There are no specific issues from the report other than potential costs/risks associated with legal appeals.

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Background papers:

Licensing and Safety Committee Report and Minutes 8 June 2025

Please include a glossary of terms, abbreviations and acronyms used in this report.

Term	Meaning
None	

1.0 Background

1.1 Section 61 of the Local Government (Miscellaneous Provisions) Act 1976 states that the Council may suspend or revoke or refuse to renew the licence of a driver of a private/public hire vehicle on any of the following grounds:

1.2 a) that he has since the grant of the licence: -

- (i) been convicted of an offence involving dishonesty, indecency or violence; or
 - (ii) been convicted of an offence under or has failed to comply with the provisions of the Act of 1847 or this Act; or
 - b) any other reasonable cause.
- 1.3 The Act also confers a right of appeal to the Magistrates Court and provides that an individual can continue to drive a hackney carriage/private hire vehicle during the period when an appeal can be lodged and if an appeal is lodged until the appeal is dismissed or withdrawn or fails for want of prosecution. Section 52 of the Road Safety Act, provides Licensing Authorities with a power to suspend or revoke a Hackney or Private Hire driver licences with immediate effect where they are of the opinion that the interests of public safety require such a course of action.
- 1.4 Members will be aware that the Council's Constitution states under the Licensing and Safety Committee terms of reference: -

To authorise the revocation or suspension of any Licence which falls within the purview of the Licensing and Safety Committee except in circumstances involving risk to the public safety in which case authority be delegated to the Head of Service (Public Protection) and/ or the Unit Manager (Licensing) after consultation with the Chair of the Committee to revoke or suspend a Licence with immediate effect subject to a report to the next Committee meeting.

2.0 Proposal

- 2.1 The Licensing Service seek an additional delegation from the Licensing and Safety Committee to also include the Deputy Licensing Officer in the Council's constitution.

3.0 Conclusion

- 3.1 Members are requested to consider the report.