



Record of Decision

Licensing Sub Committee

Date of Hearing: Tuesday, 4 November 2025

Members: Councillors D Oliver (Chairman), D Cutler, N Meekins and Miss S Hoy (substitute)

DETERMINATION OF A REVIEW APPLICATION FOR A HACKNEY CARRIAGE DRIVER'S LICENCE

Application considered

Application for a review of a Hackney Carriage Driver's Licence issued by Fenland District Council.

Representations were heard from the Licensing Officer and Licence Holder.

We have found the following facts:

On xxxx the Licence Holder's vehicle was hit from behind by a xxx at the location described in the report.

The Licence Holder sought to pursue the xxx by pulling around traffic and xxxx, which can be seen xxxxx.

That the Licence Holder reported the collision to the Licensing Authority on the same day.

That the Licence Holder reported the collision and circumstances to the Police.

That at the time of the collision the Licence Holder was not on duty but despite this the vehicle was still a Private Hire Vehicle.

Law and guidance considered

- Legislation and policy referred to in the report
- Fenland District Council – Taxi Licensing Policy
- Any statutory guidance
- Conditions of Licensing

Legal advice provided

- That members' primary concern must be the safety of the public.
- That the Licence Holder's record may be persuasive, but it does not outweigh public safety.
- That there is no minimum or maximum suspension in the legislation and that suspensions are on a case-by-case basis.

Matters found to be irrelevant

- The history of the operator and their charitable endeavours.
- Competition and jealousy between rival drivers and firms.

Decision

To suspend the Hackney Carriage Driver Licence Number HCxxx for a period of three months from the date upon which the Licence Holder's right of appeal expires, or if an appeal is made, the date upon which the appeal is withdrawn or determined.

Reasons for the Decision

- The Committee considered all the representations both in support of and against the review application.
- The Committee were mindful of the Licence Holder's long track record as a licenced driver.
- The Committee did not agree with the Licence Holder's assertion that his driving was not a danger to his passengers or any other members of the public. The Committee did not accept that the driver was best placed to make that decision.
- Whilst the Committee listened patiently to the circumstances behind the xxxxx of the xxxxxx, the Committee felt that xxxxxx was a mistake and that it has ultimately led to these proceedings.
- Having heard all the evidence and considered Fenland District Council's Policy and National Guidance, the Committee decided that a short suspension of the Licence Holder's Hackney Carriage Licence coupled with a warning as to his future conduct was an appropriate and proportionate outcome in this case.
- Having heard advice that there is no statutory minimum or maximum suspension, the Committee decided that the appropriate length of suspension was three months to reflect the serious nature of the Licence Holder's actions on xxxxx and to allow time to reflect on those actions and how they might impact the public and perception of Hackney Carriage Driver's licence by Fenland DC.

- The Committee felt that the Licence Holder had placed members of the public, including family members, in danger despite assertions to the contrary. The Committee were surprised that the Licence Holder showed no remorse or contrition for their actions, nor acknowledged that they were improper, instead placing blame on rival operators for bringing this matter to the Council's attention and to the Council for not giving due weight to his record.
- The Committee, however, stopped short of revoking the Licence Holder's licence on the basis of previous good conduct and assurances to the Committee that this would not happen again.

PLEASE NOTE

You have a right of appeal to the Magistrates Court against this determination. You **MUST** lodge any appeal to Peterborough Magistrates Court within 21 days of receipt of this notice.

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

There may be a fee to pay.