

TORBAY COUNCIL

Please reply to: Mr Shaun Rackley

Licensing & Public Protection
Town Hall
Castle Circus
Torquay
Devon
TQ1 3DR

Mr G A Savva


Email: Shaun.rackley@torbay.gov.uk

Telephone: 01803 208025

Website: www.torbay.gov.uk

Date: 5th September 2022

Dear Mr Savva,

**Local Government (Miscellaneous Provisions) Act 1976 –breach of Taxi Policy
Hackney Carriage – 068, Vehicle Registration – AU67 XPZ**

I am writing to you regarding a complaint made against you and a recent Road Traffic Collision (RTC) involving your licensed Hackney Carriage vehicle. Following the accident you failed to report the accident to the Licensing Department, this is a breach of Torbay Council's Taxi Policy.

On Tuesday the 16th of August 2022, Hackney Carriage 068 was involved in a RTC, where you failed to stop at a junction and T-boned the other vehicle leaving that driver with injuries.

As per Torbay Council's Taxi Policy, it states the following:

14.12 The proprietor of any Hackney Carriage or Private Hire vehicle must report to the Licensing Authority, within seventy two hours, the occurrence of any accident involving the Hackney Carriage or Private Hire vehicle.

As you failed to report the accident, you were written to by Jonathon Edwards of Torbay Council's Licensing Department and requested to present the vehicle for a full inspection and that inspection took place on the 25th of August 2022. Although Mr Edwards supplied a copy of the inspection report form, I attach a copy for your records.

I have previously written to you on two separate occasions where I have requested detailed information regarding separate complaints/incidents against you.

Please can you respond to me either in writing to the address above, or via email to shaun.rackley@torbay.gov.uk, to include reasons why you have failed to notify the Licensing Department within the required time frame as per Torbay Council's Taxi Policy of the accident.

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If you require this in a different format or language, please contact me.

A report regarding the previous four incidents is due before Torbay Council's Licensing Committee and this is for consideration as to whether you remain a fit and proper person to hold a Licensed Drivers badge with this Local Authority. The failure to comply with requirements set out in the Taxi Policy will also be included.

I must also stress that I will be writing to you in due course regarding this incident for additional information as whilst speaking to the complainant, they have also questioned your conduct as a Licensed Driver which has resulted in them taking the matter to Devon & Cornwall Police. I am awaiting a full statement and video footage from them on this matter.

I stress the importance of timely and detailed information being supplied to me that I may then put before Committee for consideration. Please can you respond by no later than the **12th of September 2022**.

A hearing date has been set for the 29th September 2022 at 09:30hrs and a report will be sent to in due course when prepared along with an invite to attend.

I look forward to receiving the requested information in due course.

Yours sincerely



Shaun Rackley
Licensing Officer
Licensing and Public Protection

Enc – Vehicle inspection report form dated 25th August 2022

Please note that, apart from personal details subject to the Data Protection Act, information contained in this letter may be divulged to members of the public under the Freedom of Information Act 2000.