



**Please reply to:** Mr Shaun Rackley

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

Mr M Piewiszko

**My ref:** M:005379/SAR

**Your ref:**

**Telephone:** 01803 208025

**E-mail:** Shaun.rackley@torbay.gov.uk

**Date:** 31 October 2019

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Dear Mr Piewiszko,

**Re: Suspension of Torbay Council issued Drivers Licence – LD0365  
Section 61 (B) Local Government (Miscellaneous Provisions) Act 1976**

I am writing to you with regard to your Torbay Council Licensed Drivers badge and information obtained following a DVLA driving licence check.

As per Torbay Councils Taxi Policy, section 12.1, all existing Licensed Drivers have a DVLA licence check every 6 months to establish a complete licence history. Upon checking your licence the DVLA website shows that your current driving licence expired on the 28<sup>th</sup> May 2019.

Because your DVLA licence has expired I cannot be satisfied that you remain a fit and proper person to drive a licensed vehicle and as a result, your licensed drivers badge with Torbay Council is now suspended.

The suspension will remain in place until this matter is heard at a future Licensing Committee. A date for this hearing will be set and you will be written to in due course.

**Decision:**

Under the powers delegated to me, I am suspending your Torbay Council issued Driver's Licence in accordance with Section 61(1)(b) of the Local Government (Miscellaneous) Provision Act 1976 and that this suspension shall have immediate effect, in accordance with Section 61(2B) of the Local Government (Miscellaneous) Provision Act 1976 and shall remain in force until a Licensing Committee hearing.

**Reason for Decision:**

In coming to the decision to suspend your driver's licence, I am resolved that it should be with immediate effect, as in my opinion it is in the interests of public safety to do so. The reasoning for this determination is a Torbay Council licensed driver must hold a valid DVLA licence. There is also the very real probability that any Hire and Reward insurance that is in place to enable you to carry passengers will likely be null and void without a valid DVLA licence in place.

You must now hand in you Torbay Council issued Drivers Licence immediately as you are not insured to drive following this suspension.

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

**For the avoidance of doubt you will be guilty of an offence should you drive any Hackney Carriage or Private Hire Vehicle, whether working or not, from the date of this letter.**

You have a 21 day right of appeal regarding this decision to revoke your Torbay Council issued Drivers Licence from the date of this letter. This has to be made to South Devon Magistrates Court under Section 300 Public Health Act 1936

**Should you need to contact us please quote the reference number above.**

Yours sincerely

A handwritten signature in black ink that reads "Steve Cox". The signature is written in a cursive style with a large initial 'S' and a stylized 'C'.

Steve Cox  
Environmental Health Manager (Commercial)

*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.*