

Regulatory Services Investigation Team

Mr Darren Bennett

1st Floor Westfields
C/O Municipal Buildings
Earle Street
CREWE
CW1 2BJ
Telephone: 0300 123 5500
xxx@xxxxxxxxxxxxx.xxx.x

Date: 19 March 2019
Our Reference: 4676865

Dear Mr Bennett

Information Request - 4676865 - Taxi licence register

I am responding to your request for information, which has been considered under the Freedom of Information Act 2000 (FoIA) and logged as case 4676865.

Your request is as follows:

Please can you provide me with the following information under the Freedom of Information Act:

Please can you provide an up to date version of the information that should be held on a public register in relation to all current taxi and private hire licences in your area.

Please provide the name of the driver, name of taxi company the taxi is registered with or private hire, the licence number and also the vehicle registration.

I confirm that Cheshire East Council holds information within the scope of your request. I have enclosed copies of the Private Hire Vehicle Register (PHV) and the Hackney Carriage Vehicle Register (HCV).

Please note the following guidance:

Section 42 Town Police Clauses Act requires public authorities to keep a register of Hackney Proprietors for inspection at reasonable times. This does not include any contact details or the VRM

Section 51 of the LG (MP) Act 1976 requires public authorities to keep a register of Private Hire Drivers for inspection during office hours free of charge.

The registers can be view by appointment at Cheshire East Council's Municipal Buildings, Crewe in line with the legislation

Please note that there is no requirement to keep a public register of private hire vehicles, hackney carriage drivers or private hire operators.

Please note that the documents have been redacted of personal data as I consider that the following exemption applies to it. The ICO has issued decisions which advise that information relating to sole traders is their own personal data and should not be released to the world through the FOIA process.

GDPR

The information is exempt from disclosure under Section 40(2) of the Freedom of Information Act (FoIA). The information is personal data as defined by the General Data Protection Regulations (GDPR). As it is information about someone else I'm unable to give this to you; release of this information would constitute a breach of "the data protection principles" set out in Article 5(1) of the GDPR, and section 34(1) of the Data Protection Act 2018; Principle (a) of the GDPR states that personal data shall be processed lawfully, fairly and in a transparent manner in relation to individuals and shall not be used unless at least one of the lawful conditions in Article 6 of the GDPR is met.

This response therefore acts as a refusal notice under section 17 of the FoIA.

Please quote the reference number 4676865 in any future communications.

Please note that an anonymised copy of this response may be published in the Council's Disclosure Log, which is available online at the following address: www.cheshireeast.gov.uk/foi

If you are not satisfied with the outcome of your request or if you are not happy with the way your request has been handled, you can request an internal review. Internal review requests should be submitted within 20 working days of our response by emailing xxx@xxxxxxxxxxxx.xxx.xx or in writing to Compliance & Customer Relations Team, Cheshire East Council, 1st Floor, Westfields, c/o Municipal Buildings, Earle Street, Crewe, CW1 2BJ.

If you are not content with the outcome of the internal review, you then have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF; Tel: 0303 123 1113; Fax: 01625 524510 or <https://ico.org.uk> The Information Commissioner will not normally investigate your case until the Council's internal review process has been completed.

Yours sincerely

Helen Sweeney
Senior Compliance & Customer Relations Officer
Cheshire East Council