

## **Appeals Committee – 5 November 2009**

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Minutes of the meeting of the **Appeals Committee** held on **5 November 2009** when there were present:-

Chairman: Cllr J E Grey

Cllr K H Hudson  
Cllr T Livings

Cllr R A Oatham  
Cllr Mrs B J Wilkins

### **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllr Mrs L M Cox.

### **OFFICERS PRESENT**

J Crawford	- Transportation Manager
A Law	- Solicitor
M Keogh	- Enforcement Officer (Transportation Services)
A Gerzon	- Trainee Solicitor
C Stone	- Administration Officer (Transportation Services)
S Worthington	- Committee Administrator

### **285 MINUTES**

The Minutes of the meetings held on 1 October 2009 and 2 October 2009 were approved as a correct record and signed by the Chairman.

### **286 DECLARATIONS OF INTEREST**

Cllr K H Hudson declared a personal interest in item 6 of the Agenda, relating to a hackney carriage and private hire driver's licence appeal by virtue of being acquainted with the Justice of the Peace referred to in one of the exempt appendices to the officer's report.

### **287 PROCEDURAL NOTE**

The Committee noted the procedure to be followed in hearing the review.

### **EXCLUSION OF THE PRESS AND PUBLIC**

#### **Resolved**

That the press and public be excluded from the meeting for the remaining item of business on the grounds that exempt information as disclosed in paragraph 1 of part 1 of Schedule 12A of the Local Government Act 1972 would be disclosed.

### **288 HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCES**

The Committee considered the exempt report of the Head of Planning and Transportation relating to a driver falling outside the Council's licensing

conditions as a result of a criminal conviction.

The Committee considered that there had been a clear breach of the Council's licensing conditions and considered the driver's conviction to be serious.

The Committee, having considered all the evidence and taking into account mitigating circumstances presented by the driver, accepted that the conviction was an isolated incident and did not believe that the driver presented any danger to the travelling public. It also took into consideration the driver's previous good record, together with the fact that the driver did notify the Council promptly at all stages leading up to the subsequent conviction.

It accordingly did not deem it appropriate to suspend or revoke the hackney carriage or private hire driver's licence. It did, however, consider it appropriate to issue the driver with a formal, written warning that any future breach in the Council's licensing conditions could result in revocation of his hackney carriage and private hire driver's licence.

The meeting commenced at 10.00 am and closed at 11.20 am.

Chairman .....

Date .....

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