

## **Appeals Committee – 28 February 2014**

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Minutes of the meeting of the **Appeals Committee** held on **28 February 2014** when there were present:-

Chairman: Cllr J E Grey  
Vice-Chairman: Cllr Mrs H L A Glynn

Cllr K H Hudson  
Cllr M Maddocks

Cllr Mrs C A Weston

### **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllr R A Oatham.

### **OFFICERS PRESENT**

A Law	- Solicitor
J Crawford	- Transportation Manager
M Keogh	- Hackney Carriage Enforcement Officer
S Worthington	- Committee Administrator

### **45 PROCEDURAL NOTE**

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

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

#### **Resolved**

That the press and public be excluded from the meeting for the remaining items 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.

### **46 HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE**

The Committee considered the exempt report of the Head of Planning and Transportation relating to an applicant falling outside the conditions of his hackney carriage and private hire driver's licence in relation to a failure to disclose a conviction of a criminal offence to the Council.

The Committee gave careful consideration to all of the evidence and representations made. It also took into consideration the nature of the conviction, the driver's previous good record over many years with the Council and the nature of the breach of the Council's taxi licensing conditions. The Committee determined that the driver had not intended to deliberately deceive the Council with respect to the conviction of a criminal offence.

The Committee considered that the most appropriate course of action was to issue the driver with a written warning to remind him of his obligations as a licensed driver with this Council.

### **Resolved**

That the driver be issued with a written warning as to his future conduct as a licensed driver with this Council. (HPT)

The meeting adjourned at 10.25 am and reconvened at 11.30 am.

### **47 PROCEDURAL NOTE**

The Committee noted the procedure to be followed in hearing the appeal. The meeting commenced at 9.30 am and closed at 12.15 pm.

### **48 NEW APPLICANT FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE**

The Committee considered the exempt report of the Head of Planning and Transportation relating to a new applicant for a hackney carriage/private hire driver's licence failing to meet the qualifying criteria, as a result of convictions for two offences within the previous five years.

The Committee gave careful consideration to all of the evidence and representations made by both parties. Whilst the Committee was mindful of the serious nature of the convictions, it nevertheless took into account the mitigating circumstances that resulted in these convictions. The Committee also determined that the applicant did not intend to deliberately deceive the Council about the convictions when making his application for a hackney carriage/private hire driver's licence.

The Committee accordingly determined that the driver was a fit and proper person to hold a hackney carriage and private hire driver's licence and did not consider it necessary to impose any additional conditions on this licence.

### **Resolved**

That the applicant be granted a hackney carriage/private hire driver's licence with standard conditions. (HPT)

The meeting commenced at 9.30 am and closed at 12.15 pm.

Chairman .....

Date .....

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