

Appeals Committee – 15 May 2009

Minutes of the meeting of the **Appeals Committee** held on **15 May 2009** when there were present:-

Chairman: Cllr Mrs H L A Glynn

Cllr K H Hudson
Cllr R A Oatham

Cllr Mrs B J Wilkins

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Mrs L M Cox and T Livings.

OFFICERS PRESENT

A Bugeja	- Head of Legal Services
J Crawford	- Transportation Manager
M Keogh	- Enforcement Officer
J Read	- Administration Officer
C Stone	- Hackney Carriage Officer
A Gerzon	- Trainee Solicitor
S Worthington	- Committee Administrator

114 MINUTES

The Minutes of the meeting held on 27 January 2009 were approved as a correct record and signed by the Chairman.

115 DECLARATIONS OF INTEREST

Cllr Mrs H L A Glynn advised that she had received a telephone call from the appellant's mother, but had not discussed the appeal with her. She had, prior to this, not had any contact with the mother for several years and did not know the appellant.

116 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.

117 HACKNEY CARRIAGE VEHICLE AND DRIVER'S LICENCE

The Committee considered the exempt report of the Head of Planning and

Transportation relating to a driver's failure to comply with the Council's hackney carriage licensing conditions.

The Committee, having considered all the evidence, including correspondence provided by the driver during the course of the hearing, was not satisfied with the explanation provided by the driver regarding his failure to notify the Council of his change of address or the lateness of the submission of his medical certificate. The Committee felt the driver had failed to communicate properly with the Council's Transportation office and had adopted a casual and careless approach to compliance with the licensing conditions.

The Committee considered that the combination of previous warnings given to the driver and the number of earlier contraventions of the licensing conditions brought into question his suitability to continue to hold a driver's licence. The Committee accordingly felt it appropriate that the driver's licence should be suspended for a period of 9 months at the end of which time the driver should produce his driving licence and all other documentation required by the Transportation Manager in a correct and valid form. The Committee warned the driver that any further breaches of the licensing conditions would result in revocation of his licence.

Resolved

That the hackney carriage driver's licence be suspended for a period of 9 months, from a date to be notified by the Transportation Manager, and that the driver be issued with a final warning that any further breaches of the licensing conditions would result in revocation of his licence. (HPT)

The meeting commenced at 10.00 am and closed at 1.10 pm.

Chairman

Date

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