

BRECKLAND COUNCIL

At a Meeting of the

APPEALS COMMITTEE

**Held on Wednesday, 14 July 2010 at 10.00 am in
Norfolk Rooms, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Mr P.S. Francis (Chairman)
Mrs J. Ball
Mr R.W. Duffield

Mr M. Fanthorpe
Mr I. Sherwood (Vice-Chairman)

In Attendance

Stephanie Butcher - Principal Officer Licensing and Business Support
Phil Mason - Solicitor
Helen McAleer - Senior Committee Officer

60/10 MINUTES

It was clarified that Mr Duffield had been advised not to attend the previous meeting as he had a personal and prejudicial interest in the only item on the agenda.

Subject to the above, the minutes of the meeting held on 26 May 2010 were confirmed as a correct record and signed by the Chairman.

61/10 APOLOGIES

Apologies for absence were received from Mrs L Monument.

62/10 DECLARATION OF INTEREST

No declarations were made.

63/10 IMMEDIATE SUSPENSION

The Principal Officer Licensing and Business Support informed the Committee that there had been three cases of immediate suspension. These involved:

- a taxi driver being investigated by the police for sexual assault of a minor in his taxi;
- a taxi driver who had suffered a heart attack; and
- a taxi driver who had been diagnosed with diabetes which made him unfit to drive under driving standards legislation.

The Chairman advised Members that he considered that the right action had been taken in each case and that Immediate Suspension was used where action had to be taken to protect public health and safety, but that the cases would come before the Committee in the usual way, for their consideration.

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The Vice-Chairman asked if the public would be made aware of the case involving the police and was advised that a press release had been prepared pending the outcome of the court case.

64/10 LICENSING PROJECT UPDATE

The Principal Officer Licensing and Business Support updated Members on the progress of the Project.

All taxis were now on the system and the Contact Centre was handling their enquiries. Members were invited to visit the Contact Centre to see how the system worked.

Preparations were proceeding well and mobile working would be trialled within the next few months.

The system was working really well and the Council would soon be in a position to issue its own plates and badges, in-house.

65/10 EXCLUSION OF PRESS AND PUBLIC

RESOLVED that under Section 100(a)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it is likely to involve the disclosure of exempt information as defined in paragraph 7 of Part 1 of Schedule 12A to the Act.

66/10 APPLICATION FOR THE RENEWAL OF A HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE

The Hearing took place in the presence of the applicant. Mr Phil Mason was also in attendance as the Council's solicitor.

The Committee heard the appeal in accordance with the Council's agreed procedure.

The Principal Officer Licensing and Business Support presented the report, which was to determine an application for the renewal of a Hackney Carriage/Private Hire driver's licence.

The Applicant confirmed that he had no convictions pending.

The Chairman invited the applicant to comment.

He agreed with all that had been said by the Officer and stressed the importance of the licence to him and asked the Committee to grant his application.

The Applicant and Officer were asked to leave the room whilst the Committee considered the application. They were then invited to return to hear the decision.

RESOLVED to grant the application for the renewal of a Hackney Carriage/Private Hire Drivers Licence for a further two years.

The Solicitor confirmed that, having read the report and heard the oral

evidence, the Committee was satisfied that the applicant was a fit and proper person in accordance with Section S1(1)(a) of the Local Government (Miscellaneous Provisions) Act 1976.

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67/10 NEXT MEETING

It was noted that the next meeting of the Appeals Committee would be held on **Thursday** 9 September 2010 in the Norfolk Room, Conference Suite, Elizabeth House, Dereham.

The meeting closed at 10.20 am

CHAIRMAN