
BRECKLAND COUNCIL

At a Meeting of the

APPEALS COMMITTEE

**Held on Wednesday, 5 December 2007 at 10.00 am in
Norfolk Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Mr P.S. Francis (Chairman)
Mrs J. Ball
Mr M. Fanthorpe

Mrs L.H. Monument
Mr I. Sherwood (Vice-Chairman)

Also Present

Mr C. Hepher

Solicitor for Breckland Council

In Attendance

Nigel Burrows

- Principal Environmental Health Officer
(Licensing Officer)

Tiffany O'Connor

- Technical Officer - Licensing

Julie Britton

- Committee Services Officer

Action By

19/07 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 12 September 2007 were confirmed as a correct record and signed by the Chairman.

20/07 APOLOGIES (AGENDA ITEM 2)

An apology for absence was received from Mr R Duffield.

21/07 EXCLUSION OF PRESS AND PUBLIC (AGENDA ITEM 6)

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

**22/07 APPLICATION TO GRANT A HACKNEY CARRIAGE/PRIVATE HIRE
VEHICLE DRIVERS LICENCE (AGENDA ITEM 8)**

The Technical Licensing Officer explained the process concerning spent and unspent convictions.

The application was considered in the presence of the applicant and the applicant's future employer.

Following the presentation of the report, the Committee heard the appeal in accordance with the Council's agreed procedure.

Action By

Members were reminded that the decision to bring this matter to the Appeals Committee had been at the discretion of the Senior Officer.

Under the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 the Licensing Authority had been satisfied that an applicant for a Hackney Carriage/Private Hire Vehicle Drivers Licence was a 'fit and proper person' before granting that licence.

Previous convictions which had been spent were not required to be disclosed; however; following advice from the Solicitor, Members felt that a fuller picture was required and the convictions should be made known.

The Technical Licensing Officer read out the copy of the enhanced disclosures.

The applicant was given the opportunity to put his case forward in support of his application.

Members noted the applicant's past circumstances and felt that age was now on his side and that he should be given an opportunity to improve his and his family's future.

RESOLVED that the Hackney Carriage/Private Hire Vehicle Licence be granted, subject to:

- 1) the licence being restricted to six months, enabling the applicant to prove that he was a responsible person; and
- 2) delegated authority be given to Officers on renewal unless further concerns arise.

The meeting closed at 10.35 am

CHAIRMAN