



**Action By**

letter from the Norfolk Constabulary dated 8 July 2008 offering the appellant the chance to attend a training course as part of the National Driver Improvement Scheme "as an alternative to court proceedings".

The appellant's husband gave details of the accident. He explained that his wife had not initially accepted the course on the advice of the insurance company (who were going to dispute the claim) as it could have been interpreted as her having accepted responsibility for the accident. She consequently missed the deadline for accepting the course and therefore the case went to court. At that point she pleaded guilty.

The Chairman established that the licensed vehicle was being driven at the time of the accident, but there were no paying passengers on board.

After a brief discussion, in view of all the circumstances of the case, and in particular their concerns that the licence-holder had failed to take up the offer of the training course outlined above, Members

**RESOLVED**

- (1) to suspend the licence for two weeks in accordance with the Council's licensing policy and the provisions of Section 61(1)(b) of the Local Government (Miscellaneous Provisions) Act 1976; and
- (2) the suspension would start in 21 days (i.e. 24 December 2008).

It was confirmed that these details would be sent in writing to the appellant, who had the right to appeal to the magistrates within 21 days of this decision.

**27/08 APPLICATION TO REVOKE A HACKNEY CARRIAGE/PRIVATE HIRE VEHICLE DRIVER'S LICENCE (AGENDA ITEM 9)**

The report was considered in the absence of the appellant and the Committee heard the appeal in accordance with the Council's agreed procedure.

Mr Phil Mason (Solicitor) was in attendance for this item.

The Licensing Technician presented the report which was to determine an application to revoke a Hackney Carriage/Private Hire driver's licence.

Following an incident on 18 September 2008 the appellant had appeared at Swaffham Magistrates Court on 28 October and pleaded guilty to the offence of Failing to Provide a Breath Specimen. He was sentenced to 14 weeks' imprisonment, suspended for 12 months and disqualified from driving a vehicle for 30 months. The appellant did not appeal against the conviction or the sentence and his DVLA driving licence had been surrendered to the Court.

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It was established that he was not driving the licensed vehicle at the time of the accident.

After a brief discussion, Members agreed that in the light of overwhelming evidence and the decision of the Swaffham Magistrate's Court on 28 October 2008 (in particular the decision to disqualify the applicant from driving for 30 months), the Committee was compelled to revoke the licence with immediate effect in accordance with the Council's Licensing procedures and Section 61(1)(b) of the Local Government (Miscellaneous Provisions) Act 1976.

**RESOLVED** to revoke the Licence with immediate effect.

The meeting closed at 10.50 am

CHAIRMAN