

APPEAL OUTCOME MR ADC

Submitted by: Head of Environmental Health Services

Portfolio: Finance, IT & Customer

Ward(s) affected: All

Purpose of the Report

To advise committee of the outcome of Mr Allah Dita Changez appeal to the Magistrates Court of Public Protection Committees decision to refuse the application for a dual drivers badge and revoke his Private Hire Drivers licence.

Recommendations

That Public Protection Committee receives the report.

1. **Background**

- 1.1 On 2nd August 2016, Public Protection committee considered Mr Allah Dita Changez application for a dual drivers licence, while having relevant convictions on his disclosure and barring service certificate. Mr Changes also held a private Hire drivers licence.
- 1.2 The certificate reveals a conviction in April 2006 for driving while uninsured and further conviction for the same on his driving licence in May 2014.
- 1.3 Committee resolved that due to the nature and severity of the offence the Committee saw no reason to depart from its policy and agreed that Mr ADC's application for a dual driving badge be refused and that his existing Private Hire drivers badge be revoked.

2. **Issues**

- 2.1 All drivers have the right to appeal to the Magistrates court the decision, Mr Changes lodged an appeal against the decision and the matter was heard at Newcastle-under-Lyme Magistrates court on 1st November 2016.
- 2.2 Due to personal circumstances Mr Changez was unable to attend the hearing and an adjournment was requested. The court refused the request for an adjournment and accordingly Mr Changez solicitor had to request that his appeal be withdrawn.
- 2.3 A formal request has been made for Mr Changez to return his Private Hire Drivers badge.

3. **Proposal**

- 3.1 That members receive the report.

4. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

4.1 In line with the Council's objectives –

- Promoting a cleaner, safer and sustainable Borough
- Promoting a Borough of Opportunity

5. **Financial and Resource Implications**

5.1 No costs were awarded in respect of this case.

6. **Earlier Committee Resolutions**

6.1 Public Protection committee considered the application at meeting on 2nd August 2016.