

APPEAL OUTCOME MR ABDUL AWAL

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 Abdul Awal's appeal to the Magistrates Court of Public Protection Committees decision to revoke his Hackney Carriage Drivers Licence.

Recommendations

That the report be received.

1. Background

- 1.1 On 9th May 2017, Public Protection committee considered Mr Awal's hackney carriage drivers licence (reference 006683), following notification of a conviction that falls within the Council's guidelines.
- 1.2 The notification revealed a conviction on 9th February 2017 for plying for hire without a licence and no insurance.
- 1.3 Committee resolved that due to the nature of the offences the Committee saw no reason to depart from its policy and agreed that Mr Awal's licence should be revoked.

2. Issues

- 2.1 All drivers have the right to appeal the decision, to the Magistrates court, Mr Awal lodged an appeal against the decision and the matter was heard at Newcastle-under-Lyme Magistrates court on 18th September 2017. Mr. Awal attended and was represented.
- 2.2 After hearing evidence from Mr. Awal, his representative and submissions from the Council, the Magistrates decided to dismiss Mr. Awal's appeal. They said that due to the nature of the convictions they saw no reason to overturn the Council's decision to revoke Mr. Awal's licence.
- 2.3 The magistrates also ordered that Mr. Awal should pay the Council's costs of £900.

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 against that Council in respect of this case.

6. **Earlier Committee Resolutions**

6.1 Public Protection committee considered the application at meeting on 9th May 2017.