

APPEAL OUTCOME MR MOHAMMED SAJJAD MIAH

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 Mohammed Sajjad Miah's appeal to the Magistrates Court of Public Protection Committees decision to revoke his Private Hire Drivers Licence.

Recommendations

That the report be received.

1. Background

- 1.1 On 1st August 2017, Public Protection committee considered Mr Miah's private hire drivers licence (reference 012273), following notification of convictions that falls within the Council's guidelines.
- 1.2 The notification revealed a conviction for speeding, using a defective tyre and not wearing a seatbelt.
- 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 Miah's licence should be revoked with immediate effect.

2. Issues

- 2.1 All drivers have the right to appeal the decision, to the Magistrates court, Mr Miah lodged an appeal against the decision and the matter was heard at Newcastle-under-Lyme Magistrates court on 13th November 2017. Mr. Miah attended and was represented by a solicitor.
- 2.2 The Magistrates' heard submissions from the Council, and Mr Miah's solicitor and read the accompanying bundle. The Magistrates decided to dismiss Mr. Miah'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. Miah's licence.
- 2.3 The magistrates also ordered that Mr. Miah should pay the Council's costs of £880.00.

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 1st August 2017.