

APPEAL AGAINST REVOCATION OF HACKNEY CARRIAGE & PRIVATE HIRE DRIVERS LICENCES
ABID HUSSAIN
MOHAMMED ADRIS
ABDUL SHAKOOR

RECOMMENDATION

1. To note the outcome of Mr Hussain and Mr Adris's appeal against the revocation of their Hackney Carriage Drivers Licences and the outcome of Mr Shakoor's appeal against revocation of his Private Hire Drivers Licence.

SUPPORTING INFORMATION

Mr Abid Hussain and Mr Mohammed Adris

- 2.1 On 16 November 2004 Licensing Sub-Committee A resolved to revoke Mr Hussain's Hackney Carriage Driver's Licence on the grounds that the sub-committee did not consider him to be a fit and proper person to hold a licence. This was on the basis that he, together with Mr Adris was convicted of assault on 12 October 2004. Subsequently, on 1 March 2005 Taxi Licensing Sub Committee resolved to revoke Mr Adris's Hackney Carriage Driver's licence on the same grounds.
- 2.2 Mr Hussain and Mr Adris appealed against the decision to revoke to the Magistrates Court.
- 2.3 In addition, after the revocation of the taxi drivers licences, both drivers appealed against their conviction for assault to the Crown Court. The appeals against conviction were delayed and not dealt with by the Derby Crown Court until 13 January 2006, when they were both withdrawn.
- 2.4 The appeals against revocation were listed for full hearing on 26 January 2006 at the Southern Derbyshire Magistrates' Court. At this hearing both appeals were withdrawn. Mr Hussain was ordered to pay £500.00 contribution towards the Council's costs of £1,684.50. He has offered to settle the outstanding balance by standing order of £12.35 per month. Mr Adris was ordered to pay a contribution of £500 towards the Council's costs of £641.00. An offer of £2.85 per week was made. No instalment rate was set.

Mr Abdul Shakoor

- 2.4 At the Taxi Licensing Sub-Committee on 7 February 2006, the Committee resolved to revoke Mr Shakoor's Private Hire Driver's Licence on the grounds that they did not consider him a fit and proper person to hold a licence due to his previous convictions, which indicate a propensity towards violence.
- 2.5 Mr Shakoor appealed to the Magistrates Court and the matter was listed for full hearing on 17 May 2006.
- 2.6 The appeal was dismissed and Mr Shakoor was ordered to pay a contribution of £300.00 towards the £620.00 Council's costs, at a rate of £5.00 per week.

For more information contact:	Helen Barrington 01332 255829 e-mail helen.barrington@derby.gov.uk
Background papers:	None
List of appendices:	Appendix 1 – Implications

IMPLICATIONS

FINANCIAL

- 1.1 The Council will have to bear the shortfall in the amount of legal costs awarded and the amount of costs incurred.

LEGAL

- 2.1 Mr Shakoor has a right to appeal the decision of the Magistrates Court to the Crown Court within 21 days from the date of their decision.

PERSONNEL

- 3.1 None directly arising.

EQUALITIES IMPACT

- 4.1 None directly arising.

CORPORATE PRIORITIES

- 5.1. The licensing guidelines for Hackney Carriage and Private Hire Vehicle Drivers used by the Taxi Licensing Sub Committee in determining applications contribute to the Council's objectives of **protecting and supporting people** and **a healthy environment**.