

LICENSING COMMITTEE

A meeting of the Licensing Committee was held on 11 June 2018.

PRESENT: Councillors J A Walker (Chair), T Higgins (Vice Chair); R Arundale, S Biswas, R Brady and J Goodchild and L Lewis.

OFFICERS: S Bonner, C Cunningham, J Dixon and T Hodgkinson.

APOLOGIES FOR ABSENCE Councillor N Hussain and Councillor D McCabe..

DECLARATIONS OF INTERESTS

Name of Member	Type of Interest	Item/Nature of Interest
Councillor Arundale	Non-pecuniary	Agenda Item 5 - Review of Combined Hackney Carriage/ Private Hire Vehicle Driver Licence Ref 19/18 (driver known to him)
Councillor J Walker	Non-pecuniary	Agenda Item 9 - Review of Private Hire Vehicle Driver Licence Ref 23/18 (Driver ward constituent)

1 MINUTES OF THE PREVIOUS MEETING OF THE LICENSING COMMITTEE HELD ON 30 APRIL 2018.

The minutes of the previous Licensing Committee, held on 30 April 2018, were submitted and approved as a correct record.

2 EXCLUSION OF PRESS AND PUBLIC.

To consider passing a Resolution Pursuant to Section 100A (4) Part 1 of the Local Government Act 1972 excluding the press and public from the meeting during consideration of the following items on the grounds that if present there would be disclosure to them of exempt information falling within paragraphs 1, 2, 3 and 7 of Part 1 of Schedule 12A of the Act and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**** DECLARATION OF INTEREST**

At this point in the meeting Councillor Arundale declared a non-pecuniary interest in relation to the following item and withdrew from the meeting.

3 REVIEW OF COMBINED HACKNEY CARRIAGE/PRIVATE HIRE VEHICLE DRIVER LICENCE, REF NO: 19/18

The Director of Culture and Communities submitted an exempt report in connection with a review of a Private Hire Vehicle Driver Licence, Ref: 19/18, where circumstances had arisen which required special consideration by the Committee.

The Chair introduced those present and outlined the procedure to be followed. The driver, who was in attendance at the meeting accompanied by his legal representative, verified his name and address and confirmed that he had received a copy of the report.

The Licensing Manager presented the report setting out the circumstances of the case in relation to criminal convictions and complaints made against the driver. The matter was initially due to be considered by Members on 9 April 2018 but was deferred as his legal representative was unable to attend. The matter was then scheduled to be considered on 30

April 2018, however, officers had received further information from the Police which indicated that there may be potential safeguarding concerns. This information was attached at Appendix 1 and was subsequently referred to the Council's LADO (Local Authority Designated Officer) to establish further information. The Committee agreed to defer the matter again until the outcome of a meeting between the driver and the LADO had taken place. Accordingly that meeting took place on 30 April 2018 and information arising from that meeting was attached at Appendix 2.

It was highlighted that the driver was first licensed with Middlesbrough Council in December 2006 after considering the offence detailed at 1) in the report.

The driver now appeared before Members following his conviction for the offence at 2) in the report.

The driver was interviewed by a Licensing Enforcement Officer on 21 March 2018 when he confirmed his previous explanation for the offence at 1) and provided an explanation for the offence at 2).

It was highlighted that the driver had also been issued with warnings/cautions as a result of four complaints made against him. Details of the offences and complaints were outlined in the report.

The driver confirmed that the report was an accurate representation of the facts.

The driver's legal representative addressed the Committee and presented the case in support of the driver. The driver responded to questions from his legal representative, particularly in relation to the information provided by the Police and subsequent meeting with the LADO.

The driver and his legal representative responded to questions from Members of the Committee and the Council's Legal Representative.

The driver's legal representative summed up the case in support of the driver.

It was confirmed that there were no further questions and the driver, his legal representative and officers of the Council other than representatives of the Council's Legal and Democratic Services withdrew whilst the Committee determined the review.

Subsequently, all interested parties returned and the Chair announced the Committee's decision.

ORDERED that Combined Hackney Carriage Licence and Private Hire Vehicle Driver's Licence, Ref 19/18, be revoked with immediate effect for the following reasons:-

1. The Committee considered the review of the driver's Combined Hackney Carriage/ Private Hire Vehicle driver's licence on its merits; the report and appendices; representations by the driver; the Council's Private Hire and Hackney Carriage Licensing Policy in particular the relevance of convictions, cautions, reprimands, warnings complaints and character ('the Policy') and Section 61 of the Local Government (Miscellaneous Provisions) Act 1976 ('the Act').
2. The Committee decided to revoke the driver's licence on the grounds that since the grant of the licence the driver had been convicted of an offence involving violence and under the ground of any other reasonable cause under Section 61(1) of the Act, the revocation would have immediate effect in the interests of public safety under Section 61(2B) of the Act.
3. The driver was advised that he would receive the full decision, considerations and reasons within five working days.
4. The Committee noted the driver's explanations, in summary, that the assault was out of character, that it was a single incident in private (at a difficult time as a result of a

- failing marriage), that the situation had moved on and he was separated from his wife and there had been no subsequent incidents. The driver stated he was a safe driver and had not had any issues with passengers and that the complaints were separate and there was no common thread or issues of behaviour.
5. However, the Committee considered that the Policy was clear in that the baseline requirement for a safe and suitable licensed driver in Middlesbrough was that he must show an incident free period of at least three years from completion of the sentence for a violent offence of Common Assault.
 6. The Policy was also clear in that Middlesbrough Council deemed incidents of domestic violence to be extremely serious.
 7. A criminal court found the driver guilty of assaulting his wife resulting in her receiving injuries. The Committee considered he received a serious sentence of unpaid work for 80 hours. The Community Order he received for this offence did not expire until March 2019.
 8. The Court also considered it necessary to protect a person from the driver by first issuing a non-molestation Order in January 2018 and then a restraining order against him on 12 March 2018. The restraining order protecting another person from the driver was in force until March 2020.
 9. The Committee considered that it could not permit a driver to be licensed whom attacked another person and where another person required an order to protect them from the licensee.
 10. The Committee noted the driver denied the other allegations of domestic abuse and that he had not contacted his wife or arranged for his parents to visit her. However, the Local Authority Designated Officer's report stated that there has been a history of abuse and his wife claimed she felt harassed by the driver, but it noted no further criminal action had been taken.
 11. Apart from the serious issue of assault, the driver did not have a clean record. Prior to being granted a licence, in 2003 he was convicted of a serious dishonesty offence. The Committee considered that his explanation in relation to this offence (that a male he knew gave him credit cards in a shop to hold) did not correspond with the sentence imposed of 60 hours unpaid work. However, despite this the Committee gave the driver a chance and granted him a licence in 2006.
 12. Since being granted the licence, officers had found it necessary to issue the driver with three warnings for a range of matters - inappropriate parking, inappropriate behaviour (sounding his horn) and unsafe driving. In addition he received a caution for contravening the Town Police Clauses Act 1847 which governed the use of hackney carriage vehicles.
 13. In view of all of the information the Committee decided there was no good reason to depart from the Policy and, therefore, the driver's licence was revoked.
 14. The Committee considered that because of the assault the driver posed a risk to public safety and the Court needed to protect another person from him. Therefore the revocation was to take immediate effect.
 15. The driver was advised that if he was aggrieved by the Committee's decision he had 21 days in which to appeal to Teesside Magistrates Court. However, as the revocation was made with immediate effect, it was effective from the date the decision notice was served and was not "stayed" as a result of an application to appeal the decision. Should the driver decide to appeal the decision and the appeal was dismissed. The Council would look to the Courts for an order to recover its costs incurred in defending its decision from the driver.

** Councillor Arundale returned to the meeting at this point.

4 **APPLICATION FOR PRIVATE HIRE VEHICLE DRIVER LICENCE, REF NO: 20/18**

The Director of Culture and Communities submitted an exempt report in connection with an application for a Private Hire Vehicle Driver Licence, Ref: 20/18, where circumstances had arisen which required special consideration by the Committee.

The Chair introduced those present and outlined the procedure to be followed. The applicant, who was in attendance at the meeting, verified his name and address and confirmed that he had received a copy of the report.

The Licensing Manager presented the report setting out the circumstances of the case in relation to the offences at 1) and 2) in the report.

The Committee heard that the applicant failed to attend the previous Committee and Members agreed to defer consideration of the matter until this meeting.

The applicant appeared before Members as a result of the offences at 1) and 2) in the report.

The applicant was interviewed by a Licensing Enforcement Officer on 26 March 2018 when he confirmed that there were no outstanding matters of which the Council was unaware and provided explanations for the offences at 1) and 2) in the report.

The applicant failed to declare the Police caution for the offences at 1) in his application and stated he did not realise that he had to declare a caution and did not think it would appear on his DBS check.

However, the applicant also stated that he was willing for the Council's Licensing Officers to obtain any information regarding the circumstances surrounding his caution from the Police if required.

The Licensing Enforcement Officer contacted the Police for information regarding the above matter. In response the Police provided a letter on 16 April 2018, a copy of which was attached at Appendix 1.

It was highlighted to Members that the Police version of events differed to those offered by the applicant during his interview with the Licensing Officer. The Police stated that there was a smell of cannabis in the vehicle, although no cannabis was found. The Police also stated that at the time of the incident the Officers also found a knuckle duster in the vehicle's glove box, explaining why the applicant was interviewed and subsequently cautioned for two offences of possessing an offensive weapon. However, during his interview with the Licensing Officer, the applicant made no mention of a second offensive weapon being found by the Police in his vehicle's glove box, and only referred to the steering lock being regarded as the only offensive weapon found in his vehicle.

The applicant confirmed that the report was an accurate reflection of the facts and was invited to address the Committee.

The applicant presented the case in support of his application and responded to questions from Members, the Council's legal representative and the Licensing Manager.

It was confirmed that there were no further questions and the applicant and officers of the Council other than representatives of the Council's Legal and Democratic Services withdrew whilst the Committee determined the application.

Subsequently, all interested parties returned and the Chair announced the Committee's decision.

ORDERED that the application for a Private Hire Vehicle Driver's Licence, Ref 20/18, be refused for the following reasons:-

1. The Committee considered: the application for a Private Hire Vehicle driver's licence on its merits; the report and appendix; representations, the Council's Private Hire and Hackney Carriage Licensing Policy in particular the relevance of convictions, cautions, reprimands, warnings complaints and character ('the Policy') and Section 51 of the Local Government (Miscellaneous Provisions) Act 1976 ('the Act').
2. The Committee decided to refuse to grant a licence to drive Private Hire Vehicles because it was not satisfied that the applicant was a fit and proper person to hold a driver's licence in accordance with Section 51 (1)(a)(i) of the Act.
3. The applicant was advised that he would receive the full decision, considerations and reasons within five working days.
4. The Committee noted the applicant had received two cautions for being in possession of offence weapons on 17 November 2015 and had been convicted of speeding on the A19 on 27 February 2016.
5. The Committee considered it was wholly unsuitable for an applicant for a Private Hire Vehicle driver's licence to carry offensive weapons in a vehicle. In addition the applicant failed to declare the cautions on his application form.
6. The applicant stated to officers that the caution was in relation to a steering lock shaped like a Rounder's bat. He stated that it was used in his old vehicle and thought it would fit his new vehicle, but it did not fit. However, when the officer made enquiries, the Police confirmed that in addition to the steering lock there was a knuckle duster in the glove compartment.
7. The Committee was concerned that even after failing to declare the cautions on his application form, when asked about the cautions, the applicant failed to explain about the knuckle duster. When he was later asked about it the applicant tried to claim that it was not a knuckle duster but a ring with his name on over three fingers.
8. When the Committee asked the applicant about this, because the Police confirmed the knuckle duster was bought from an unknown male for £10, the applicant confirmed it was not a ring as the applicant described. The Committee was seriously concerned that he failed to declare the cautions which it believed was an attempt to hide them, then mislead the officer by failing to explain that a knuckle duster was found in the car and again lied to the officer when he tried to claim the weapon was a ring.
9. The Committee was also seriously concerned that when the Police stopped the applicant's vehicle the officers could smell cannabis. When the Committee asked him about this the applicant explained that other people used his car and the applicant used it just after he finished work that day. This contradicted the explanation given to officers where the applicant stated he had spent the day at Roseberry Topping with his girlfriend. The Police did not approach the applicant's vehicle until the early hours of the morning. Therefore the smell of cannabis was apparent in the car after a day out and into the early hours of the morning.
10. In addition to having offensive weapons in his vehicle, it smelling of cannabis and his dishonesty to officers, the applicant was also driving unsafely when he was speeding at 84 miles per hour on the A19.
11. The Council's Policy requires an applicant with a conviction for possession of an offensive weapon to have a period of at least ten years without incident before a licence will normally be considered. The Policy also states that if an applicant has more than one caution the application may be refused unless a period of at least one to three years without incident had lapsed. The cautions were given on 17 November 2015. The Committee noted that the applicant received cautions for each offence however still considered the matter to be very serious in that he carried in his vehicle a steering lock shaped like a Rounder's bat which did not fit his steering wheel and a

knuckle duster. The Committee therefore considered the higher end of the Policy in relation to possession of weapons.

12. In addition to this the Committee considered that the applicant had a propensity to be dishonest to officers. The Policy stated that where an applicant showed they were likely to be dishonest an application will not normally be granted.
13. The Committee considered there were no good reasons to depart from the Policy and therefore refused to grant the application.
14. The applicant was advised that if he was aggrieved by the Committee's decision he had 21 days in which to appeal the decision to Teesside Magistrates' Court. Should the applicant decide to appeal the decision and the appeal was dismissed, the Council would look to the court for an Order to recover its costs incurred in defending its decision from the applicant.

5 **REVIEW OF PRIVATE HIRE VEHICLE DRIVER LICENCE, REF NO: 21/18**

The Director of Culture and Communities submitted an exempt report in connection with the review of Private Hire Vehicle Driver Licence, Ref 21/18, where circumstances had arisen which required special consideration by the Committee.

The Licensing Manager advised that a witness in relation to one of the complaints against the driver was unable to attend and requested that the matter be deferred to the next meeting.

ORDERED that consideration of the review of Private Hire Vehicle Driver Licence, Ref 21/18, be deferred to afford the witness a further opportunity to attend.

6 **REVIEW OF PRIVATE HIRE VEHICLE DRIVER LICENCE, REF NO: 22/18**

The Director of Culture and Communities submitted an exempt report in connection with the review of Private Hire Vehicle Driver Licence, Ref: 22/18, where circumstances had arisen which required special consideration by the Committee.

The Chair introduced those present and outlined the procedure to be followed. The driver, who was in attendance at the meeting, verified his name and address and confirmed that he had received a copy of the report but did not bring it to the meeting. A copy of the report was provided to the driver.

The Licensing Manager presented the report setting out the circumstances of the case in relation to a complaint made against the driver. Details of the complaint were outlined in the report.

It was highlighted that the driver was first licensed with Middlesbrough Council in March 2017.

It was confirmed the driver now appeared before Members following a complaint received from a 20 year old female passenger following a journey in his private hire vehicle in December 2017 when it was alleged that once at the destination the driver insisted on waiting for the passenger whilst she finished her shopping, despite not booking the return journey through his Private Hire Operator. The complainant stated that on the return journey the driver made inappropriate comments towards her and asked permission to use her toilet. The complainant also alleged that after using the toilet the driver would not leave her home and asked her to make him a cup of tea before making further inappropriate comments towards her.

A statement was taken by the Licensing Officer, a copy of which was attached at Appendix 1 to the report. The driver was interviewed by a Licensing Officer on 4 January 2018 in relation to the complaint. A copy of the interview note was attached at Appendix 2.

It was confirmed that the complainant would be in attendance at Committee. The complainant joined the meeting and the Chair introduced those present and explained the procedure to be

followed. The complainant confirmed the content of her statement and provided an account of the incident that occurred on 23 December 2017, in her own words.

The driver was afforded the opportunity to ask questions of the complainant, though none were proffered, and the complainant responded to questions from Members and the Council's legal representative.

It was confirmed that there were no further questions and the complainant withdrew from the meeting at this point.

The driver presented his case to the Committee commenting that the complaint made against him was not reflective of his character and he believed he was only acting in the best interests of the complainant.

The driver also commented that his request to use the toilet was because of a medical condition that meant he had to visit the toilet frequently. However the driver did not provide any medical records to the licensing team prior to Committee or during proceedings.

The driver addressed the Committee and provided his version of events in relation to the complaints and offences. He also responded to questions from Members, the Council's Legal Representative and the Licensing Manager.

It was confirmed that there were no further questions and the driver and officers of the Council, other than representatives of the Council's Legal and Democratic Services, withdrew whilst the Committee determined the review.

ORDERED that Private Hire Vehicle Driver Licence, Ref 22/18, be revoked with immediate effect for the following reasons: -

1. The Committee considered: the review of the driver's Private Hire Vehicle licence on its merits; the report and appendices; the driver's representations; the Complainant's representations, the Council's Private Hire and Hackney Carriage Licensing Policy, in particular the relevance of convictions, cautions, reprimands, warnings complaints and character ("the Policy") and Section 61 of the Local Government (Miscellaneous Provisions) Act 1976 ("the Act").
2. The Committee decided to revoke the driver's licence on the ground of any other reasonable cause under Section 61(1) of the Act. The revocation will have immediate effect in the interests of public safety under Section 61(2B) of the Act.
3. The driver was advised that he would receive the full decision, considerations and reasons within five working days.
4. The Committee noted the driver's explanations, in summary, that he had a medical condition which meant he had to use the toilet often. He stated he had to go to the toilet when dropping the passenger off, that he denied mentioning the word "pussy" and denied making inappropriate comments. The driver stated he had used customers' toilets in the past without complaint and considered to have done nothing wrong. The driver stated he waited at Morrisons in order to take the passenger home to help her and that it was not busy at the time.
5. The driver failed to produce any medical evidence or information that he had a medical problem which meant he needed to go the toilet often. In any case the Committee considered it to be wholly inappropriate to ask to use passengers' toilets. It considered it was unbelievable that the driver would not consider using public toilets at Morrisons or the nearby leisure centre. It was of great concern that the driver had to urinate so often he had to ask passengers to use their toilets or otherwise get caught short. This medical condition in itself may render the driver unfit.
6. The Committee believed the Complainant and considered her to be credible. The Complainant did not know the driver previously and did not appear to have any reason

to make a false complaint. It considered that there was no reason why she would have taken time out of her day to appear before Committee to give false information. The Committee considered that her explanations were believable and consistent.

7. When the driver dropped off the passenger at Morrisons, he breached the provisions of the Act by not being pre booked by the passenger to take her back from Morrisons to her home address. He told officers that he had not booked in the journey with his operator, but told the Committee that he had booked it in. The driver therefore either lied to officers or lied to the Committee. When he told the passenger he would wait she told him not to and she would book a taxi but he insisted on waiting for her. The passenger felt obliged to get in the vehicle once she had finished shopping in view that the driver had waited for her. The Committee did not believe the driver when he said he waited because it was quiet. It was 7.30pm on a Saturday evening on 23 December 2017.
8. During the journey the driver acted inappropriately by asking personal questions of the passenger, and used the word “pussy” inappropriately. The young woman felt uncomfortable and shocked when he asked to use her toilet but she felt obliged because the driver had waited to take her home. However, she waited outside of the house. The driver went into a lone young woman’s home and used her toilet. He tried to get her to come inside of the house and told her he liked her and wanted her number. He then left when another male came into the road. The driver made the passenger feel scared, uncomfortable and upset. His actions were wholly inappropriate for a licensed driver in a position of trust. The driver had taken advantage of his position of trust with a young woman in a vulnerable situation.
9. The Committee considered the driver was a real risk to lone female passengers, that he had abused his position of trust, could not see that it was inappropriate to use passengers’ toilets and the Committee considered him to be dishonest. Therefore in order to protect the public and in the interests of public safety the revocation was to have immediate effect
10. The driver was advised that if he was aggrieved by the Committee’s decision he had 21 days in which to appeal the decision to Teesside Magistrates Court. However, as the revocation was made with immediate effect, it was effective from the date the decision notice was served and was not “stayed” as a result of an application to appeal the decision. Should the driver decide to appeal the decision the appeal was dismissed, the Council would look to the Court for an Order to recover its costs incurred in defending its decision from the driver.

****SUSPENSION OF COUNCIL PROCEDURE RULE NO. 17 - DURATION OF MEETING**

ORDERED that, in accordance with Council Procedure Rule No. 17, as the meeting had reached its three-hour limit, all Members of the Committee agreed to extend the duration of the meeting in order to conclude the remaining business.

**** DECLARATION OF INTEREST**

At this point in the meeting, Councillor J Walker (Chair) declared a non-pecuniary interest in relation to the following item and withdrew from the meeting.

**** VICE CHAIR IN THE CHAIR**

Councillor Higgins, Vice Chair, took the Chair at this point in the meeting as the Chair, Cllr J Walker, had withdrawn from the meeting having declared an interest.

7 REVIEW OF PRIVATE HIRE VEHICLE DRIVER LICENCE, REF NO: 23/18

The Director of Culture and Communities submitted an exempt report in connection with a review of Private Hire Vehicle Driver Licence, Ref: 23/18, where circumstances had arisen

which required special consideration by the Committee.

The Chair introduced those present and outlined the procedure to be followed. The driver, who was in attendance at the meeting, verified his name and address and confirmed that he had received a copy of the report.

The Licensing Manager presented the report setting out the circumstances of the case in relation to a number of complaints made against the driver, regarding his conduct.

The driver was interviewed by the Licensing Enforcement Officer on 18 May 2018 when he provided explanations regarding the complaints received and the motoring offences detailed at 1) and 2) in the report.

The driver was first licensed with Middlesbrough Council on 13 July 2017. A total of nine separate complaints were received, either by his Private Hire Operator or the Licensing Department, regarding the driver's conduct and driving standards.

Warning letters were sent to the driver regarding complaints detailed at 1) and 2) a copy of which was attached at Appendix 1.

On 3 May 2018, the driver attended an interview with a Licensing Enforcement Officer to address the above complaint detailed at 8) in the report. A copy of the notes of the interview was appended to the report at Appendix 2.

The driver confirmed that the report was an accurate reflection of the facts.

Dash-cam footage had been provided by the complainant in relation to the complaint at 8), an incident that occurred on 21 April 2018. This was shown to the Committee. The driver was invited to address the Committee to provide explanations in relation to each complaint in turn.

The driver addressed the Committee and provided his version of events in relation to the complaints and offences. He also responded to questions from Members, the Council's Legal Representative and the Licensing Manager.

It was confirmed that there were no further questions and the driver, and officers of the Council, other than representatives of the Council's Legal and Democratic Services withdrew whilst the Committee determined the review.

Subsequently, all interested parties returned and the Chair announced the Committee's decision.

ORDERED that Private Hire Vehicle Driver Licence, Ref 23/18, be suspended with immediate effect for a period of four weeks. The Committee also required the driver to complete the Driver Improvement Scheme, at his own expense, within three months. The reasons for the decision were as follows: -

1. The Committee considered the review of the driver's Private Hire Vehicle licence on its merits; it considered the report, appendices and video footage; the driver's representations, the Council's Private Hire and Hackney Carriage Licensing Policy in particular the relevance of convictions, cautions, reprimands, warnings complaints and character ('the Policy') and Section 61 of the Local Government (Miscellaneous Provisions) Act 1976 ('the Act').
2. The Committee decided to suspend the driver's licence on the ground of any other reasonable cause under Section 61(1) of the Act. The suspension was for a period of four weeks and would take immediate effect in the interests of public safety under Section 61(2B) of the Act. The Committee also decided that the driver must satisfactorily complete a Council-approved Driver Improvement Scheme, at his own expense, Council within three months of the date of the decision.
3. The driver was advised he would receive the full decision, consideration and reasons

within five working days.

4. The driver had committed two speeding offences in 2015 and 2016, however, the Council gave him a chance and licensed him to drive Private Hire Vehicles on 13 July 2017.
5. However, the Council had received nine complaints from different people about the driver's behaviour and/or driving standards. The Committee noted that he had explanations for each of the complaints and denied being aggressive or rude. He also claimed that it was the complainants who were not driving properly and he had reacted.
6. The Committee considered that there was no collusion between the complainants and could not, therefore, believe that each complainant was not telling the truth. The Committee considered that the driver had issues with his temper and his driving was below the standard expected of a licensed driver.
7. The Committee seriously considered revoking the licence because of the number of complaints about the driver's driving and attitude over a short period of time. However, it decided to suspend his licence instead in the hope that the suspension would deter him from taking risks whilst driving and to deter him from reacting aggressively to customers and other road users.
8. The Committee considered that the driver's driving standards required urgent improvement and the Driver Improvement Scheme should equip him with the skills and knowledge to drive safely.
9. The Committee took a serious view of the issues with the driver's driving and because of the risk to other road users and passengers the suspension of four weeks was to take immediate effect in the interests of public safety.
10. The Committee decided to give the driver one last final chance and if any other incidents occurred the matter would be reviewed by the Committee and his licence may be revoked.
11. The driver was advised that if he was aggrieved by the Committee's decision he had 21 days in which to appeal the decision to Teesside Magistrates Court. Should the driver decide to appeal the decision the appeal was dismissed, the Council would look to the Court for an Order to recover its costs incurred in defending its decision from the driver.