

REPORT TO:		Judicial Committee	
DATE:		25 October 2016	
PORTFOLIO:		Cllr Gareth Molineux - Resources	
REPORT AUTHOR:		Gordon McMillan Solicitor	
TITLE OF REPORT:		Court Report	
EXEMPT REPORT (Local Government Act 1972, Schedule 12A)	No	Not applicable	
KEY DECISION:	No	If yes, date of publication:	

1. **Purpose of Report**

1.1 To advise members of the outcome of court proceedings.

2. **Recommendations**

2.1 That the report be noted.

3. **Reasons for Recommendations and Background**

3.1 On the 18th April 2016 The Judicial Committee resolved to revoke the private hire driver's licence which was held by Mr Haqnawaz Ali of 35 Water Street Accrington (PD 0222) with immediate effect on the ground that he had failed to demonstrate the qualities demanded of a private hire vehicle driver when travelling with a passenger who subsequently complained about his behaviour

Mr Ali lodged an appeal against the decision with the Magistrates Court which on the 5th September 2016 decided to uphold his appeal after hearing evidence and submissions on behalf of both the appellant and the Council. The reason for the decision was that the Justices found Mr Ali's evidence (given through an interpreter) as to the circumstances surrounding the incident to be "credible".

No application was made for costs so Mr Ali must bear his own legal costs and the expense of employing an interpreter to assist him in court.

4. **Alternative Options considered and Reasons for Rejection**

4.1 Not applicable

5. Consultations

5.1 Not applicable

6. Implications

Financial implications (including any future financial commitments for the Council)	N/A.
Legal and human rights implications	N/A
Assessment of risk	N/A
Equality and diversity implications <i>A Customer First Analysis should be completed in relation to policy decisions and should be attached as an appendix to the report.</i>	N/A

**7. Local Government (Access to Information) Act 1985:
List of Background Papers**

7.1 Legal File 9002 (subject to legal privilege)

8. Freedom of Information

8.1 The report does not contain exempt information under the Local Government Act 1972, Schedule 12A and all information can be disclosed under the Freedom of Information Act 2000.