

Please reply to: Steve Cox
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Date: 9th December 2010

Mr I Nasim




Dear Mr Nasim

Re: Licensing Sub-Committee Hearing – 9th December 2010 Suspension of Hackney Carriage Drivers Licence

I am writing to you following the Licensing Sub-Committee hearing on the 9th December 2010 to consider a report with respect to the suspension of your Hackney Carriage Drivers Licence for 7 days. This was with regard to not complying with Torbay Council's Road Traffic Orders and byelaw.

The Licensing Sub-Committee decision "that Mr Imran Nasim's Hackney Carriage Driver's Licence be suspended for a period of seven days on the ground of 'any other reasonable cause,' as in accordance with Section 61(1)(b) of the Local Government (Miscellaneous Provisions) Act 1976. This will take effect from Friday 31st December 2010 for 7 days unless you appeal the decision, see additional information below. The reasons given for the decision were that

"Having carefully considered all the oral and written Representations, the Sub-Committee resolved that Mr Nasim had received a warning letter from the Principal Safety and Licensing Officer dated 4 December 2009 and

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a warning letter from the Environmental Health Manager (Commercial) dated 31 August 2010 raising awareness of the issues of taxis parking in bus bays and non compliance with the Road Traffic Orders. Mr Nasim confirmed that he had received these warning letters.

Members noted the correspondence from Richard Brown (Parking Operations Officer), PC Anthony Moorhouse, Leslie Dransfield (Public Transport Officer) and Christina Ratcliffe (Operations Manager – Torbay Stagecoach South West), contained within the report which highlighted the impact and concerns of public safety by drivers parking in the bus bays and obstructing the flow of traffic.

In addition, Members noted the admission of Mr Nasim that he had parked his vehicle in such a way so as to cause an obstruction on the 23 October 2010 at 00:43 and that he had been parked illegally at the GPO roundabout on Thursday 11 November 2010 at 18:01.

Members also found an aggravating factor in that despite receiving the warning letters and being advised in a letter dated 12 November 2010 that he was to come before the Licensing Committee, Mr Nasim received an endorsement on his drivers licence for parking illegally to alight passengers on the 27 November 2010.

Members felt that the suspension was a proportionate and necessary response to the breach of Road Traffic Orders and Byelaw 8 in an attempt to ensure public safety.”

You do have a 21 day right of appeal regarding the decision to suspend your drivers licence from the date of this letter. This has to be made to the Magistrate’s Court under Section 300 Public Health Act 1936. I attach a copy of the relevant sections for your information.

If you do appeal then the decision is suspended until the appeal is heard. If you do not appeal then you need to hand deliver your drivers badge to Roebuck House either late on Thursday 30th December 2010 or first thing on Friday 31st December 2010, and collect it again the following Friday 7th January 2011.

Can I take this opportunity to warn you, should you be caught again ignoring the Road Traffic Orders and Byelaws that any future recommendation for suspension will be a great deal higher.

If you have any queries then please do not hesitate to contact me.

Yours sincerely

Steve Cox

Principal Safety and Licensing Officer

Safety and Licensing Section

Encl Appeal information