

Mrs P Excell
Sweet Briar
Main Road
Great Waltham
Chelmsford CM3 1AF

16 January 2012

Our ref: MJP/ld

Please ask for Michael Perry on 01799 510416
email: mperry@uttlesford.gov.uk

Dear Mrs Excell

I refer to our meeting of the 16 January. As you are aware I wished to interview you regarding a breach of a condition on your licence requiring you to notify the council of points endorsed on your licence within 7 days. During the course of our interview it became apparent there were two other matters of which I was at that stage, unaware namely that you had breached a further condition on your licence by failing to notify the council of a road traffic accident in which you were involved within 72 hours and you also made a false statement in your application to renew your licence namely you stated that you had not any prosecutions pending whereas in fact you were declined a fixed penalty ticket for using a mobile phone while driving and were awaiting a court hearing date.

In the circumstances, I determine to suspend your licence under section 61(1)(b) Local Government (Miscellaneous Provisions) Act 1976 for any other reasonable cause namely breaching two conditions on your licence and making a false statement on the renewal of your licence. The period of suspension will be two days.

You have a right to appeal against my decision. An appeal must be in writing and must be made to the Magistrates' Court. The contact details are: Essex Magistrates' Court, Osprey House, Hedgerow Business Park, Colchester Road, Springfield, Chelmsford, Essex CM2 5PF. A fee of £200 is payable upon lodging an appeal. An appeal must be lodged within 21 days from the date upon which you are deemed to have received this letter. The date of deemed service is 18 January and an appeal must therefore be lodged by 8 February. The Magistrates' Court do not have discretion to extend this period.

If you do appeal within the 21 day period you may continue to drive until such time as your appeal has been abandoned by you or determined by the Magistrates' Court. In the event that the Magistrates' Court dismisses your appeal you have a further right of appeal within 21 days to the Crown Court. Again you may continue to drive during

(b)

the period allowed for appeal and if an appeal is lodged within that period until such time as the appeal has been abandoned or determined. If you do appeal and you subsequently withdraw the appeal or if your appeal is unsuccessful then I shall be applying for an order that you pay the council's costs of the proceedings.

If you do not appeal then your suspension will start at midnight on the 8 February and will end at midnight on the 10 February (i.e. all day Thursday 9 and Friday 10 February). To drive whilst you are suspended is an offence of driving without a licence which carries a fine of up to £1,000.

Yours sincerely

Michael J Perry LLB(Hons) Solicitor(Hons)
Assistant Chief Executive