

**CANNOCK CHASE COUNCIL**  
**MINUTES OF THE MEETING OF THE**  
**LICENSING AND PUBLIC PROTECTION COMMITTEE**  
**HELD ON WEDNESDAY 19 FEBRUARY, 2020 AT 10.00 AM**  
**IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK**  
**PART 1**

PRESENT: Councillors

Todd, Mrs. D.M. (Chairman)

Dudson, A. (Vice-Chairman)

Pearson, A.R.     Witton, P.T.

Smith, C.D.

**7. Apologies**

Apologies for absence were received from Councillors B. Jones and P. Fisher. Councillor Mrs. H. Sutton had indicated she would be substituting for Councillor Jones; however she submitted her apologies for the meeting.

**8. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members**

No Declarations of Interests were made in addition to those already confirmed by Members in the Register of Members' Interests.

**9. Minutes**

RESOLVED:

That the Minutes of the meeting held on 4 December, 2019 be approved as a correct record and signed.

**10. Exclusion of the Public**

RESOLVED:

That the public be excluded from the remainder of the meeting because of the likely disclosure of exempt information as defined in Paragraph 2, Part 1, Schedule 12A, Local Government Act 1972 (as amended).

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**MINUTES OF THE MEETING OF THE**  
**LICENSING AND PUBLIC PROTECTION COMMITTEE**  
**HELD ON WEDNESDAY 19 FEBRUARY, 2020 AT 10:00 AM**  
**IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK**

**PART 2**

**11. Application for a Hackney Carriage / Private Hire Driver's Licence**

Consideration was given to the Not for Publication Report of the Head of Economic Prosperity (Enclosure 5.1 – 5.15 of the Official Minutes of the Council).

The Chairman invited all those present to introduce themselves and then confirmed the procedure for the Hearing.

The Officer representing the Council presented the Council's case by taking the Committee, the applicant and his legal representative through the report outlining the relevant issues for consideration.

At this point the Officer representing the Council called his first witness. The applicant and his legal representative were afforded the opportunity of asking questions of the Officer representing the Council and his witness. The applicant's legal representative asked questions.

Members of the Committee were then given the opportunity to ask questions of the Officer representing the Council and his witness. Members of the Committee asked questions.

*(The witness left the room at this point in the proceedings).*

As the second witness was unable to be contacted a Member moved that the meeting be adjourned. This was seconded.

**RESOLVED:**

That the meeting be adjourned.

*(Meeting adjourned at 11.30am).*

**CANNOCK CHASE COUNCIL**  
**MINUTES OF THE MEETING OF THE**  
**RE-CONVENED LICENSING AND PUBLIC PROTECTION COMMITTEE**  
**HELD ON THURSDAY 15 OCTOBER, 2020 AT 9:37 AM**  
**HELD REMOTELY VIA ZOOM**  
**PART 2**

**11. Application for a Hackney Carriage / Private Hire Driver's Licence**

PRESENT: Councillors

Todd, Mrs. D.M. (Chairman)  
Smith, C.D. (Vice-Chairman)

Dudson, A.          Witton, P.T.

*(As the applicant had technical issues connecting to the remote meeting the start of the meeting was slightly delayed).*

The Chairman asked all those present to introduce themselves. She then invited the Officer representing the Council to provide an update to Members so that they could be reminded of what had been discussed at the meeting on 19 February, 2020. He led Members through the Not for Publication report of the Head of Economic Prosperity (Enclosure 5.1 – 5.15). He also led Members through the additional Not for Publication Report (Item 5.16 – 5.18) that had been circulated in advance of the meeting.

The Officer representing the Council confirmed that the Committee was being asked to determine whether the applicant was a fit and proper person to hold a Hackney Carriage/Private Hire Driver's Licence.

The Chairman then explained that the meeting would commence at point 5 in the proceedings; the point at which the meeting on 19 February, 2020 was adjourned.

Members of the Committee were afforded the opportunity to ask questions of the Officer representing the Licensing Authority. Members of the Committee asked questions.

The Applicant's legal representative then presented the applicant's case to the Committee. He referred to an email that he had received from the DBS Team Leader clarifying a number of points and sought confirmation that the Committee had been provided with a copy. The Committee confirmed that they had received a copy of this email.

The Officer representing the Council, the Council's Legal Advisor and Members of the Committee were given the opportunity to ask questions of the Applicant and

his legal representative. Questions were asked by the Officer representing the Council, the Council's Legal Advisor and Members of the Committee.

The Officer representing the Council, and the Applicant and his legal representative, were then given the opportunity to sum up their respective cases to the Committee. Both parties summed up their cases.

The Committee then deliberated in private, accompanied by the Council's Legal Advisor and Secretary to the Committee. The Officer representing the Council, the Applicant and his legal representative left the remote meeting and were not present during the deliberations.

At the conclusion of the deliberations the Applicant, his legal representative and the Officer representing the Council were returned to the remote meeting and the Council's Legal Advisor announced the decision of the Committee:-

RESOLVED:

That the Applicant was not a fit and proper person to hold a Hackney Carriage/Private Hire Driver's Licence.

Reasons for Decision:-

The matter was heard by the Licensing and Public Protection Committee in two parts, on 19 February and 15 October, 2020. The matter was part-heard on 19 February and thereafter recommenced on 15 October. The Committee considered the report of 19 February and the supplementary report of 15 October, heard representations from the Applicants legal representative, and evidence from the Applicant in relation to the allegations and circumstances of the case. The Committee further heard representations from Cannock Chase Council's Licensing Officer in relation to the Committee report and the Senior Transport Co-ordinator from Staffordshire County Council on 19 February.

The Committee had further regard to the provisions of the Local Government (Miscellaneous Provisions) Act 1976, the Council's Licensing Policy and the Applicant's responses to questions.

The Committee noted that an application had been made on 9 October 2019 for a Hackney Carriage Private Hire Driver's Licence with the Authority. It was noted that the Applicant was previously licensed with the Authority, but the licence was not renewed by the Applicant upon expiring.

The Applicant had however been referred to the Committee as Officers were unable to grant the licence under delegated powers, due to the Authority receiving sensitive information in about the Applicant in late 2019.

In view of the evidence presented and the representations made, the Committee determined pursuant to Section 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 that it was not satisfied that the Applicant was a fit and proper person to hold a Licence to drive Hackney Carriage and Private Hire vehicles.

The meeting closed at 11:17 am.

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CHAIRMAN