

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
LICENSING AND PUBLIC PROTECTION COMMITTEE
HELD ON FRIDAY, 8 JUNE, 2012 AT 10.00 A.M.
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 1

PRESENT: Councillors

Stretton, Mrs. P. Z. (Chairman)
Dudson, A. (Vice-Chairman)

Allen, F. W. C. Grice, Mrs. D.
Anslow, C. Todd, Mrs. D.M.
Bernard, J. D.

1. Apologies

Apologies for absence were received from Councillors Mrs. S. Cartwright, P. F. Fisher and P. A. Snape.

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

No declarations of interests were made.

3. Minutes

RESOLVED:

That the Minutes of the meeting held on 10 May, 2012 be approved as a correct record and signed.

4. 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 Paragraphs 2, Part 1, Schedule 12A, Local Government Act 1972 (as amended).

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PART 2

5. Hackney Carriage Proprietors' Licence – Exceptional Vehicle Application

Consideration was given to the Not for Publication Report of the Head of Environmental Health (Enclosure 5.1 – 5.27 of the Official Minutes of the Council).

The Licence Holder attended the Hearing to present his case.

The Chairman then invited all those present to introduce themselves and outlined the procedure to be followed at the Hearing. All parties confirmed their understanding of the procedure.

The Officer of the Licensing Authority presented the Council's case by taking the Committee through the report outlining the relevant issues for consideration and Members were asked to consider whether the Applicant's vehicle was exceptional. The Applicant, together with Members of the Committee were offered the opportunity to ask questions of the Officer, there being none, the Committee then viewed the Applicant's vehicle.

The Applicant then presented his case. He advised that the interior and exterior of the car was well maintained, consequently he considered it appropriate to apply for an extension. Members of the Committee and the Officer from the Licensing Authority were offered the opportunity to ask questions of the Applicant.

The Officer of the Licensing Authority and the Applicant were then afforded the opportunity to sum up their cases.

The Committee then deliberated in private accompanied by the Council's Legal Adviser and Secretary to the Committee. The parties returned to the meeting and the Chairman outlined the decision of the Committee. The Council's Legal Advisor advised the Applicant that he would be written to within seven working days (or as soon as practicable) confirming the Committee's decision and giving reasons for that decision which was as follows:-

RESOLVED:

That, having regard to all the circumstances, the application for a Hackney Carriage Proprietor's Licence be approved for a period of 12 months as the Committee was satisfied that the vehicle was an 'exceptional vehicle' as defined by the Council's policy for the age restriction of Hackney Carriage Vehicles.

REASON FOR THE DECISION:

1. The Committee carefully considered all relevant factors, issues and the responses given by the Applicant. Due regard was also given to the Council's Policy on the age restrictions for the licensing of Hackney Carriage Vehicles and also to the powers given to licensing authorities under Section 37 of the Town Police Clauses Act 1847 and Section 47 of the Local

Government (Miscellaneous Provisions) Act 1976.

2. The Committee was afforded the opportunity of inspecting the vehicle both inside and out. It was considered that the vehicle had been well looked after and its condition was indeed exceptional.
3. The Committee therefore agreed that the Applicant's vehicle satisfies the criterion as an "exceptional vehicle" and that it should therefore be licensed for a period of 12 months.

6. Revised Taxi Licensing Policy Presentation (Consultation document)

The Head of Environmental Health advised that Cannock Chase Council licenses the Hackney Carriage and Private Hire trade within the district. Over a number of years several licensing policy documents had been developed relating to drivers, proprietors and operators of licensing vehicles. The Council needed to review these policies in light of best practice guidance, and changes in legislation and technology.

A copy of the consultation document, which set out the current policies in place and alternative and additional policies for consideration, was circulated at the meeting, together with booklets. It was explained that the proposals would be advertised and subjected to a 12 week period of public consultation running from 11 June, 2012 and ending on 31 August, 2012. As part of the consultation process meetings would be convened with specific interest groups in order to ensure that their views were considered. All responses would be evaluated and it was intended to produce a comprehensive new policy document which would then be presented to this Committee, the Environment Policy Development Committee, and Cabinet for consideration and Council for approval.

The Head of Environmental Health took Members through the consultation document detailing the following issues:-

- Background and Service Provision
- Hackney Carriage/Private Hire Drivers
- Physical Fitness, Drugs & Alcohol Misuse
- Knowledge, Locality and Entitlement to work
- Driving Proficiency and Driver Training
- Current and Spent Convictions and Cautions
- Valid DVLA and EU Driving Licences and length of Licence
- Dress Code and Photographs
- Enforcement and Driver Suspension Penalty Matrix (Appendix 1 listed suggested Matrix)
- General Policy
- The Fleet of Licensed Vehicles, Restriction on Hackney Carriage Vehicle Numbers, Colour of Vehicles, and Safe Access and Egress from them.
- Emissions Policy, Age Restriction on Licensed Vehicles and Exceptions Policies.
- Proprietors Requirements.
- Invehicle CCTV, Advertising, Logos and Livery on Vehicles and Privacy Glass.
- Use of Vehicles outside the Cannock Chase area and whilst not working.
- Novelty Vehicles, Stretched Limousines, Exemption to the display of Licence Plates and Private Hire Operators' Licences.
- Seatbelts, Child Safety and other safety issues.
- Mechanical Testing and Inspection – Advisory Notices
- Council Policies

The Committee was advised that it was not proposed to amend any Hackney Carriage or Private Hire Council Policy which was not specifically mentioned within the body of the consultation

document and that a summary of the current Council policies was available on the Council's website [www.cannockchasedc.gov.uk/downloads/200063/licences and street trading](http://www.cannockchasedc.gov.uk/downloads/200063/licences%20and%20street%20trading)

The meeting closed at 12.10 p.m.

CHAIRMAN