

Cannock Chase Council
Minutes of the Meeting of the
Licensing and Public Protection Committee
Held on Wednesday 30 June 2021 at 10:00am
In the Council Chamber, Civic Centre, Cannock
Part 1

Present: Councillors

Jones, B (Chairman)
Johnson, T.B. (Vice-Chairman)

Arduino, L.	Smith, C.D.
Buttery, M.S. (substitute)	Sutton, Mrs. H.M.
Crabtree, S.K. (substitute)	Wilson, Mrs. L.J.
Fisher, P.A.	

1. Apologies

Apologies for submitted for Councillors G. Adamson and Ms. A.J. Dunnett.

Councillor M. McCall was unable to attend due to not having received the required training.

Councillors Buttery and Crabtree were in attendance as substitutes for Councillors McCall and Dunnett, respectively.

2. Declarations of Interest of Members in Contracts and Other Matters and Restrictions on Voting by Members

No declarations of interests were received.

3. Minutes

The Minutes of the meeting held on 15 October 2020 (adjourned from 19 February 2020) were approved as a correct record.

4. Licensing Sub-Committee Minutes

The Minutes of the Licensing Sub-Committee held on 2 June 2021 (adjourned from 21 May 2021) were noted.

5. 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 of the Local Government Act 1972 (as amended).

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6. 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Consideration was given to the Not for Publication Report of the Head of Economic Prosperity (Item 6.1 – 6.12 of the Official Minutes of the Council).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 Licensing Authority presented the Council's case by taking the Committee, the Applicant and the Applicant's witness through the report, outlining the relevant issues for consideration.

The Applicant and the Committee were then afforded the opportunity to ask questions of the Officer representing the Licensing Authority. Questions were asked by Members of the Committee only.

The Applicant then presented their case to the Committee and called their witness to speak also.

The Officer of the Licensing Authority, the Committee and the Legal Advisor to the Committee were then afforded the opportunity to ask questions of the Applicant. Questions were asked by Members of the Committee and the Legal Advisor only.

The Officer representing the Licensing Authority and the Applicant then both summed up their respective cases.

The Committee then deliberated in private, accompanied by the Council's Legal Advisor and Secretary to the Committee. The Officer representing the Licensing Authority, the Applicant and the Applicant's witness left the room during the deliberations.

At the conclusion of the deliberations, the Officer representing the Licensing Authority, the Applicant and the Applicant's witness returned to the room and the Chairman announced the decision of the Committee, as follows:

Resolved:

That the application for a licence to drive hackney carriage/private hire vehicles under sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 not be granted.

Reasons for Decision

The Committee considered the Taxi Licensing Policy, licensing legislation, the Report presented by the Officer of the Licensing Authority, the Applicant's (and their witnesses') representations, and relevant case law.

The decision was made in line with the Council's Taxi Licensing Policy, and it was noted there were no exceptional circumstances presented that warranted the Committee deviating from the Policy.

Based on the matters considered by the Committee, it was considered that the Applicant was not a fit and proper person to hold a licence to drive hackney carriage/private hire vehicles.

The Chairman advised the Applicant that if they were dissatisfied with the decision of the Committee then they could appeal to the Magistrates Court within 21 days of receiving written confirmation of the Committee's decision.

The meeting closed at 11:33 a.m.

Chairman