

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
LICENSING AND PUBLIC PROTECTION COMMITTEE
HELD ON FRIDAY 6 JANUARY, 2017 AT 10:00AM
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 1

PRESENT: Councillors

Grice, Mrs. D. (Chairman)
Dudson, A. (Vice-Chairman)

Allen, F.W.C. Snape, D.J.
Dean, A. Sutherland, M.
Grocott, M.R. Witton, P.T.
Lea, C.I.

15. Apologies

Apologies for absence were submitted for Councillor Mrs. D.M. Todd.

16. 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.

17. Minutes

RESOLVED:

That the Minutes of the meeting held on 6 October, 2016 be approved as a correct record and signed.

18. 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 1 and 2, Part 1, Schedule 12A Local Government Act, 1972 (as amended).

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
LICENSING AND PUBLIC PROTECTION COMMITTEE
HELD ON FRIDAY 6 JANUARY, 2017 AT 10:00AM
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK
PART 2

19. Application for a Private Hire Vehicle Licence

(Councillor Grocott arrived at the meeting at the start of this item.)

Consideration was given to the Not for Publication report of the Head of Environmental Health (Enclosure 5.1 – 5.18 of the Official Minutes of the Council).

The Chairman invited all those present to introduce themselves and outlined the procedure to be followed at the Hearing.

The Officer of the Licensing Authority presented the Council's case by taking the Committee through the report outlining the relevant issues for consideration.

The Committee then briefly adjourned to view the Applicant's vehicle.

The Committee reconvened and the Officer of the Licensing Authority concluded the presentation of the Council's case.

The Applicant and Members of the Committee then put questions to the Officer.

The Applicant then presented his case to the Committee.

Members of the Committee and the Officer of the Licensing Authority then put questions to the Applicant.

The Officer of the Licensing Authority and the Applicant then summed up their respective cases to the Committee.

The Officer of the Licensing Authority and the Driver then left the room in order that the Committee could deliberate in private, accompanied by the Council's Legal Adviser and Secretary to the Committee.

Following deliberations, the Officer of the Licensing Authority and the Applicant returned to the meeting, and the Legal Advisor to the Committee read out the decision of the Committee (and the reasons for the decision) on the Chairman's behalf.

RESOLVED:

That having regard to all the circumstances the application for a private hire vehicle licence be granted.

Reasons for the Decision

The Committee noted the Council's Policy, attached as Annex 1 to the report. In particular the Committee noted paragraph 20.1 of the Policy, which stated "All saloon vehicles which are new to licensing with the Council will be no more than 42 months old. Vintage, classic or novelty vehicles will be considered on their own merit."

Notwithstanding paragraph 20.1 of the Policy, the Committee noted that it had a duty to consider applications falling outside of the requirements of the Policy, and to consider such applications on their own individual merits.

The Committee considered the merits of the applicant's vehicle, as being as a potential licensed private hire vehicle, against the Policy objectives for improving air quality, and ensuring high standards of vehicle safety, comfort and access.

The Committee considered that the vehicle was in excellent condition, despite being some 15 months older than the 42 month age limit prescribed by paragraph 20.1 of the Policy. The Committee considered that it was a prestige vehicle of very high quality.

The Committee considered that on balance the exceptional merits of the applicant's vehicle justified licensing the vehicle contrary to the Council's Policy.

The meeting closed at 11:00am

CHAIRMAN