

**CANNOCK CHASE COUNCIL**  
**MINUTES OF THE MEETING OF THE**  
**LICENSING AND PUBLIC PROTECTION COMMITTEE**  
**TUESDAY 28 OCTOBER 2014 AT 10:00AM**  
**IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK**

**PART 1**

PRESENT:  
Councillors

Grice (Chairman)

Anslow, C.	Hardman, B.
Bottomer, B.	Todd, Mrs. D.M.
Fisher, P.A.	

**21. Apologies**

Apologies for absence were received from Councillors F.W.C. Allen and J. Preece.

**22. 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.

**23. Minutes**

RESOLVED:

That the Minutes of the meetings held on 4 September, 2014, be approved as a correct record and signed.

**24. 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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**PART 2**

**25. Hackney Carriage/Private Hire Driver**

Consideration was given to the Not for Publication report of the Head of Environmental Health (Enclosure 5.1 – 5.30 of the Official Minutes of the Council).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. 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.

The Officer of the Licensing Authority, the Taxi Driver and the Taxi Driver's Legal Representative 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, to consider whether or not the Taxi Driver's spent convictions should be admitted as evidence to the Hearing.

The meeting then reconvened with all parties returning, and the Chairman announced the decision of the Committee:

*RESOLVED:*

*That the spent convictions be admitted as evidence to the Hearing.*

The Officer of the Licensing Authority then presented two witnesses in turn to the Committee. Each witness put forward their respective statements in relation to the case and was questioned by the Taxi Driver's Legal Representative and Members of the Committee. Upon completion of individual questioning the witnesses left the meeting.

The Taxi Driver and Members of the Committee were then afforded the opportunity to ask questions of the Officer of the Licensing Authority. No questions were asked.

The Taxi Driver's Legal Representative then presented the Driver's case to the Committee and circulated copies of character references received in support of the Driver.

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

The Officer of the Licensing Authority and the Taxi Driver's Legal Representative then summed up their respective cases to the Committee.

The Officer of the Licensing Authority, the Taxi Driver and the Taxi Driver's Legal Representative 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.

The meeting then reconvened with all parties returning, and the Chairman read out the decision of the Committee:

RESOLVED:

That, having regard to all the circumstances, relevant factors and representations made, the Taxi Driver's Hackney Carriage/Private Hire Driver's Licence be revoked.

#### Reasons for the Decision

After hearing the credible evidence and representations of the two witnesses, the Committee is satisfied that the Taxi Driver did behave inappropriately towards them on the evening of 13<sup>th</sup> May 2014, by being un-cooperative, obstructive, rude and abusive. On the balance of probabilities the Committee believes the evidence of the witnesses to be more persuasive than that of the Taxi Driver.

The Committee notes that the Taxi Driver's licence was suspended for a 10 week period earlier this year due to concerns about his conduct and driving acumen. This latest incident raises further doubt about his fitness and propriety.

In relation to the Taxi Driver's spent convictions, the Committee, whilst acknowledging they go back some time, considers they do have some relevance to the extent that they demonstrate he has a history of unacceptable behaviour which is still evident today.

The Committee has real concerns as to the Taxi Driver's general attitude and propensity to misbehave, and there is evidence which shows his continued inability to meet the reasonable standards of behaviour expected of licensed drivers.

For the above reasons the Committee is of the view that the Taxi Driver is not a fit and proper person to hold a Hackney Carriage/Private Hire Driver's Licence.

The meeting closed at 11:55am

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CHAIRMAN