

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
LICENSING AND PUBLIC PROTECTION COMMITTEE
FRIDAY, 9 JUNE 2006
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK
PART 1

PRESENT: Councillors

Easton, R. (Chairman)
Butler, R.D. (Vice-Chairman)

Allen, F.W.C.	Davies, D.N.
Ball, G.D.	Grice, Mrs. D.
Burnett, J.	Holder, M.J.
Carr, I.R.	Williams, B.

(Apologies for absence were received from Councillors Mrs. P.A. Ansell, M.P. Freeman and R.C. Turville)

1. Minutes

RESOLVED:

That the Minutes of the meetings held on 20 February 2006 and 6 March 2006 be approved as a correct record.

2. Licensing Sub-Committee

Consideration was given to the Minutes of the Licensing Sub-Committee held on 20 February 2006 and 6 March 2006 (Enclosure 4.1 – 4.15 of the Official Minutes of the Council).

RESOLVED:

That the Minutes of the meetings of the Licensing Sub-Committee held on 6 and 13 February 2006 be received.

3. Exclusion of 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 I, Schedule 12A, Local Government Act 1972.

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PART 2

4. Private Hire Vehicle Licence

Consideration was given to the Not for Publication Report of the Head of Environmental Health (Enclosure 6.1 – 6.11 of the Official Minutes of the Council).

The Committee was advised that the applicant was unable to attend today's meeting and had requested that Members determine the application in his absence.

The representative of the Head of Environmental Health presented the report. The application for a Private Hire Vehicle Licence had been made by the applicant on 8 May, 2006. The Council's policy of age restriction for vehicles more than six years old was explained. The vehicle under consideration was a stretch limousine first registered abroad in January 2000 and imported in September 2004. Photographs of the vehicle were circulated to Members. The vehicle had been mechanically tested at the Council's Hawks Green Test Depot on 8 May 2006 and found to be mechanically satisfactory. The policy in respect of age restrictions for Private Hire Vehicles was explained (Annex 1 of the report refers). The applicant had paid the Private Hire Vehicle Licence application fee and Private Hire Operator's Licence fee. The fees would be refunded (minus the vehicle examination fee) should the application be refused. The Licensing Unit required periodic inspection and testing of the stretch limousine as part of the provisions of the conditions of the licence. It was explained that Cabinet would be giving consideration to a policy requiring this charge to fall to the Licence holder.

Members of the Committee were afforded the opportunity to ask questions of the Council's representative. A Member sought clarification as to when the vehicle was registered in this country.

The Committee then examined the applicant's vehicle.

The representative of the Head of Environmental Health was afforded the opportunity to sum up the Council's case. She explained that the applicant had been asked to provide the service history of the vehicle. However, as the applicant's accountant had died, legal

difficulties were being experienced in obtaining the service history.

The Committee then deliberated in private, accompanied by the Council's Legal Adviser and Secretary to the Committee.

RESOLVED:

- (A) That having regard to all the circumstances the application for a Private Hire Vehicle Licence be approved 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.
- (B) That the Private Hire Vehicle Licence be granted for 12 months from 9 June, 2006 and be subject to any future policy on testing and inspection.
- (C) That the applicant be requested to produce the service history of the vehicle for inspection by Officers and Members of the Committee.
- (D) That the Head of Environmental Health be requested to investigate whether the "exceptional vehicle" aspect of the Age Restrictions Policy relating to Private Hire and Hackney Carriage vehicles could be modified in order that:-
 - (i) the Head of Environmental Health be given delegated authority to issue an "exceptional vehicle" Licence to a vehicle more than 6 years old where he/she is satisfied that the vehicle is exceptional; and
 - (ii) the Licensing and Public Protection Committee be consulted only when the applicant appeals against the decision of the Head of Environmental Health.
- (E) That a report on (D) above be submitted to a future meeting of the Licensing and Public Protection Committee.

CHAIRMAN