

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
LICENSING AND PUBLIC PROTECTION COMMITTEE
THURSDAY 5 SEPTEMBER 2013 AT 10.00 A.M.
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 1

PRESENT: Councillors

Stretton, Mrs. P.Z. (Chairman)

Allen, F.W.C.	Fisher, P.A.
Anslow, C.	Sutherland, M.
Bernard, J.D.	Todd, Mrs. D.M.

19. Apologies

Apologies for absence were received from Councillors A. Dudson and Mrs. D. Grice and Councillor F.W.C. Allen had advised he would be arriving a little late.

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

The following Declarations of Interests were made in addition to those already confirmed by Members in the Register of Members' Interests:

Member	Interest	Type
D.M. Todd	Item 6 Application for the Extension of an existing Private Hire Vehicle Licence on an exceptional basis – Member knows the applicant	Personal
D.M. Todd	Item 7 Private Hire Vehicle - Exceptional Vehicle Application – Member knows the applicant	Personal

21. Minutes

RESOLVED:

That the Minutes of the meeting of the Licensing and Public Protection

Committee held on 20 June 2013 be approved as a correct record.

22. 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

23. Application for the extension of an existing Hackney Carriage Proprietors' Licence on an Exceptional basis

Consideration was given to the Not for Publication Report of the Head of Environmental Health (Enclosure 5.1 – 5.26 of the Official Minutes of the Council).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 and Members were asked to consider whether the Applicant's vehicle was considered to be exceptional.

The Committee then viewed the Applicant's vehicle.

The Officer of the Licensing Authority then concluded the presentation of the Council's case.

The Applicant and Members of the Committee were afforded the opportunity to ask questions of the Officer. No questions were raised.

The Applicant then presented his case to the Committee.

Members and the Officer of the Licensing Authority were afforded the opportunity to ask questions of the Applicant. No questions were put forward by the Officer.

The Officer of the Licensing Authority and the Applicant were offered the opportunity to sum up their cases. Both parties stated no summation was necessary.

The Officer of the Licensing Authority and the Applicant 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 deliberation, the Officer of the Licensing Authority and the Applicant returned to the meeting, and the Chairman read out the decision of the Committee:

RESOLVED:

That, having regard to all the circumstances, the existing hackney carriage proprietors' licence be extended to 24 June, 2014 on the basis that the Applicant's vehicle is an exceptional vehicle.

Reasons for the Decision

1. Although the vehicle mileage is a little higher than the guidance mileage for exceptional vehicles the exterior body work and interior of the vehicle is very good.
2. The vehicle also has a good service history.

24. Application for the extension of an existing Private Hire Vehicle Licence on an Exceptional basis

(Councillor F.W.C. Allen was present to hear this application).

Consideration was given to the Not for Publication Report of the Head of Environmental Health (Enclosure 6.1 – 6.16 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 and Members were asked to consider whether the Applicant's vehicle was considered to be exceptional.

The Committee then viewed the Applicant's vehicle.

The Officer of the Licensing Authority then concluded the presentation of the Council's case.

The Applicant's representative and Members of the Committee were afforded the opportunity to ask questions of the Officer. A Member asked whether there was any paperwork to show the vehicles service history and repairs undertaken. The Applicant's representative had brought along some paperwork showing the repairs undertaken and this was circulated to the Committee. The Committee was disappointed that no service history for the vehicle was available. The Committee adjourned for 5 minutes to allow the applicant's representative to establish if the service book was in the vehicle. The

Applicant's representative confirmed that the service book was not located in the vehicle but advised that a full service had been undertaken in March 2013.

The Applicant's representative then presented the case to the Committee.

Members and the Officer of the Licensing Authority were afforded the opportunity to ask questions of the Applicant's representative. No questions were put forward by the Officer.

The Officer of the Licensing Authority and the Applicant's representative were offered the opportunity to sum up their cases. Both parties stated no summation was necessary.

The Officer of the Licensing Authority and the Applicant's 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.

Following deliberation, the Officer of the Licensing Authority and the Applicant's representative returned to the meeting, and the Chairman read out the decision of the Committee:

RESOLVED:

That, having regard to all the circumstances, the existing private hire vehicle licence is extended to 27 March, 2014 on the basis that the Applicant's vehicle is an exceptional vehicle.

Reasons for the Decision

1. The vehicle mileage is well below the guidance mileage for exceptional vehicles as per policy.
2. The exterior body work and interior of the vehicle is very good.

NOTE:

The Committee requested that the Licence Holder himself should attend Committee hearings of this type in future in order to ensure that all relevant questions about the vehicle can be answered in full, and original service history paperwork should be provided to the Committee.

25. Application for the extension of an existing Private Hire Vehicle Licence on an Exceptional basis

(Councillor F.W.C. Allen was present to hear this application).

Consideration was given to the Not for Publication Report of the Head of Environmental Health (Enclosure 7.1 – 7.14 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 and Members were asked to consider whether the Applicant's vehicle was considered to be exceptional.

The Committee then viewed the Applicant's vehicle.

The Officer of the Licensing Authority then concluded the presentation of the Council's case.

The Applicant's representative and Members of the Committee were afforded the opportunity to ask questions of the Officer. A Member asked whether there was any paperwork to show the vehicles service history and repairs undertaken. The Applicant's representative had brought along some paperwork showing the repairs undertaken and the MOT certificate and these were circulated to the Committee. The Officer of the Licensing Authority confirmed that the paperwork referred to a service being undertaken on 2 October, 2012 when the vehicle's mileage was 67,392; however, there was no evidence of any further service since this date. The Applicant's representative was reminded that, in future, the relevant paperwork would need to be provided to the Committee in advance of the meeting.

The Applicant's representative then presented the case to the Committee.

Members and the Officer of the Licensing Authority were afforded the opportunity to ask questions of the Applicant's representative.

The Officer of the Licensing Authority and the Applicant's representative were offered the opportunity to sum up their cases. The Officer of the Licensing Authority stated that it was disappointing that the relevant paperwork had not been provided to Members and that the Applicant himself had not attended the meeting to present his case.

The Officer of the Licensing Authority and the Applicant's 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.

Following deliberation, the Officer of the Licensing Authority and the Applicant's representative returned to the meeting, and the Chairman read out the decision of the Committee:

RESOLVED:

That, having regard to all the circumstances, the existing private hire vehicle licence is granted on the basis that the Applicant's vehicle is an exceptional vehicle.

Reasons for the Decision

1. The vehicle mileage is below the guidance mileage for exceptional vehicles as per policy.
2. The exterior body work and interior of the vehicle is very good.

NOTE:

The Committee requested that the Licence Holder himself should attend Committee hearings of this type in future in order to ensure that all relevant questions about the vehicle can be answered in full, and original service history paperwork should be provided to the Committee.

The meeting closed at 12:20 p.m.

CHAIRMAN