

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
LICENSING AND PUBLIC PROTECTION COMMITTEE
MONDAY 7 JULY 2014 AT 10:00AM
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 1

PRESENT:
Councillors

Grice (Chairman)
Dudson (Vice-Chairman)

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

1. Apologies

Apologies for absence were received from Councillors Ms J. L. Jones and J. Preece.

2. 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.

3. Minutes

RESOLVED:

That the Minutes of the meeting held on 1 May, 2014, be approved as a correct record and signed.

4. Licensing Sub-Committees Minutes

RESOLVED:

That the Minutes of the Licensing Sub-Committees held on 28 April, 6 and 8 May, 2014 be 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 Local Government Act, 1972 (as amended).

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PART 2

6. Hackney Carriage/Private Hire Driver

Consideration was given to the Not for Publication report of the Head of Environmental Health (Enclosure 6.1 – 6.17 of the Official Minutes of the Council).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 Driver and Members of the Committee were then afforded the opportunity to ask questions of the Officer. No questions were asked.

The Driver then presented his case to the Committee.

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

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

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

RESOLVED:

That the Hackney Carriage/ Private Hire Driver's Licence should be suspended for 42 days. During this time he is to attend a driving assessment course.

Reasons for the Decision

The Committee finds that the driver has had a number of speeding convictions in recent years.

The Committee finds that the driver failed to notify the Council of the speeding fixed penalty notice of 5 April 2013 and 13 April 2011.

The Committee finds that the driver was rude and used foul language to staff at a petrol station on 25 June 2014

The Committee did not accept the driver's suggestion that he had notified the Council of the fixed penalty of 5 April 2013 because he had no evidence to back this up and his other evidence was unreliable.

The Committee fully accepted the e-mail account of the Team Leader at Welcome Break Oxford Services regarding the incident of 25 June 2014.

The licence is suspended in order to demonstrate that the Council does not accept drivers behaving in an abusive way towards members of the public, to show that it expects drivers to notify the Council of all fixed penalties fines and convictions and to allow the driver time to attend the driving assessment course.

The meeting closed at 11:58am

CHAIRMAN