

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
LICENSING AND PUBLIC PROTECTION COMMITTEE
TUESDAY 05 AUGUST 2014 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. Fisher, P.A.
Anslow, C. Todd, Mrs. D.M.
Bottomer, B. Todd, R. (substitute for Preece, J.)
Hardman, B.

7. Apologies

Apologies for absence were received from Councillor J. Preece, who was substituted by Councillor R. Todd.

8. 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.

9. Minutes

RESOLVED:

That the Minutes of the meeting held on 7 July, 2014, be approved as a correct record and signed.

10. Licensing Sub-Committees Minutes

RESOLVED:

That the Minutes of the Licensing Sub-Committees held on 29 May and 12 June, 2014 be noted.

11. 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

12. Hackney Carriage/Private Hire Driver

Consideration was given to the Not for Publication report of the Head of Environmental Health (Enclosure 6.1 – 6.9 of the Official Minutes of the Council).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 were then afforded the opportunity to ask question of the Driver. No questions were asked by the Officer.

The Officer of the Licensing Authority and the Driver were then given the opportunity to sum up their respective cases. No summation was provided.

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 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:

The Committee was of the view that the Driver was still a fit and proper person to hold a Hackney Carriage/Private Hire Driver's Licence.

However, the Committee does wish to issue the Driver with a formal warning as to his future conduct and that he should take this warning seriously.

Reasons for the Decision

The Committee took a dim view about persons, particularly taxi drivers who were licensed by this Authority, who litter the streets of the Cannock Chase District.

The Committee was concerned that the Driver had been caught littering by Council Officers twice within a period of only one month at the same location.

13. Hackney Carriage/Private Hire Driver

Prior to the consideration of this report, Councillor F.W.C. Allen declared a personal and pecuniary interest in that he knew the Driver concerned, and so left the meeting accordingly and did not return..

Consideration was given to the Not for Publication report of the Head of Environmental Health (Enclosure 6.1 – 6.9 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 were then afforded the opportunity to ask question of the Driver. No questions were asked by the Officer.

The Officer of the Licensing Authority and the Driver were then afforded the opportunity to sum up their respective cases. No summation was provided by the Officer.

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 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:

The Committee was of the view that the Driver was still a fit and proper person to hold a Hackney Carriage/Private Hire Driver' Licence.

However, the Committee was concerned as to the two convictions in April 2014 and has decided to:-

1. Issue a warning to the Driver as to the littering offence; and
2. Issue a severe warning to him as to the more serious offence of smoking in a licensed taxi.

Reasons for the Decision

The Committee noted that the Driver admitted both offences and that he has to repay a total of over £800 to the Court.

The Committee noted the Driver's previous good record since first being licensed by the Council in 2001.

The formal warnings, it is hoped, will ensure the Driver does not commit any further offences of this nature in the future.

The meeting closed at 11:30am

CHAIRMAN