

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
LICENSING AND PUBLIC PROTECTION COMMITTEE
TUESDAY 31 MARCH, 2015 AT 10:00AM
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 1

PRESENT: Councillors

Dudson, A. (Vice-Chairman)

Fisher, P.A. Todd, Mrs. D.M.
Hardman, B.

26. Apologies

Apologies for absence were received from Councillors Mrs. D. Grice (Chairman), F.W.C. Allen, C. Anslow and J. Preece.

27. 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.

28. Minutes

RESOLVED:

That the Minutes of the meetings held on 28 October, 2014, be approved as a correct record and signed.

29. 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 paragraphs 1 & 2, Part 1, Schedule 12A Local Government Act, 1972 (as amended).

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
LICENSING AND PUBLIC PROTECTION COMMITTEE
TUESDAY 31 MARCH, 2015 AT 10:00AM
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 2

30. Hackney Carriage/Private Hire Driver

Consideration was given to the Not for Publication report of the Head of Environmental Health (Enclosure 5.1 – 5.10 of the Official Minutes of the Council).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. Members asked questions of the Officer.

The Driver then presented his case to the Committee.

Members of the Committee and the Officer of the Licensing Authority were afforded the opportunity to put questions to the Driver. Only Members asked questions of 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 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:

That the Hackney Carriage/ Private Hire Driver should no longer be required to provide the Council's Licensing Unit with quarterly medical reports certified by his doctor.

Reasons for the Decision

The Committee noted the new DVLA Guidance for Medical Practitioners and Staffordshire County Council Occupational Health Unit's confirmation that being an insulin dependent diabetic was not a bar to holding a Group 2 Licence;

Therefore it was no longer necessary or proportionate to continue to require the driver to provide quarterly medical reports.

31. Hackney Carriage/Private Hire Driver

Consideration was given to the Not for Publication report of the Head of Environmental Health (Enclosure 6.1 – 6.15 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. He also advised the Committee that a Witness would be called.

At this point the Witness was called to discuss the statement he had submitted surrounding the alleged incident.

The Driver and Members of the Committee were then afforded the opportunity to ask questions of the Officer and Witness. The Driver and Members asked questions of the Witness and Officer.

The Driver then presented his case to the Committee. The Driver presented the Committee with additional information for them to consider.

Members of the Committee and the Officer of the Licensing Authority were afforded the opportunity to put questions to the Driver. Only Members asked questions of 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 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:

That the Hackney Carriage/ Private Hire Driver's Licence should be suspended for 14 days.

Reasons for the Decision

The Committee found that the driver was holding a mobile telephone while driving on 17/02/15 and failed to give sufficient care and attention to his driving;

The Committee would like the driver to reflect on his driving during this suspension and would expect the driver to take extra care to drive safely in the future;

On balance the Committee considered that the driver was fit and proper at the present time, but could expect to lose his licence if he appeared before the Committee again on a matter of unsafe driving.

CHAIRMAN

The meeting closed at 12.00 noon.