

**CANNOCK CHASE COUNCIL**  
**MINUTES OF THE MEETING OF THE**  
**LICENSING AND PUBLIC PROTECTION COMMITTEE**  
**TUESDAY 28 JANUARY 2014 AT 10.00 A.M.**  
**IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK**

**PART 1**

PRESENT:  
Councillors

Stretton, Mrs. P.Z. (Chairman)  
Dudson, A. (Vice-Chairman)

Bernard, J.D.            Sutherland, M.  
Bottomer, B.            Todd, Mrs. D.M.  
Fisher, P.A.

**47. Apologies**

Apologies for absence were received from Councillors F.W.C. Allen, C. Anslow and Mrs. D. Grice.

**48. 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.

**49. Minutes**

RESOLVED:

That the Minutes of the meeting of the Licensing Sub-Committee held on 07 January 2014 be approved as a correct record and signed.

**50. 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**

**51. Hackney Carriage/Private Hire Driver**

Consideration was given to the Not for Publication Report of the Head of Environmental Health (Item 5.1 – 5.18 of the Official Minutes of the Council).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 of the Licensing Authority. No questions were asked by the Driver.

The Driver presented his case to the Committee.

The Officer of the Licensing Authority, Members of the Committee and the Legal Advisor to the Committee then put questions to the Driver.

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

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 Advisor 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, having regard to all the circumstances, relevant factors and representations made, the Committee considers the Driver to be a fit and proper person to hold a Hackney Carriage/Private Hire Driver's Licence, notwithstanding his conviction for benefit fraud in September 2013. However, the Committee wishes to issue a warning as to his future conduct whilst he remains a licensed driver.

### Reasons for the decision

It has been noted that the Driver notified the Council's Licensing Unit of his conviction the day after the court hearing.

The Driver is of previous good character, having no known previous convictions or record of dishonesty.

#### **52. Hackney Carriage/Private Hire Driver**

Consideration was given to the Not for Publication Report of the Head of Environmental Health (Item 6.1 – 6.26 of the Official Minutes of the Council).

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 of the Licensing Authority. No questions were asked by the Driver.

The Driver presented his case to the Committee.

The Officer of the Licensing Authority and Members of the Committee were then afforded the opportunity to ask questions of the Driver. No questions were asked by the Officer of the Licensing Authority.

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

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 Advisor and Secretary to the Committee.

Following deliberation, the Officer of the Licensing Authority and the Driver were requested to return to the meeting to seek clarification from the Officer as to whether the witnesses referred to in the report had been invited to attend the Hearing. The Officer of the Licensing Authority reported that the witnesses had not been invited to attend.

The Committee then determined that the meeting be adjourned in order that the witnesses be invited to attend, and the Hearing reconvened as soon as possible, excluding those Members who were not present today.

The meeting was adjourned at 11:35am

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CHAIRMAN