

CANNOCK CHASE COUNCIL
MINUTES OF THE RECONVENED MEETING OF THE
LICENSING AND PUBLIC PROTECTION COMMITTEE
MONDAY 10 FEBRUARY 2014 AT 10.00 A.M.
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 2

PRESENT:
Councillors

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

Bottomer, B.
Sutherland, M.
Todd, Mrs. D.M.

53. Apologies

Apologies for absence were received from Councillors J. Bernard and P. Fisher.

54. 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Consideration was given to the Not for Publication Report of the Head of Environmental Health (Item 6.1 – 6.26 of the Official Minutes of the Council).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 Chairman advised all parties present that the Hearing followed on from the adjourned Hearing held on 28 January 2014 to allow for witnesses to be invited before the Committee to present their respective cases.

The Officer of the Licensing Authority then recapped the Council's case by outlining the relevant issues for consideration as contained in the report.

The Officer of the Licensing Authority then presented two witnesses separately to the Committee, each witness putting forward their respective cases.

Members of the Committee and the Officer of the Licensing Authority put questions to both witnesses. Additionally, the Legal Advisor to the Committee put a question to the second witness.

The Driver was also afforded the opportunity to put questions to both witnesses. No questions were put forward.

Once all questions had been asked, each witness left the room and did not return.

The Driver was then offered an opportunity to present any additional

information to the Committee (other than had already been presented at the original Hearing). No additional information was presented.

The Officer of Licensing Authority advised the Committee that the third witness to the case had been invited, but had not attended.

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, it was the unanimous decision of the Committee to revoke the Driver's Hackney Carriage/Private Hire Driver's Licence.

Reasons for the Decision

After hearing the evidence and representations of the two witnesses, the Committee was satisfied that on the balance of probabilities the incident of inappropriate touching of the customer did occur on the 24 September 2013.

The witnesses were credible and there was no reason to disbelieve their evidence.

The Committee had real concerns as to the Driver's general attitude and demeanour which was especially evident at the hearing on 28 January 2014.

For the above reasons the Committee was of the view that the Driver was not a fit and proper person to hold a Hackney Carriage/Private Hire Driver's Licence.

The decision to revoke was made on public safety grounds.

The meeting closed at 10:58am

CHAIRMAN