

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
LICENSING AND PUBLIC PROTECTION COMMITTEE
TUESDAY 30 JUNE, 2015 AT 10:00AM
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 1

PRESENT: Councillors

Grice, Mrs. D. (Chairman)
Johnson, T.B. (Vice-Chairman)

Allen, F.W.C. Todd, Mrs. D.M.
Snape, P.A. Whitehouse, Miss S. (substitute)
Sutherland, M.

1. Apologies

Apologies for absence were received from Councillors C. Anslow, M. Grocott, B. Hardman (substituted by Councillor Miss S. Whitehouse) and P. Witton.

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 meetings held on 31 March, 2015, be approved as a correct record and signed.

4. Draft Site Management Agreement on Face to Face Direct Debit Fundraising within the Cannock Chase District

Consideration was given to the Briefing Note of the Head of Environmental Health (Enclosure 4.1 – 4.9 of the Official Minutes of the Council) (*presented by the Food Safety & Licensing Manager*).

RESOLVED:

That:

(A) It be noted that the draft agreement, once confirmed, will become the norm within the district for Direct Debit fundraising.

(B) It be noted that the agreement will not affect the cash charitable street collections which are normally permitted by the Licensing Unit on Fridays and Saturdays.

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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6. Hackney Carriage/Private Hire Driver

Consideration was given to the Not for Publication report of the Head of Environmental Health (Enclosure 6.1 – 6.11 of the Official Minutes of the Council).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 his Representative and Members of the Committee were then afforded the opportunity to ask questions of the Officer. Only Members asked questions of the Officer.

The Driver's Representative then presented the Driver's case to the Committee.

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

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

The Officer of the Licensing Authority and the Driver and his Representative 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:

- (A) The Driver was still deemed to be a fit and proper person to hold a Hackney Carriage/Private Hire Drivers' Licence.

- (B) The Driver's licence be suspended for a period of 14 days.
- (C) The Driver be warned about his future conduct as regards complying with the conditions contained within the Council's Hackney Carriage/Private Hire Driver, Vehicles & Operators' Licensing Policy.

Reasons for the Decisions

The Driver breached his licence conditions as he failed to notify the Licensing Unit of his police caution for common assault within the 7 days specified in the Council's Licensing Policy.

The Driver failed to disclose the existence of his caution when submitting his licence renewal application form.

The Driver failed to put in writing details of the circumstances surrounding the offence for which he was cautioned, despite being requested to do so by the Licensing Unit.

The meeting closed at 11:37am

CHAIRMAN