

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
LICENSING AND PUBLIC PROTECTION COMMITTEE
THURSDAY 1 DECEMBER, 2011 AT 10.00 A.M.
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK
PART 1

PRESENT: Councillors

Snape, P.A. (Chairman)

Bernard, J.D. Williams, Mrs. P.

1. Apologies

Apologies for absence were received from Councillors Mrs. S.M. Cartwright, (Vice Chairman), F.W.C. Allen, J. Burnett, R. Easton and P.A. Fisher.

2. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members

No declarations of interests were made.

3. Minutes

RESOLVED:

That the Minutes of the Licensing and Public Protection Committees held on 9 September, 27 October and 8 November, 2011 be approved as a correct record, subject to it being noted that at the meeting held on 8 November, 2011 although there was a Legal representative present on behalf of the Council, there was also a need for a Solicitor to be present in certain circumstances.

4. 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

5. Hackney Carriage/Private Hire Driver's Licence

Consideration was given to the Not for Publication Report of the Head of Environmental Health (Enclosure 5.1 – 5.15 of the Official Minutes of the Council).

The Applicant attended the Hearing to present his case.

The Chairman then 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 Committee was asked to determine whether the Licence Holder was a fit and proper person to hold a Hackney Carriage/Private Hire Driver's Licence.

The Applicant was then afforded the opportunity to ask questions of the Officer of the Licensing Authority. There being none Members were also afforded the opportunity of asking questions of the Officer of the Licensing Authority.

The Applicant was then afforded the opportunity to present his case.

Members of the Committee and the Officer of the Licensing Authority were afforded the opportunity to ask questions of the Applicant.

The Officer of the Licensing Authority and the Applicant were then afforded the opportunity to sum up their cases.

The Committee then deliberated in private accompanied by the Council's Legal Adviser and Secretary to the Committee.

The parties returned to the meeting and the Chairman outlined the decision of the Committee as follows:

RESOLVED:

That, having regard to all the circumstances, the application for a Hackney Carriage Private Hire Driver's Licence be approved as the Committee was satisfied that the Applicant was a fit and proper person to hold a Hackney Carriage/Private Hire Driver's Licence.

Reasons for the Decision

The Committee carefully considered all the relevant factors, issues and the explanation given by the Licence Holder. Based on the Applicant's submissions to the Committee and the fact that he had no further current convictions since the motoring offences of 2009, the Committee were satisfied that the Applicant was a fit and proper person to hold a hackney carriage/private hire driver's licence.

6. Hackney Carriage/Private Hire Driver's Licence

Consideration was given to the Not for Publication Report of the Head of Environmental Health (Enclosure 6.1 – 6.12 of the Official Minutes of the Council).

The Licence Holder attended the Hearing with his representative to present his case.

The Chairman then 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 Committee was asked to determine whether the Licence Holder was a fit and proper person to hold a Hackney Carriage/Private Hire Driver's Licence.

The Licence Holder together with his representative were then afforded the opportunity to ask questions of the Officer of the Licensing Authority. There being none Members were also afforded the opportunity of asking questions of the Officer of the Licensing Authority.

The Licence Holder and his representative were then afforded the opportunity to present his case.

Members of the Committee and the Officer of the Licensing Authority were afforded the opportunity to ask questions of the Licence Holder.

The Officer of the Licensing Authority, Licence Holder and representative were then afforded the opportunity to sum up their cases.

The Committee then deliberated in private accompanied by the Council's Legal Adviser and Secretary to the Committee.

The parties returned to the meeting and the Chairman outlined the decision of the Committee as follows:

RESOLVED:

That, having regard to all the circumstances, the application for a Hackney Carriage Private Hire Driver's Licence be approved as the Committee was satisfied that the Licence Holder was a fit and proper person to hold a Hackney Carriage/Private Hire Driver's Licence.

Reasons for the Decision

The Committee carefully considered all relevant factors, issues and the explanation given by the Licence Holder. The Committee accepted the Licence Holder's explanation of why he failed to notify the Council that he had received a police caution. The Committee also had regard to the Licence Holder's 19 year unblemished record as a licensed driver and took into account his dyslexia. Taking all of the above factors into account the Committee was satisfied that the Licence Holder was a fit and proper person to hold a hackney carriage/private hire driver's licence.

7. Hackney Carriage/Private Hire Driver and Hackney Carriage Proprietor

Consideration was given to the Not for Publication Briefing Note of the Head of Environmental Health (Enclosure 7.1 – 7.2 of the Official Minutes of the Council).

RESOLVED:

That the Officer of the Licensing Authority communicate with the Hackney Carriage/Private Hire Driver, and ask that the Council are kept informed of his situation.

CHAIRMAN

(The Meeting closed at 11.45 a.m.).