

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
LICENSING AND PUBLIC PROTECTION COMMITTEE
10.00 A.M., WEDNESDAY 3 NOVEMBER, 2010
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK
PART 1

PRESENT: Councillors

Allen, F.W.C. (Chairman)
Grice, Mrs. D. (Vice-Chairman)

Ansell, Mrs. P.A.	Sutherland, M.
Bernard, J.D.	Yates, Ms. W.
Easton, R.	

21. Apologies

Apologies for absence were received from Councillors G. Adamson and Mrs. P. Williams.

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

No Interests were declared.

23. Minutes

RESOLVED:

That the Minutes of the Licensing and Public Protection Committees on 7 October, 2010 be approved as a correct record.

24. 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 I, Schedule 12A, Local Government Act 1972 (as amended).

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PART 2

25. Application for a Hackney Carriage Proprietor's Licence – Exceptional Vehicle

Consideration was given to the Not for Publication Report of the Head of Environmental Health (Enclosure 5.1 – 5.14 of the Official Minutes of the Council).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.

The Officer representing the Licensing Authority presented the Council's case by taking the Committee through the report outlining the relevant issues for consideration. He advised that the application for a Hackney Carriage Proprietor's Licence had been made by the Applicant on 13 October, 2010. The Applicant was aware of the Council's age policy and that an exemption applied for "exceptional vehicles". The vehicle was first licensed by the Authority on 23 April, 2008 as a hackney carriage vehicle and continued to be licensed until it was 6 years old on 29 October, 2010. The Officer stated that the vehicle had been tested and was mechanically satisfactory although some comments had been made which indicated that there were slight dents to the vehicle. The Officer referred to Annex 4 of the report and stated that the dents had been repaired; furthermore Annex 5 of the report contained confirmation of this.

The Applicant was then afforded the opportunity to ask questions of the Officer from the Licensing Authority. There being none Members were then afforded the opportunity of asking questions of the Officer from the Licensing Authority. A Member pointed out that the vehicle was registered in another person's name and sought clarification. The Applicant advised that the person the vehicle was registered to was in fact his wife. A Member then asked the Applicant if he had use of his own vehicle. The Applicant stated that he did have use of a private vehicle.

Members were asked to determine the application and consider whether the vehicle was an "exceptional vehicle". Members of the Committee then examined the Applicants' vehicle.

The Applicant was then afforded the opportunity to present his case. The Applicant stated that his vehicle was exceptional and reliable.

Members of the Committee were then afforded the opportunity to ask of the Applicant. A Member was keen to see the service history for the vehicle. At this point the Applicant circulated the service documents. A Member commented that there was no service history with the vehicle when it was first purchased. The Applicant advised that when he purchased the vehicle the first service was carried out at 40,000 miles. A Member queried the mileage on the vehicle when it was first purchased. The Applicant advised Members that when he purchased the vehicle he intended on it being used as a taxi therefore he was put on his employers "fleet" insurance, which he later

transferred to his own insurance. A Member asked the Applicant how many miles the vehicle had made in the last 12 months. The Applicant advised that the vehicle had probably made journeys of around 30,000 miles.

The Officer representing the Licensing Authority was then afforded the opportunity to ask questions of the Applicant. There being none the Officer was afforded the opportunity to sum up his case. The Officer had nothing further to add.

The Applicant was then afforded the opportunity to sum up his case.

The Panel then deliberated in private calling on only the Council's legal advisor and Senior Committee Officer for advice.

RESOLVED:

That, having regard to all the circumstances, the application for a Hackney Carriage Proprietor's Licence be approved as the Committee were satisfied that the vehicle was an "exceptional vehicle" as defined by the Council's policy for age restriction of Hackney Carriage Vehicles.

Reasons for the Decision

The Committee carefully considered all the relevant factors, issues and responses. Due regard was also given to the Council's policy on the age restrictions for the licensing of Hackney Carriage/Private Hire Vehicles and also to the powers given to licensing authorities under Section 37 of the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.

The Committee were afforded the opportunity of inspecting the vehicle both inside and out. The Committee unanimously agreed that the vehicle was "exceptional".

The Committee was therefore in the opinion that the vehicle satisfied the criterion as set out in the Council's Policy and accordingly the licence application would be granted for a period of 12 months.

CHAIRMAN

(The meeting closed at 10.40 a.m.).