

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
LICENSING AND PUBLIC PROTECTION COMMITTEE
FRIDAY, 7 DECEMBER, 2012 AT 10.00 A.M.
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK
PART 1

PRESENT: Councillors

Stretton, Mrs. P.Z. (Chairman)

Allen, F.W.C.

Fisher, P.A.

Anslow, C.

Grice, Mrs. D.

Bernard, J. D.

Snape, P.A.

1. Apologies

Apologies for absence were received from Councillors A. Dudson (Vice-Chairman) and Mrs. D. M. Todd.

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

No other 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 Licensing and Public Protection Committee held on 6 November, 2012 be approved as a correct record.

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 Proprietor's Licence – Exceptional Vehicle Application

Consideration was given to the Not for Publication Report of the Head of Environmental Health (Enclosure 5.1 – 5.24 of the Official Minutes of the Council).

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 and Members were asked to consider whether the Applicant's vehicle was considered to be exceptional. The Applicant, together with Members of the Committee were offered the opportunity to ask questions of the Officer, there being none, the Committee then viewed the Applicant's vehicle.

The Applicant then presented his case. He advised that the interior and exterior of the car was well maintained, consequently he considered it to be in good condition and that it was appropriate to apply for an extension. Members of the Committee and the Officer from the Licensing Authority were offered 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.

RESOLVED:

That, having regard to all the circumstances, the application for a Hackney Carriage Proprietors Licence be refused as the Committee did not consider the vehicle was exceptional in accordance with the Council's policy on age restrictions for hackney carriage vehicles.

REASONS FOR THE DECISION:

1. The vehicle is more than six years old ;
2. The vehicle has higher mileage than the guideline mileage for exceptional vehicles ;
3. The general condition of the vehicle is not exceptional.
4. The applicant did not produce a full service history and Members were not satisfied that the vehicle had been serviced regularly.

6. Hackney Carriage Driver's Licence Application

Consideration was given to the Not for Publication Report of the Head of Environmental Health (Enclosure 6.1 – 6.17 of the Official Minutes of the Council).

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 Applicant along with his representative attended the meeting to present their case.

The Officer of the Licensing Authority presented the Council's case by taking the Committee through the report outlining the relevant issues for consideration and Members were asked whether they considered the Applicant to be a fit and proper person to hold a Hackney Carriage/Private Hire Drivers' Licence. The Applicant's representative and Members of the Committee were offered the opportunity of asking questions of the Officer from the Licensing Authority. There being none the Applicant and his representative was afforded the opportunity to present their case.

The Officer from the Licensing Authority and Members were then given the opportunity to ask questions of the Applicant and his representative.

The Officer of the Licensing Authority and the Applicant and his representative were then afforded the opportunity to sum up their cases. They advised that they had no further comments to add.

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

RESOLVED:

That the application for a Hackney Carriage / Private Hire Driver's Licence be granted.

Reasons for the Decision

The Committee considered from the evidence given, and the letters of recommendation, that the conviction was a one off ;

The Committee also considered the Council's guidelines on the relevance of convictions, and the fact that the conviction was over three and a half years ago;

In all the circumstances the Committee considered the Applicant a fit and proper

person to hold a hackney carriage / private hire driver's licence

CHAIRMAN

The meeting closed at 11.40 a.m.