

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
LICENSING AND PUBLIC PROTECTION COMMITTEE
TUESDAY 11 OCTOBER, 2011 AT 10.00 A.M.
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK
PART 1

PRESENT: Councillors

Snape, P.A. (Chairman)

Allen, F.W.C.	Easton, R.
Bernard, J.D.	Fisher, P.A.
Burnett, J.	Grice, Mrs. D.

1. Apologies

Apologies for absence were received from Councillors Mrs. D.M. Todd and Mrs. P. Williams.

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

No declarations of interests were made.

3. 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

4. Application for a Hackney Carriage Proprietors' Licence – Exceptional Vehicle

Consideration was given to the Not for Publication Report of the Head of Environmental Health (Enclosure 4.1 – 4.17 of the Official Minutes of the Council).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. She advised that the application for a Hackney Carriage Vehicle Licence had been made by the Applicant on 4 September, 2011. The vehicle was first registered in the UK on 11 October, 2004 and was over 7 years old. The Applicant was advised that the Council could only license the vehicle if it was considered 'exceptional'.

The Applicant was then afforded the opportunity to ask questions of the Officer of the Licensing Authority. There being none Members of the Committee were then afforded the opportunity to ask questions of the Officer of the Licensing Authority. Members had no questions for the Officer.

Members of the Committee then examined the Applicant's vehicle and the Applicant was then asked to present his case. The Applicant stated that the vehicle was outstanding and many customers commented on its condition. He advised Members that he was the only driver of the vehicle and that the engine had recently been changed. Members then viewed the service history for the vehicle.

Members of the Committee were then afforded the opportunity to ask questions of the Applicant. A Member asked where the taxi would be used. The Applicant advised that it would be used in the Cannock Chase District only.

The Officer of 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 the Council's case.

The Applicant was then given the opportunity to sum up his case. The Applicant reiterated that the vehicle was in very good condition.

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 Proprietor's Licence be approved as the Committee was satisfied that the vehicle was an "exceptional vehicle" as defined by the Council's policy for the age restriction of Hackney Carriage Vehicles.

Reasons for the Decision

The Committee carefully considered all relevant factors, issues and the responses given by the Applicant. Due regard was also given to the Council's policy on the age restrictions for the licensing of Hackney Carriage Vehicles and also to the powers given to licensing authorities under Section 37 of the Town Police Clauses Act 1847 and Section 47 of the Local Government (Miscellaneous Provisions) Act 1976.

The Committee were afforded the opportunity of inspecting the vehicle both inside and out and of perusing the service/maintenance records. It was considered that the vehicle had continued to be well maintained despite it now being 7 years old, and Members of the Committee wished to congratulate the Applicant for the way he had continued to look after the vehicle and stated they were happy for it to be operating within the Cannock district.

The Committee therefore agreed that the vehicle still satisfied the criterion as an "exceptional vehicle" and accordingly the licence would be granted for a further period of 12 months.

CHAIRMAN

The meeting closed at 10.40 a.m.