

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
LICENSING AND PUBLIC PROTECTION COMMITTEE
HELD ON THURSDAY, 27 OCTOBER, 2011 AT 10.00 A.M.
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 1

PRESENT: Councillors

Snape, P.A. (Chairman)

Bernard, J. D.	Fisher, P. A.
Burnett, J.	Grice, Mrs. D.
Easton, R.	Todd, Mrs. D. M.
	Williams, Mrs. P.

1. Apologies

An apology for absence was received from Councillor F. W. C. Allen.

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

<u>Member</u>	<u>Nature of Interest</u>	<u>Type</u>
Williams, Mrs. P. Prejudicial	Member knows the hackney carriage/ private hire driver	Personal and

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. Hackney Carriage/Private Hire Driver's Licence

Consideration was given to the Not for Publication Report of the Head of Environmental Health (Enclosure 4.1 – 4.31 of the Official Minutes of the Council).

The Applicant and his representative 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.

(Councillor Mrs. P. Williams having declared a personal and prejudicial interest left the meeting prior to consideration of this item. Councillor J. Burnett left the meeting at 11.10 am and did not take part in the decision making process)

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 remained a fit and proper person to hold a Hackney Carriage/Private Driver's Licence and if so, whether any additional action was necessary in light of the issues raised.

The Licence Holder's legal representative, Members of the Committee and the Licensing Authority's legal representative were offered the opportunity to ask questions of the Officer.

The Licence Holder's legal representative presented his case.

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

The Officer of the Licensing Authority and the Licence Holder's 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, it was considered that the Licence Holder was a fit and proper person to hold a licence, however it was agreed that the driver's conduct fell below

what was expected of him and a final warning should be issued which would be placed on record and cited should the driver appear before the Committee on any future occasion.

REASONS FOR THE DECISION

The Committee had carefully considered all relevant factors, issues and responses given by the Licence Holder and his legal representative and given due regard to the Council's licence conditions which are issued to its taxi drivers who operate within the district. Although the Committee considered that the Licence Holder was a fit and proper person to hold a Hackney Carriage / Private Hire Driver's Licence, they found that the driver had acted in a threatening manner towards the Council's Licensing Enforcement Officer. Having taken into account the driver's previous good record the Committee considered that the matter should be dealt with by issuing a final warning which would be placed on record and cited should the driver come before the Committee on any future occasion.

The meeting closed at 12.20 pm

CHAIRMAN