

**CANNOCK CHASE COUNCIL**  
**MINUTES OF THE MEETING OF THE**  
**LICENSING AND PUBLIC PROTECTION COMMITTEE**  
**10.00 A.M., WEDNESDAY 30 APRIL 2008**  
**IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK**  
**PART 1**

PRESENT: Councillors

Bennett, K. L. (Chairman)

Allen, F.W.C.

Davies, D.N.

Ansell, Mrs. P.A.

Grice, Mrs. D.

Burnett, J.

Todd, Mrs. D.M.

(Apologies for absence were received from Councillors I.R. Carr and B. Williams)

**35. Minutes**

RESOLVED:

That the Minutes of the meeting held on 26 February 2008 be approved as a correct record.

**36. Exclusion of 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.

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**PART 2**

**37. Private Hire Proprietor's Licence Application**

Consideration was given to the Not for Publication Report of the Head of Environmental Health (Enclosure 5.1 – 5.14 of the Official Minutes of the Council).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

The Chairman invited all those present to introduce themselves.

The Officer 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 Private Hire Proprietor's Licence had been made by the applicant on 15 April 2008. The application was for a Lincoln Towncar that was first registered in the UK on 9 December 1998 but the declared date of manufacture was 1995. The applicant was aware of the Council's age policy and that an exemption applied for "exceptional vehicles". The applicant submitted his application, claiming that the vehicle was exceptional and that he wished the Committee to determine his application. The vehicle had been tested and found to be mechanically satisfactory. The vehicle had previously been licensed as a private hire vehicle on 9 May 2007 following determination by the Committee on 16 April 2007.

Members were asked to determine the application and consider whether the vehicle was an "exceptional vehicle".

The applicant along with Members of the Committee were afforded the opportunity of asking questions of the Officer. In response to a question from a Member the Officer stated that there was no limit to the number of times the vehicle could be licensed as an exceptional vehicle and that vehicle safety and appearance was paramount. The vehicle exceeded the age limit, however, it was a luxurious vehicle and the applicant was claiming that it was exceptional. If a licence was granted, the vehicle would be required to undertake a mechanical test and inspection every 6,000 miles.

The Officer confirmed that, as the vehicle was a stretched limousine, it would not be used on a daily basis, it was well maintained and serviced regularly. The Committee would need to determine whether the vehicle should continue to be licensed.

Members then examined the applicant's vehicle.

The applicant was then asked to present his case. He stated that the Private Hire Proprietor's

Licence had been granted last year and since then he had spent a lot of money on the vehicle in order to maintain its condition. He would continue to maintain the vehicle and undertake the necessary safety checks to ensure the safety of passengers.

Members of the Committee were then given the opportunity of asking questions of the applicant. A Member commented that there were a couple of minor marks/dents on the vehicle and asked the applicant to confirm whether he intended to get them repaired. The applicant confirmed that one side of the vehicle had recently been re-sprayed and the remainder of the vehicle would be re-sprayed in sections due to the cost. It was anticipated that the whole vehicle would be re-sprayed by this time next year.

The Officer of the Licensing Authority was then afforded the opportunity of asking questions of the applicant. He asked the applicant to inform the Committee of the recent work the vehicle had undertaken. The applicant stated that as the prom season was approaching he had taken a number of bookings in this respect. The vehicle was also used to undertake airport bookings and birthday parties and was also used to carry passengers on a night out in Birmingham.

In response to a further question, the applicant confirmed that the vehicle was regularly serviced by Classic Car Services who had also arranged the re-spray.

The Officer asked the applicant to confirm how long he would wish to continue to licence the vehicle as a Private Hire Vehicle. The applicant confirmed that he would wish to licence the vehicle as long as possible.

The Officer then summed up the Council's case. He stated that as the vehicle was a stretched limousine and classed as a luxurious vehicle it was not intended to be hired on a daily basis. The 6 year age restriction policy had been introduced to assist in the licensing of saloon type cars which would be undertaking bookings every day. The vehicle was serviced regularly by a specialist servicing company and the applicant had stated that he intended to improve the vehicle during the next 12 months. However, consideration should be given to the age of the vehicle and that newer limousines were being licensed by the Authority.

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

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

RESOLVED:

- (A) That, having regard to all the circumstances the application for a Private Hire 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 private hire vehicles.
- (B) That the Private Hire Proprietor's Licence be granted for 12 months from 9 May 2008.

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CHAIRMAN