

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
LICENSING AND PUBLIC PROTECTION COMMITTEE
THURSDAY, 12 JULY 2007 AT 10.00 A.M.
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 1

PRESENT: Councillors

Bennett, K. L. (Chairman)
Butler, R. D. (Vice-Chairman)

Allen, F. W. C.	Grice, Mrs. D.
Ansell, Mrs. P.A..	Holder, M.J.
Burnett. J.	Todd, Mrs. D. M.
Carr, I.R.	

(Apologies for absence were received from Councillors D.N. Davies, R. Easton, M.P. Freeman and B. Williams).

6. Minutes

RESOLVED:

That the Minutes of the meetings held on 15 June 2007 be approved as a correct record.

7. 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 1, Schedule 12A, Local Government Act 1972 (as amended).

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PART 2

8. Private Hire Vehicle Licence – Exceptional Vehicle

Consideration was given to the Not for Publication Report of the Head of Environmental Health (Enclosure 5.1 – 5.15 of the Official Minutes of the Council).

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. She advised that the application for a Private Hire Vehicle Licence had been made by the applicant on 11 June 2007. The applicant was aware of the Council's age policy and that an exemption applied for "exceptional vehicles". The Committee had previously determined that the vehicle was "exceptional" on 9 June, 2006 and this was confirmed by Committee on 6 September, 2006 when the service history was produced. The summary of the findings of the Enforcement Officer's inspection of the vehicle was circulated for Members information.

Members were being asked to consider whether the vehicle was an "exceptional vehicle" and it was explained that the guidelines were attached to the report.

Members then examined the applicant's vehicle.

The applicant along with Members of the Committee were then afforded the opportunity of asking questions of the Officer. There being none, the applicant was then asked to present his case.

The applicant stated that the vehicle had recently undergone repairs which included rear brake shoes and a new gearbox. He stated that the vehicle had been considered by the Committee 12 months ago and had been classed as "exceptional" at that time.

Members of the Committee were then given the opportunity of asking questions of the applicant.

A Member asked the applicant to confirm the mileage and he advised that the mileage was 68,000 and that he had undertaken 10,000 miles in the two years he had owned the vehicle. He further confirmed that he had purchased the vehicle from a dealer in South Wales. He confirmed that the tear in the seat was due to be attended to shortly.

A Member questioned whether the vehicle had recently been serviced. The applicant advised that a service was undertaken 6 months ago and a new part had been fitted to the exhaust. Officers had not had sight of the service as the paperwork was with the applicant's accountant. There had been some difficulties obtaining the paperwork as the applicant's accountant had died. The applicant confirmed that the servicing of the vehicle had been undertaken by Central Limousines.

The Officer was then afforded the opportunity to ask questions of the applicant. The Officer stated that the vehicle had not yet been submitted for its 6,000 mile inspection and questioned whether the applicant had made arrangements for this to be undertaken. The applicant advised that he had not yet arranged this inspection but confirmed that the vehicle had been tested on 14 June 2007 as part of the renewal process. The Officer stated that the 6,000 mile inspection had been a requirement of the Committee. In response to a question, the applicant confirmed that he anticipated undertaking 4,000 – 5,000 miles per year and the longest journey would be to London.

The Officer was then afforded the opportunity to sum up the case. She stated that the vehicle had been considered "exceptional" by Members at the meeting on 9 June 2006 but advised that the 6,000 mile inspection had not yet been undertaken. She reminded Members that the vehicle had a slight tear in the seat. She explained that Members would need to determine whether the vehicle was still "exceptional".

The applicant was then afforded the opportunity to sum up his case. He commented that Members had considered the vehicle was "exceptional" 12 months ago and although there was a small tear in the seat he was making arrangements for this to be repaired.

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

RESOLVED:-

- (A) That having regard to all the circumstances the application for a Private Hire Vehicle License 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 Vehicle Licence be granted for 12 months.
- (C) That prior to the Licence being issued the applicant was required to produce a copy of the service history for inspection by Officers, ensure the tear in the seat was repaired and arrange for the 6,000 mile inspection to be undertaken.

9. Hackney Carriage Enforcement Initiative

Consideration was given to the Not for Publication report of the Head of Environmental Health (Enclosure 6.1 – 6.5 of the Official Minutes of the Council).

RESOLVED:-

- (A) That the findings of the Hackney Carriage enforcement initiative held on 22 May 2007 be noted.

(B) That the action taken in the testing of certain other vehicles be approved.

CHAIRMAN