

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
LICENSING AND PUBLIC PROTECTION COMMITTEE
THURSDAY, 14 MARCH, 2013 AT 10.00 A.M.
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK
PART 1

PRESENT: Councillors

Stretton, Mrs. P.Z. (Chairman)
Dudson, A. (Vice-Chairman)

Allen, F.W.C.	Fisher, P.A.
Anslow, C.	Grice, Mrs. D.
Bernard, J. D.	Todd, Mrs. D.M.
Cartwright, Mrs. S.	

1. Apologies

An apology for absence was received from Councillor P.A. Snape.

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

The following Declarations of Interests were made in addition to those already confirmed by Members in the Register of Members' Interests:

<u>Member</u>	<u>Interest</u>	<u>Type</u>
Allen, F.W.C.	Hackney Carriage Proprietors Licence - Exceptional Vehicle – Member knows the Applicant	Personal

3. Minutes

RESOLVED:

That the Minutes of the Licensing and Public Protection Committee held on 10 January, 2013 be approved as a correct record.

4. Licensing Sub Committee Minutes

RESOLVED:

That the Minutes of the Licensing Sub Committee from the meeting held on 24 January, 2013 be noted.

5. 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

6. Hackney Carriage Proprietors' Licence – Exceptional Vehicle

Consideration was given to the Not for Publication Report of the Head of Environmental Health (Enclosure 6.1 – 6.24 of the Official Minutes of the Council).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 Applicant was in attendance to present his 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 to consider whether the Applicant's vehicle was considered to be exceptional. The Committee then viewed the Applicant's vehicle. The Applicant, together with Members of the Committee were offered the opportunity to ask questions of the Officer, there being none, the Applicant then presented his case. 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 granted for a further 12 months as the Committee was satisfied that 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 considered exceptional because:

- (a) The mileage is 133,500, so less than the guidance mileage for exceptional vehicles, as it is 10 years old;
- (b) Adequate service history;
- (c) Exceptionally good condition for exterior and interior.

7. Application for the extension of an existing Hackney Carriage Proprietors' Licence on an Exceptional Vehicle basis

Consideration was given to the Not for Publication Report of the Head of Environmental Health (Enclosure 7.1 – 7.23 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 attended the meeting to present his 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. He explained that the Committee was being asked to consider a request for a time extension to a licence recently granted on 11 February, 2013. The licence could only be granted for a period of 6 weeks to the vehicles 6th birthday on 26 March, 2013. The Committee was being asked to consider whether the Applicant's vehicle was considered to be exceptional. Members had the opportunity to view the Applicant's vehicle. The Applicant and Members of the Committee were offered the opportunity of asking questions of the Officer from the Licensing Authority. The Applicant was then afforded the opportunity to present his case.

The Officer from the Licensing Authority and Members were then given 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 an extension of the existing Hackney Carriage Proprietors Licence be granted until 10 February, 2014 as the Committee was satisfied that the vehicle was exceptional in accordance with the Council's policy on age restrictions for Hackney Carriage Vehicles.

Reasons for the Decision

The vehicle is considered exceptional because although the mileage is over the guidance mileage of 120,000 for a diesel vehicle that is six years old, the exterior and interior of the vehicle are in an excellent condition, the vehicle has an adequate service history and it is well maintained.

8. Application for the extension of an existing Hackney Carriage Proprietors' Licence on an Exceptional Vehicle basis

Consideration was given to the Not for Publication Report of the Head of Environmental Health (Enclosure 8.1 – 8.23 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's representative attended the meeting to present the Applicant's 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. He explained that the Committee was being asked to consider a request for a time extension to a licence recently granted on 19 February, 2013. The licence could only be granted for a period of 9 weeks to the vehicles 6th birthday on 24 April, 2013. The Committee was being asked to consider whether the Applicant's vehicle was considered to be exceptional. Members had the opportunity to view the Applicant's vehicle. The Applicant's representative and Members of the Committee were offered the opportunity of asking questions of the Officer from the Licensing Authority. The Applicant's representative was then afforded the opportunity to present the Applicant's case. He circulated additional service information for consideration by the Committee.

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

The Officer of the Licensing Authority and the Applicant'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.

RESOLVED:

That, having regard to all the circumstances, the application for an extension of the existing Hackney Carriage Proprietors Licence be granted until 18 February, 2014 as the Committee was satisfied that the vehicle was exceptional in accordance with the Council's policy on age restrictions for Hackney Carriage Vehicles.

Reasons for the Decision

The vehicle is considered exceptional because although the mileage is 146,663, so over the guidance mileage of 120,000 for a six year old diesel vehicle, the condition of the exterior and interior of the vehicle is very good, the vehicle has an adequate service history and it is well maintained.

CHAIRMAN

The meeting closed at 11.40 a.m.