

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Licensing Sub-Committee**
held on Friday, 26th June, 2009 at East Committee Room - Municipal
Buildings, Earle Steet, Crewe, CW1 2BJ

PRESENT

Councillor P Whiteley (Chairman)

Councillors D Bebbington, H Davenport, B Dykes and L Gilbert

OFFICERS IN ATTENDANCE

Mrs K Khan, Solicitor

Mr P Simester, Licensing Officer

Mrs J Zientek, Democratic Services Officer

1 APPOINTMENT OF CHAIRMAN

RESOLVED – That Councillor P Whiteley be appointed Chairman.

2 APOLOGIES FOR ABSENCE

There were no apologies for absence.

3 DECLARATIONS OF INTEREST

There were no declarations of interest.

4 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED - That the press and public be excluded from the meeting during consideration of the following items pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972 and public interest would not be served in publishing the information.

5 APPLICATION FOR A LICENCE TO DRIVE HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES

The Sub-Committee considered a report regarding an application for a Hackney Carriage/Private Hire Driver's Licence.

The Sub-Committee was informed that the application fell within the Council's policy for determination by the Sub-Committee. Accordingly the hearing had been convened to enable the Sub-Committee to determine whether the application for a Hackney Carriage/Private Hire Driver's Licence should be granted.

The applicant attended the hearing and made representations in respect of his application.

After a full hearing of the application and in accordance with the rules of procedure, the Chairman of the Sub-Committee reported that after taking account of all of the evidence, including the applicant's oral representations, the following course of action had been agreed.

RESOLVED – That the applicant is not a fit and proper person to hold a Hackney Carriage/Private Hire Driver's Licence, as insufficient time has elapsed since his conviction, and that the application be refused.

6 APPLICATION FOR A LICENCE TO DRIVE HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES

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The Sub-Committee was informed that the application fell within the Council's policy for determination by the Sub-Committee. Accordingly the hearing had been convened to enable the Sub-Committee to determine whether the application for a Hackney Carriage/Private Hire Driver's Licence should be granted.

The applicant attended the hearing and made representations in respect of his application.

After a full hearing of the application and in accordance with the rules of procedure, the Chairman of the Sub-Committee reported that after taking account of all of the evidence, including the applicant's oral representations, the following course of action had been agreed.

RESOLVED – That the applicant is a fit and proper person to hold a Hackney Carriage/Private Hire Driver's Licence, and that the application for a licence be granted on a probationary basis with a review period of 12 months, to allow him to demonstrate that he continues to be a fit and proper person to hold a licence. If the licence holder has no further convictions and no valid complaints are made against him, his licence will be confirmed for a further 2 years without the need for re-application.

7 LICENCE TO DRIVE HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES

The Sub-Committee considered a report regarding a licensed Hackney Carriage/Private Hire driver.

The Sub-Committee was informed that this fell within the Council's policy for determination by the Sub-Committee. Accordingly the hearing had been convened to enable the Sub-Committee to consider what action, if

any, should be taken in respect of the licence held by the Hackney Carriage/Private Hire driver.

The licence holder attended the hearing and made representations. The licence holder's employer also attended the hearing and made representations in support of the licence holder.

After a full hearing and in accordance with the rules of procedure, the Chairman of the Sub-Committee reported that after taking account of all of the evidence, including oral representations by the licence holder and his employer, the following course of action had been agreed.

RESOLVED – That the licence holder is no longer a fit and proper person to hold a Hackney Carriage/Private Hire Driver's Licence, and that his licence be suspended under Section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976 with immediate effect, until such time as the first set of three penalty points expire for the purposes of totting up, namely 4 July 2010.

The meeting commenced at 10.00 am and concluded at 12.10 pm

Councillor P Whiteley (Chairman)