

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **General Licensing Sub-Committee**
held on Friday, 20th August, 2010 in The Capesthorne Room - Town Hall,
Macclesfield SK10 1DX

PRESENT

Councillors Rhoda Bailey, B Dykes, L Gilbert and P Whiteley

APOLOGIES

Councillor J Wray

IN ATTENDANCE

Kate Khan	Solicitor – Legal Adviser to the Sub-Committee
Carol Jones	Committee Officer
Jim Hopper	Licensing Officer

11 ELECTION OF CHAIRMAN

RESOLVED

That Councillor B H Dykes be elected Chairman for the meeting.

12 DECLARATIONS OF INTEREST

No Member made any declaration of interest in respect of any item of business on the agenda.

13 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED

That the press and public be excluded from the meeting during consideration of the following item, pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Part 1 of Schedule 12A (as amended) of the Local Government Act 1972 and the public interest would not be served in publishing this information.

14 10-11/03 APPLICATION FOR A LICENCE TO DRIVE HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES

The Sub-Committee considered a report which provided details of Applicant 10-11/03 who had applied for a licence to drive Hackney Carriage and Private Hire Vehicles.

The Sub-Committee's attention was drawn to the Council's Statement of Policy about Relevant Convictions and Members were invited to consider if the applicant was a "fit and proper" person to be granted a licence.

The applicant was in attendance throughout the hearing and spoke in support of his application. He was questioned by the Sub-Committee by way of clarification.

The applicant and the Licensing Officer then withdrew from the meeting whilst the Sub-Committee reached its decision. The Committee Officer and Legal Adviser remained in the meeting.

Following full consideration of the application, taking into account all the evidence, including written and oral representations, the Sub-Committee determined the application.

Following the Sub-Committee's determination, the applicant and the Licensing Officer rejoined the meeting to be informed of the Sub-Committee's decision.

RESOLVED

- (a) That the applicant was a "fit and proper" person to hold a Hackney Carriage and Private Hire Driver Licence and the application be granted for a probationary period of 12 months to allow the applicant to demonstrate that he continued to be a "fit and proper" person to hold the licence; and
- (b) That the granting of the application be subject to the successful completion of the Council's theory test.

The applicant was informed of his right to appeal to the Magistrates Court within 21 days.

Note: At this point in the proceedings, the applicant withdrew from the meeting.

15 10-11/04 APPLICATION FOR A LICENCE TO DRIVE HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES

The Sub-Committee considered a report which provided details of Applicant 10-11/04 who had applied for a licence to drive Hackney Carriage and Private Hire Vehicles. The Sub-Committee also considered a reference in support of the application, tabled at the meeting.

The Sub-Committee's attention was drawn to the Council's Statement of Policy about Relevant Convictions and Members were invited to consider if the applicant was a "fit and proper" person to be granted a licence.

The applicant was in attendance throughout the hearing and spoke in support of his application. He was questioned by the Sub-Committee by way of clarification.

The applicant and the Licensing Officer then withdrew from the meeting whilst the Sub-Committee reached its decision. The Committee Officer and Legal Adviser remained in the meeting.

Following full consideration of the application, taking into account all the evidence, including written and oral representations, the Sub-Committee determined the application.

The applicant and the Licensing Officer rejoined the meeting to be informed of the Sub-Committee's decision.

RESOLVED

- (a) That the applicant was a "fit and proper" person to hold a Hackney Carriage and Private Hire Driver Licence and the application be granted; and
- (b) That the granting of the application be subject to the successful completion of the Council's theory test.

The meeting commenced at 10.00 am and concluded at 11.15 am

Councillor B H Dykes (Chairman)