

CHESHIRE EAST COUNCIL

Minutes of a meeting of the Cabinet Member for Safer and Stronger Communities

held on Monday, 28th February, 2011 in Committee Suite 1 & 2, Westfields, Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor Rachel Bailey, Cabinet Member for Safer and Stronger Communities

In attendance

Councillor Lesley Smetham

Officers

Kate Khan, Legal Services

Cherry Foreman, Democratic Services

4 APOLOGIES FOR ABSENCE

There were no apologies for absence.

5 DECLARATIONS OF INTEREST

No interests were declared.

6 PUBLIC SPEAKING TIME/OPEN SESSION

There were no members of the public present.

7 ADOPTION OF PART II OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

The Cabinet Member for Safer and Stronger Communities considered a proposal to adopt the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976 relating to the licensing of private hire and hackney carriage, vehicles, drivers and operators. The legislation contains provisions which allow local authorities to control the operation and use of private hire and hackney carriage vehicles and to protect the public by ensuring that vehicles are fit for use as licensed vehicles and drivers are 'fit and proper' to act as such.

At the meeting on 20 December 2010 the Cabinet Member for Safer and Stronger Communities had resolved to authorise the Borough Solicitor, or officer acting on her behalf, to provide notice of the Council's intention to pass a resolution to adopt the provisions of Part II of the 1976 Act. The adoption was proposed in order to consolidate the three previous resolutions of the predecessor district authorities into one resolution and to ensure certainty in any enforcement action taken under the legislation.

It was noted that in accordance with section 45(3) of the 1976 Act a notice of intention had been published in local newspapers throughout the Borough during the weeks commencing 31 January 2011 and 7 February 2011. In addition, the notice was served on the Town and Parish Councils and the Parish Meetings within the Borough.

The alternative of not adopting the legislative provisions was considered. However, it was noted that the benefits identified within the report would not be achieved if this were to be the case.

RESOLVED

That the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976 (other than section 45) shall be adopted and shall apply throughout the Borough of Cheshire East with effect from 31 March 2011.

The meeting commenced at 9.00 am and concluded at 9.10 am

Councillor (none)