

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **General Licensing Sub-Committee**
held on Tuesday, 22nd April, 2014 at The Tatton Room - Town Hall,
Macclesfield SK10 1EA

PRESENT

Councillor P Whiteley (Chairman)

Councillors C Andrew, Rhoda Bailey, H Davenport and M Parsons

OFFICERS IN ATTENDANCE

Sheila Dutton, Lawyer
Kim Evans, Licensing Team Leader
Jim Hopper, Licensing Officer
Aoife Ryan, Licensing Solicitor

19 APPOINTMENT OF CHAIRMAN

RESOLVED:

That Councillor P Whiteley be appointed Chairman for the meeting.

20 APOLOGIES FOR ABSENCE

There were no apologies for absence.

21 DECLARATIONS OF INTEREST

There were no declarations of interest.

22 EXCLUSION OF THE PUBLIC AND PRESS

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 Paragraphs 1 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972 and public interest would not be served in publishing the information.

Paragraph 1 - Information relating to any individual.

Paragraph 2 - Information which is likely to reveal the identity of an individual.

23 13-14/32 APPLICATION FOR THE GRANT OF A PRIVATE HIRE VEHICLE LICENCE, EXEMPTION FROM THE REQUIREMENT TO DISPLAY LICENCE PLATES ON A PRIVATE HIRE VEHICLE AND THE REMOVAL OF PRIVATE HIRE VEHICLE CONDITIONS

The Sub-Committee considered a report regarding an application for the grant of a Private Hire Vehicle Licence and the removal of a Hackney Carriage Vehicle condition.

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 Private Hire subject to condition 10 and exempt from conditions 7 and 8 of the Private Hire Vehicle Conditions should be granted.

The applicant and her husband attended the Hearing and made representations in respect of the application.

After a full hearing of the application including an inspection of the vehicle by the Committee, and in accordance with the rules of procedure, the Chairman of the Sub-Committee reported that, after taking account of all the evidence, the following course of action had been agreed.

RESOLVED:

The decision of the Sub-Committee was to grant a private hire vehicle licence for the carriage of 6 passengers and to grant the licence subject to condition 10 as an 'executive limousine' thereby exempting it from conditions 7 and 8 of the Private Hire Vehicle Licence Conditions.

The Sub Committee noted that the applicant would be reminded of the right to appeal this decision to the Magistrates' Court within 21 days.

24 13-14/33 CONSIDERATION OF FITNESS TO HOLD A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE

The Sub Committee considered a report regarding the holder of a Joint Hackney Carriage/Private Hire Driver's Licence.

The Sub Committee was informed that the matter 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 licence holder remained a fit and proper person to hold a Joint Hackney Carriage/Private Hire Driver Licence.

The Licence holder and a Supporter attended the Hearing and made representations in respect of the application.

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 the evidence, the following course of action had been agreed.

RESOLVED:

That the Licence holder is not a fit and proper person to hold a Joint Hackney Carriage/Private Hire Driver Licence, and that the Joint Hackney Carriage/Private Hire Driver Licence should not be renewed.

The Sub Committee noted that the Licence holder would be reminded of the right to appeal this decision to the Magistrates' Court within 21 days.

(The meeting adjourned for lunch from 12.45pm until 1.15pm).

25 13-14/34 CONSIDERATION OF FITNESS TO HOLD A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE

The Sub Committee were informed that the Licence Holder had not received a letter informing him of the meeting.

RESOLVED

That the item be adjourned to a future meeting in order to allow the Licence Holder to attend.

26 13-14/35 APPLICATION FOR THE GRANT OF A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE

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 and his representative attended the Hearing and made representations in respect of the 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 the evidence, the following course of action had been agreed.

RESOLVED:

That the applicant was a fit and proper person to hold a Hackney Carriage/Private Hire Driver's Licence, and that the application be granted

for a 12 month period which would be subject to a review by the Sub-Committee. As part of the review the applicant would be required to bring a reference from his employer at that time and a current DBS Certificate applied for at his own expense.

The Sub Committee noted that the applicant would be reminded of the right to appeal this decision to the Magistrates' Court within 21 days.

The meeting commenced at 10.00 am and concluded at 2.30 pm

Councillor P Whiteley (Chairman)