

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **General Licensing Sub-Committee**
held on Monday, 7th July, 2014 at The Tatton Room - Town Hall, Macclesfield
SK10 1EA

PRESENT

Councillor P Whiteley (Chairman)

Councillors C Andrew, L Jeuda and S Jones

OFFICERS IN ATTENDANCE

Sheela Dutton, Lawyer

Kim Evans, Licensing Team Leader

Jim Hopper, Licensing Officer

14 APPOINTMENT OF CHAIRMAN

RESOLVED:

That Councillor P Whiteley be appointed Chairman for the meeting.

15 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Mrs G Wait.

16 DECLARATIONS OF INTEREST

17 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.

18 14-15/6 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 attended the hearing and made representations in respect of their 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 be revoked.

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 a short break).

19 14-15/7 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 his representative attended the hearing and made representations in respect of their 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 a fit and proper person at this time to hold a Joint Hackney Carriage/Private Hire Driver Licence, but that the Joint Hackney Carriage/Private Hire Driver Licence should be suspended for a period of six weeks as a punitive sanction.

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.

20 14-15/8 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 his representative attended the hearing and made representations in respect of their 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 a fit and proper person to hold a Joint Hackney Carriage/Private Hire Driver Licence. The Sub-Committee's felt that in the very specific circumstance of this case they could deal with the matter by way of a very stern warning with regard to the Licence holder's future behaviour.

(The meeting adjourned for a short break).

21 14-15/9 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 not a fit and proper person to hold a Hackney Carriage/Private Hire Driver's Licence, and that the application be refused.

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 1.55 pm

Councillor P Whiteley (Chairman)