

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **General Licensing Sub-Committee**
held on Thursday, 3rd March, 2011 at West Committee Room - Municipal
Buildings, Earle Street, Crewe, CW1 2BJ

PRESENT

Councillor P Whiteley (Chairman)

Councillors W T Beard, W S Davies, B H Dykes and A Ranfield

OFFICERS IN ATTENDANCE

Mrs K Khan, Solicitor

Mr J Hopper, Licensing Officer

Mrs V Robson, Licensing Officer

Mrs J Zientek, Democratic Services Officer

42 APPOINTMENT OF CHAIRMAN

RESOLVED – That Councillor P Whiteley be appointed Chairman.

43 APOLOGIES FOR ABSENCE

There were no apologies for absence.

44 DECLARATIONS OF INTEREST

There were no declarations of interest.

45 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, 2 and 3 as appropriate of Part 1 of Schedule 12A of the Local Government Act 1972 and public interest would not be served in publishing the information.

46 10-11/15-APPLICATION FOR 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 a private hire vehicle licence, a request to waive condition 2.7 of the Private Hire Vehicle Conditions in relation to tinted windows, and a request to exempt the vehicle from the requirements to display signage and display licence plates to the front and rear of the vehicle, as required by conditions

7 and 8 of Cheshire East Council's Private Hire Vehicle Licensing Conditions.

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 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 the evidence, including the applicant's oral representations, the following course of action had been agreed.

RESOLVED

- (a) That a private hire vehicle licence be granted, subject to the vehicle passing an inspection at the Council's approved test centre.
- (b) That condition 2.7 of Cheshire East Council's Private Hire Vehicle Licensing Conditions in relation to tinted windows be waived.
- (c) That special condition 10 of Cheshire East Council's Private Hire Vehicle Licensing Conditions be attached to the licence, thereby exempting the vehicle from the requirement to display signage (condition 7) and from the requirement to display licence plates to the front and rear of the vehicle (condition 8).

47 10-11/16-APPLICATION FOR A JOINT 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 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 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, and that the application for a licence be refused.

The applicant was reminded of the right to appeal this decision to the Magistrates Court within 21 days.

48 **10-11/17-CONSIDERATION OF FITNESS TO HOLD A HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE**

The Sub-Committee considered a report regarding the holder of a Hackney Carriage/Private Hire Driver's Licence who had not declared a relevant conviction on applying for the renewal of his 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 licence holder remained a fit and proper person to hold a Hackney Carriage/Private Hire Driver's Licence.

The licence holder 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 the evidence, including the licence holder'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, and that the licence be revoked. The revocation to take effect either at the expiry of the appeal period, or, if an appeal is made and refused, at such time as the appeal is determined.

The licence holder was reminded of the right to appeal this decision to the Magistrates Court within 21 days.

The meeting commenced at 9.30 am and concluded at 11.55 am

Councillor P Whiteley (Chairman)