

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **General Licensing Sub-Committee**
held on Wednesday, 21st March, 2012 at Executive Meeting Room 2,
Town Hall, Macclesfield SK10 1EA

PRESENT

Councillor P Whiteley (Chairman)

Councillors W S Davies, A Harewood and M Parsons

OFFICERS IN ATTENDANCE

Mrs N Cadman, Licensing Officer

Mrs K Khan, Solicitor

Mrs J Zientek, Democratic Services Officer

40 APPOINTMENT OF CHAIRMAN

RESOLVED – That Councillor P Whiteley be appointed Chairman.

41 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor G Wait.

42 DECLARATIONS OF INTEREST

There were no declarations of interest.

43 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.

44 11-12/16 CONSIDERATION OF FITNESS TO HOLD A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE AND HACKNEY CARRIAGE VEHICLE LICENCE

The Sub-Committee considered a report regarding the holder of a Joint Hackney Carriage/Private Hire Driver Licence and Hackney Carriage Vehicle Licence who had recently been convicted of offences.

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 Joint Hackney Carriage/Private Hire Driver Licence and Hackney Carriage Vehicle Licence.

The licence holder was not in attendance at the hearing.

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

- (a) That the licence holder is no longer a fit and proper person to hold a hackney carriage/private hire drivers licence, and that the licence be revoked under section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976 ('the 1976 Act') with immediate effect (in accordance with section 61(2B) of the 1976 Act).
- (b) That the licence holder is no longer a fit and proper person to hold a hackney carriage vehicle licence, and that the licence be revoked under section 60(1)(c) of the 1976 Act.

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

45 11-12/17 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 Licence who had been arrested in connection with alleged offences.

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 Joint Hackney Carriage/Private Hire Driver Licence.

The licence holder was not in attendance at the hearing.

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 no longer a fit and proper person to hold a hackney carriage/private hire drivers licence, and that the licence be revoked under section 61(1)(b) of the Local Government (Miscellaneous Provisions) Act 1976 ('the 1976 Act') with immediate effect (in accordance with section 61(2B) of the 1976 Act).

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

46 11-12/18 APPLICATION FOR A JOINT HACKNEY CARRIAGE AND 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 a representative of the applicant 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, including the oral representations of the applicant and his representative, 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.

The meeting commenced at 10.00 am and concluded at 11.40 am

Councillor P Whiteley (Chairman)