

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **General Licensing Sub-Committee**
held on Monday, 3rd December, 2012 at The Tatton Room - Town Hall,
Macclesfield SK10 1EA

PRESENT

Councillor P Whiteley (Chairman)

Councillors C Andrew, W S Davies, M Parsons and L Smetham

OFFICERS IN ATTENDANCE

Sarah Baxter, Democratic Services Officer

Fiona Crane, Lawyer

Kim Evans, Licensing Team Leader

Jim Hopper, Licensing Officer

53 APPOINTMENT OF CHAIRMAN

RESOLVED – That Councillor P Whiteley be appointed Chairman.

54 APOLOGIES FOR ABSENCE

There were no apologies for absence.

55 DECLARATIONS OF INTEREST

There were no declarations of interest.

(Councillor S Davies arrived to the meeting).

56 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.

57 12-13/29 CONSIDERATION OF FITNESS TO HOLD A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE

This item was withdrawn prior to the meeting.

58 12-13/30 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 did not attend the hearing.

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 driver's licence. The Sub Committee determined not to grant the application for a Joint Hackney Carriage/ Private Hire Driver's Licence.

The applicant had the right to appeal this decision to the Magistrates Court within 21 days.

59 12-13/31 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 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 for a three year licence be granted subject to the successful completion of the Council's hackney carriage/private hire theory test.

60 12-13/32 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 did not attend the hearing.

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 driver's licence. The Sub Committee determined not to grant the application for a Joint Hackney Carriage/ Private Hire Driver's Licence.

The applicant had the right to appeal this decision to the Magistrates Court within 21 days.

(The meeting was adjourned for lunch from 12.25pm until 12.50pm).

61 12-13/33 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 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

The Sub-Committee determined to suspend the Joint Hackney Carriage /Private Hire Drivers licence for a period of 6 months but did not on this occasion revoke the licence

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 1.05 pm

Councillor P Whiteley (Chairman)