

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **General Licensing Sub-Committee**
held on Monday, 17th December, 2012 at The Silk Room - Town Hall,
Macclesfield SK10 1EA

PRESENT

Councillor P Whiteley (Chairman)

Councillors H Davenport, A Harewood, D Mahon and L Smetham

OFFICERS IN ATTENDANCE

Sarah Baxter, Democratic Services Officer
Fiona Crane, Lawyer
Kim Evans, Licensing Team Leader
Jim Hopper, Enforcement Officer

62 APPOINTMENT OF CHAIRMAN

RESOLVED – That Councillor P Whiteley be appointed Chairman.

63 APOLOGIES FOR ABSENCE

There were no apologies for absence.

64 DECLARATIONS OF INTEREST

There were no declarations of interest.

65 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.

66 12-13/34 APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE VEHICLE LICENCE AND THE REMOVAL OF A HACKNEY CARRIAGE VEHICLE CONDITION

The Sub-Committee considered a report regarding a request to grant a Hackney Carriage Vehicle Licence in relation to a Citroen Picasso registration JD08 JGV and to resolve whether:

- i. to resolve that the vehicle does not meet the Council's Conditions, namely 1.5, and that there is no reason to deviate from the Council Policy and that the vehicle should not be licensed. **OR**
- ii. to resolve to waive Condition 1.5 of the Council's Hackney Carriage Vehicle Licence Conditions Zone 3 Macclesfield and therefore grant the Hackney Carriage Vehicle 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 should be granted.

The applicant, the applicant's colleague and the applicant's Solicitor attended the meeting 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 applicants oral representations, the following course of action had been agreed.

RESOLVED –

The Sub-Committee considered all the evidence and its own inspection of the vehicle and determined that the modified seats did meet the Council's current minimum standards for Hackney Carriage vehicles and that there were no public safety reasons to deviate from these conditions. It therefore determined to grant the Macclesfield Zone 3 Hackney Carriage Vehicle Licence to carry six passengers.

(The meeting adjourned for a short break from 11.45am until 11.50am).

67 12-13/35 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

That Sub Committee determined that the Licence Holder remained a fit and proper person to hold a Drivers Licence, but the Sub-Committee took the view that as a result of the Licence Holder's convictions and the breach of the Licence conditions the Licence Holder would receive a warning.

The Licence Holder was reminded of the right to appeal the decision to the Magistrates Court within 21 days.

The meeting commenced at 10.00 am and concluded at 1.00 pm

Councillor P Whiteley (Chairman)