

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **General Licensing Sub-Committee**  
held on Wednesday, 8th May, 2013 at Committee Suite 2/3 - Westfields,  
Middlewich Road, Sandbach, CW11 1HZ

### **PRESENT**

Councillor P Whiteley (Chairman)

Councillors Rhoda Bailey, D Bebbington, W S Davies and I Faseyi

### **OFFICERS IN ATTENDANCE**

Fiona Crane, Lawyer  
Kim Evans, Licensing Team Leader  
Jim Hopper, Licensing Officer  
Julie Zientek, Democratic Services Officer

### **97 APPOINTMENT OF CHAIRMAN**

RESOLVED – That Councillor P Whiteley be appointed Chairman.

### **98 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **99 DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **100 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.

### **101 12-13/50 CONSIDERATION OF APPLICATION FOR RENEWAL OF A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE**

The Sub-Committee considered a report regarding an application to renew a Joint Hackney Carriage/Private Hire Driver's Licence. At a meeting of the General Licensing Sub-Committee on 1 March 2013, consideration of this matter had been deferred, to allow the applicant to attend the meeting.

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 applicant remained a fit and proper person to hold a Joint Hackney Carriage/Private Hire Driver Licence.

The applicant attended the hearing and made representations.

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 applicant is not a fit and proper person to hold a Joint Hackney Carriage/Private Hire Driver Licence, and that the application to renew the licence be refused.

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

102 **12-13/49 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.

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 remains a fit and proper person to hold a Joint Hackney Carriage/Private Hire Driver Licence and that no formal action be taken in relation to the future of their licence.

103 **12-13/52 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.

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 remains a fit and proper person to hold a Joint Hackney Carriage/Private Hire Driver Licence and that no formal action be taken in relation to the future of their licence.
- (b) That a formal warning be issued in respect of the Licence Holder's future conduct.

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

104 **12-13/51 APPLICATION FOR A JOINT HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCE**

Note: Councillor Faseyi left the meeting prior to consideration of this item.

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 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 applicant was a fit and proper person to hold a Joint Hackney Carriage/Private Hire Driver Licence.

The applicant was not in attendance at the hearing and the Sub-Committee resolved to determine the application in their absence.

Following the Licensing Officer's introduction of the case, 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 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 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 3.00 pm

Councillor P Whiteley (Chairman)