

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **General Licensing Sub-Committee**
held on Monday, 3rd June, 2013 at West Committee Room - Municipal
Buildings, Earle Street, Crewe, CW1 2BJ

PRESENT

Councillor P Whiteley (Chairman)

Councillors D Bebbington, W S Davies, L Smetham and J Wray

OFFICERS IN ATTENDANCE

Nikki Cadman, Licensing Officer
Fiona Crane, Lawyer
Jim Hopper, Licensing Officer
Vilma Robson, Senior Licensing Officer
Julie Zientek, Democratic Services Officer

1 APPOINTMENT OF CHAIRMAN

RESOLVED – That Councillor P Whiteley be appointed Chairman.

2 APOLOGIES FOR ABSENCE

There were no apologies for absence.

3 DECLARATIONS OF INTEREST

There were no declarations of interest.

4 APPLICATION FOR THE RENEWAL OF A SEXUAL ENTERTAINMENT VENUE LICENCE - SCHEDULE 3, LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982: MANHATTAN, 35-37 HIGH STREET, CREWE, CW2 7BL

The Sub-Committee considered a report regarding an application for the renewal of a sexual entertainment venue licence for Manhattan, 35-37 High Street, Crewe under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 ('the 1982 Act').

The following attended the hearing and made representations with respect to the application:

the applicant
a representative of the Chief Officer of Police

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:

- the provisions of Schedule 3 of the 1982 Act;
- the Home Office Guidance relating to sexual entertainment venues;
- Cheshire East Borough Council's policy on the licensing of sexual entertainment venues; and
- all the evidence presented to the Sub-Committee, including the submissions of each of the parties to the hearing and the written objection within the report;

the following course of action had been agreed:

RESOLVED - That the application to renew a twelve month sexual entertainment venue licence be REFUSED for the following reasons:

- a) the applicant is unsuitable to hold the licence
- b) the premises are unsuitable for the relevant entertainment

5 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED - That the press and public be excluded from the meeting during consideration of the following item pursuant to Section 100(A) 4 of the Local Government Act 1972 on the grounds that it 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.

6 13-14/1 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.

The meeting commenced at 10.00 am and concluded at 2.40 pm

Councillor P Whiteley (Chairman)