

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **General Licensing Sub-Committee**
held on Monday, 11th November, 2013 at The Tatton Room - Town Hall,
Macclesfield SK10 1EA

PRESENT

Councillor P Whiteley (Chairman)

Councillors D Bebbington, W S Davies, M Parsons and L Smetham

OFFICERS IN ATTENDANCE

Fiona Crane (Lawyer)

Kim Evans (Licensing Team Leader)

Jim Hopper (Licensing Officer)

21 APPOINTMENT OF CHAIRMAN

RESOLVED – That Councillor P Whiteley be appointed Chairman.

22 APOLOGIES FOR ABSENCE

There were no apologies for absence.

23 DECLARATIONS OF INTEREST

There were no declarations of interest.

24 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.

(Prior to consideration of the following item, Councillor Mrs Smetham arrived to the meeting).

25 13-14/8 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 and supporter 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 a fit and proper person to hold a Joint Hackney Carriage/Private Hire Driver Licence, but that the Joint Hackney Carriage/Private Hire Driver Licence be suspended for a period of six weeks.

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

26 13-14/10 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 applicant is a fit and proper person to hold a Joint Hackney Carriage/Private Hire Driver Licence, however the licence holder was issued with a written warning regarding his future conduct and that any further incidents would require the licence holder to come back to Committee.

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

27 13-14/9 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 applicant is not a fit and proper person to hold a Joint Hackney Carriage/Private Hire Driver Licence, and that the Joint Hackney Carriage/Private Hire Driver Licence be revoked.

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 adjourned for lunch from 1.20pm until 1.40pm).

28 13-14/11 APPLICATION FOR A JOINT HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCE

(During consideration of the application, Councillor M Parsons declared in the interest of openness that he knew one of the Police Officer's referred to in the report).

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 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 3.12 pm

Councillor P Whiteley (Chairman)