

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **General Licensing Sub-Committee**
held on Thursday, 14th November, 2019 at Committee Suite 2/3 - Westfields,
Middlewich Road, Sandbach, CW11 1HZ

PRESENT

Councillor D Edwardes (Chairman)

Councillors M Benson, S Davies, H Faddes and A Harewood

OFFICERS IN ATTENDANCE

Tracey Billington, Licensing Officer
Judith Bramhall, Lawyer
Kim Evans, Licensing Team Leader
Richard Hellon, Licensing Officer
Bankole Thomas, Lawyer
Julie Zientek, Democratic Services Officer

24 APPOINTMENT OF CHAIRMAN

RESOLVED – That Councillor D Edwardes be appointed Chairman.

25 APOLOGIES FOR ABSENCE

There were no apologies for absence.

26 DECLARATIONS OF INTEREST

The following declarations were made in the interests of openness:

Councillor M Benson declared that he had had previous professional dealings with the legal representative of one of the licence holders.

Councillor H Faddes declared that she lived near to one of the licence holders.

27 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.

28 19-20/9 CONSIDERATION OF FITNESS TO HOLD A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE

It was reported that the solicitor acting on behalf of the licence holder had requested that consideration of the case be deferred to a later meeting of the General Licensing Sub-Committee, as the Licence Holder was unable to attend.

The Sub-Committee RESOLVED that the request be refused, and that the case be considered in the absence of the licence holder.

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.

Two witnesses attended the hearing and made representations in respect of the case.

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 is no longer a fit and proper person to hold a Hackney Carriage/Private Hire Driver's Licence, and that the licence be revoked with immediate effect.

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

29 19-20/10 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 and a representative of the licence holder attended the hearing and made representations in respect of the case.

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 is at this time a fit and proper person to hold a Joint Hackney Carriage/Private Hire Driver's Licence.
- (b) That a formal warning be issued with respect to 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.

30 19-20/11 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 case.

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 is no longer a fit and proper person to hold a Hackney Carriage/Private Hire Driver's Licence, and that the licence be revoked.

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 12.55 pm

Councillor D Edwardes (Chairman)