

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **General Licensing Sub-Committee**
held on Friday, 19th September, 2014 at Committee Suite 2/3 - Westfields,
Middlewich Road, Sandbach, CW11 1HZ

PRESENT

Councillor P Whiteley (Chairman)

Councillors D Bebbington, D Mahon, M Parsons and L Smetham

Officers

Iolanda Puzio, Legal Team Manager Places

Kim Evans, Licensing Team Leader

Vilma Robson, Licensing Officer

Rachel Graves, Democratic Services Officer

27 APPOINTMENT OF CHAIRMAN

RESOLVED:

That Councillor P Whiteley be appointed Chairman for the meeting.

28 APOLOGIES FOR ABSENCE

There were no apologies for absence.

29 DECLARATIONS OF INTEREST

There were no declarations of interest.

30 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 as amended 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 1972 and public interest would not be served in publishing the information.

Paragraph 1 – Information relating to any individual

Paragraph 2 – Information which is likely to reveal the identity of an individual.

31 14-15/11: 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 Licence.

The Licence holder and a witness 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 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 should be revoked.

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.

32 14-15/12: APPLICATION FOR THE GRANT OF A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE

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 meeting and submitted a letter from his legal representatives requesting that the hearing be adjourned.

RESOLVED:

That the consideration of the application be adjourned to a future meeting.

33 14-15/13: APPLICATION FOR THE GRANT OF A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE

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 representatives in respect of the application.

After a full hearing of the application and in accordance with 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 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.

34 14-15/16: CONSIDERATION OF FITNESS TO HOLD A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE AND PRIVATE HIRE OPERATOR LICENCE

The Sub Committee considered a report regarding the holder of a Joint Hackney Carriage/Private Hire Driver's Licence and Private Hire Operator 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 and Private Hire Operator Licence.

The applicant was not in attendance at the hearing.

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's Licence and Private Hire Operator Licence.

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

(The meeting adjourned for lunch from 12.20 pm to 1.00 pm)

35 14-15/14: 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 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 remains at this time a fit and proper person to hold a Joint Hackney Carriage/Private Hire Driver Licence.

The Sub Committee gave the applicant a warning regarding their future good behaviour.

(Councillor L Smetham left the meeting before consideration of the following item)

36 14-15/15: CONSIDERATION OF FITNESS TO HOLD A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE, PRIVATE HIRE OPERATOR LICENCE AND PRIVATE HIRE VEHICLE LICENCE

The Sub Committee considered a report regarding the holder of a Joint Hackney Carriage/Private Hire Driver's Licence, Private Hire Operator Licence and Private Hire Vehicle Licence.

The Sub Committee was informed that the matters 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, Private Hire Operator Licence and Private Hire Vehicle Licence.

The Licence holder and their representative attended the hearing and made representations in relation to 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 a fit and proper person to hold a Joint Hackney Carriage/Private Hire Driver Licence, a Private Hire Operator Licence and Private Hire Vehicle Licence.

The meeting commenced at 9.30 am and concluded at 3.20 pm

Councillor P Whiteley (Chairman)