

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **General Licensing Sub-Committee**  
held on Tuesday, 18th September, 2018 at Committee Suite 2/3 - Westfields,  
Middlewich Road, Sandbach, CW11 1HZ

### **PRESENT**

Councillor S Davies (Chairman)

Councillors Rhoda Bailey, C Green, A Harewood and M Parsons

### **OFFICERS IN ATTENDANCE**

Sarah Baxter, Democratic Services Officer

Tracey Billington, Enforcement Officer

Kim Evans, Licensing Team Leader

Martin Kilduff, Licensing Officer

Aoife Ryan, Lawyer

### **13 APPOINTMENT OF CHAIRMAN**

RESOLVED – That Councillor S Davies be appointed Chairman.

### **14 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **15 DECLARATIONS OF INTEREST**

In the interest of openness in respect of 18-19/5, Councillor R Bailey declared that she knew the Solicitor representing the Licence Holder by virtue of her role as a Magistrate.

### **16 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.

### **17 18-19/5 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, the Licence holder's wife, the Licence holder's Solicitor and the Licence holder's 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

- 1 That the licence holder remains a fit and proper person to hold a Joint Hackney Carriage/Private Hire Driver's Licence.
- 2 However, the Sub-Committee agreed that a formal warning be issued with respect to the applicant's future conduct.

#### 18 **18-19/6 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 the Licence holder's wife 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

- 1 That the licence holder remains a fit and proper person to hold a Joint Hackney Carriage/Private Hire Driver's Licence.
- 2 However, the Sub-Committee agreed that a formal warning be issued with respect to the applicant's future conduct.

19 **18-19/7 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 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, based on the evidence before the Sub-Committee at the hearing, 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 immediately.

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.

The meeting commenced at 10.00 am and concluded at 1.00 pm

Councillor S Davies (Chairman)