

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **General Licensing Sub-Committee**
held on Monday, 17th March, 2014 at The Tatton Room - Town Hall,
Macclesfield SK10 1EA

PRESENT

Councillor P Whiteley (Chairman)

Councillors Rhoda Bailey, A Harewood, L Smetham and J Wray

OFFICERS IN ATTENDANCE

Fiona Crane, Solicitor
Kim Evans, Licensing Team Leader
Jim Hopper, Licensing Officer
Aoife Ryan, Litigation Solicitor

10 APPOINTMENT OF CHAIRMAN

RESOLVED:

That Councillor P Whiteley be appointed Chairman for the meeting.

11 APOLOGIES FOR ABSENCE

There were no apologies for absence.

12 DECLARATIONS OF INTEREST

There were no declarations of interest.

13 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.

Paragraph 1 - Information relating to any individual.

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

14 13-14/28 CONSIDERATION OF FITNESS TO HOLD A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE

(During consideration of the item, Councillor J Wray arrived to the meeting. He was asked to wait outside the room until a decision by the Committee was made. He was then invited back into to consider the remaining items on the agenda).

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 their application.

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 not be renewed.

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.

15 13-14/29 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 and her supporter 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 was a fit and proper person to hold a Hackney Carriage/Private Hire Driver's Licence, and that the application for a three year licence be granted.

The Sub-Committee hereby gave the applicant a warning regarding their future good behaviour. This warning would be noted on their file.

(The meeting adjourned for a short break).

16 13-14/27 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 their application.

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.

(The meeting adjourned for lunch).

17 13-14/30 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 and his supporter 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 was a fit and proper person to hold a Hackney Carriage/Private Hire Driver's Licence, and that the application for a three year licence be granted.

The Sub-Committee hereby gave the applicant a warning regarding their future good behaviour. This warning would be noted on their file.

18 13-14/31 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 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 was a fit and proper person to hold a Hackney Carriage/Private Hire Driver's Licence, and that the application be granted for a 12 month period which would be subject to a review to be considered by the Sub-Committee. As part of the review the applicant would be required to bring a reference from an employer and a DBS Certificate at his own expense.

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 4.25 pm

Councillor P Whiteley (Chairman)