

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **General Licensing Sub-Committee**
held on Monday, 25th January, 2016 at West Committee Room - Municipal
Buildings, Earle Street, Crewe, CW1 2BJ

PRESENT

Councillor W S Davies (Chairman)

Councillors I Faseyi, A Harewood and M Parsons

OFFICERS IN ATTENDANCE

Tracey Billington, Licensing Officer
Richard Hellon, Licensing Officer
Jim Hopper, Licensing Officer
Peter Jones, Lawyer
Aoife Ryan, Lawyer
Julie Zientek, Democratic Services Officer

52 APPOINTMENT OF CHAIRMAN

RESOLVED – That Councillor S Davies be appointed Chairman.

53 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor D Bebbington.

54 DECLARATIONS OF INTEREST

There were no declarations of interest.

55 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.

56 15-16/28 APPLICATION FOR THE RENEWAL OF A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE AND CONSIDERATION OF FITNESS TO HOLD A PRIVATE HIRE OPERATOR'S LICENCE

The Sub-Committee considered a report regarding an application for the renewal of a Joint Hackney Carriage/Private Hire Driver's Licence and the licence holder's fitness to hold a Private Hire Operator'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 applicant was a fit and proper person to hold a Joint Hackney Carriage/Private Hire Driver Licence and whether he remained a fit and proper person to hold a Private Hire Operator's Licence.

The applicant 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 a formal warning be issued with respect to the applicant's future conduct.
- (b) That the applicant is at this time a fit and proper person to hold a Joint Hackney Carriage/Private Hire Driver Licence and a Private Hire Operator's Licence.
- (c) That the application for the renewal of a Joint Hackney Carriage/Private Hire Driver Licence be granted for a period of twelve months, following which it would be subject to review by the General Licensing Sub-Committee. The Joint Hackney Carriage/Private Hire Driver Licence to also be subject to a period of suspension for three months as a punitive sanction.

The applicant was reminded of the right to appeal this decision to the Magistrates' Court within 21 days.

57 15-16/29 APPLICATION FOR THE RENEWAL OF A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE

The Sub-Committee considered a report regarding an application for the renewal of a Joint 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 the renewal of a Joint Hackney Carriage/Private Hire Driver's Licence should be granted.

The applicant and a representative of the applicant 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 applicant is at this time a fit and proper person to hold a Joint Hackney Carriage/Private Hire Driver Licence, and that the application for the renewal of a licence be granted for a period of twelve months.

The applicant was reminded of the right to appeal this decision to the Magistrates' Court within 21 days.

58 15-16/30 APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE VEHICLE LICENCE AND THE REMOVAL OF A HACKNEY CARRIAGE VEHICLE CONDITION

The Sub-Committee considered a report regarding an application for a Hackney Carriage Vehicle 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 application for a Hackney Carriage Vehicle Licence should be granted.

The applicant and a representative of the applicant 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 Council's Hackney Carriage Vehicle Licence Conditions Crewe Zone and Conditions 3.1 to 3.11 be waived and that the Hackney Carriage Vehicle Licence be granted.

59 15-16/31 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, a representative of the licence holder and two supporters 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 - 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 in the interests of public safety.

The licence holder was reminded of the right to appeal this decision to the Magistrates' Court within 21 days.

The meeting commenced at 9.30 am and concluded at 3.10 pm

Councillor W S Davies (Chairman)