

HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING SUB- COMMITTEE AGENDA



Monday 17th March 2008

at 10.00 am

**in the Avondale Centre,
Dyke House, Hartlepool
(Raby Road entrance)**

**MEMBERS: HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING
SUB-COMMITTEE:**

Councillors Brash, Griffin, G Lilley, Morris and Richardson

- 1. APOLOGIES FOR ABSENCE**
- 2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
- 3. MINUTES**
 - 3.1 To confirm the minutes of the meeting held on 27th November 2007 (*attached*)
- 4. ITEMS FOR INFORMATION**

No items
- 5. ANY OTHER ITEMS THE CHAIR CONSIDERS ARE URGENT**

EXEMPT ITEMS

Under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraphs referred to below of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) Act 1985

6. ITEMS FOR DECISION

- 6.1 Private Hire Drivers Licence PG – *Head of Public Protection* (Para 3)
- 6.2 Hackney Carriage Drivers Licence AM – *Head of Public Protection* (Para 3)
- 6.3 Private Hire Drivers Licence MAC – *Head of Public Protection* (Para 3)

7. ANY OTHER CONFIDENTIAL ITEMS WHICH THE CHAIR CONSIDERS ARE URGENT

HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING SUB-COMMITTEE

MINUTES AND DECISION RECORD

27th November 2007

The meeting commenced at 10.00 a.m. in the Red Room, Avondale Centre,
Dyke House, Hartlepool

Present:

Councillor: Dr G Morris (In the Chair)

Councillors: J Brash, S Griffin, G Lilley and C Richardson

Officers: Ralph Harrison, Head of Public Protection
Tony MacNab, Solicitor
Jo Wilson, Democratic Services Officer
Sarah Bird, Democratic Services Officer

15. Apologies for Absence

None.

16. Declarations of Interest by Members

None.

17 Confirmation of the minutes of the meeting held on 11 May 2007

Confirmed.

18 Local Government (Access to Information) Act 1985

Under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely information relating to the

financial or business affairs of any particular person (including the authority holding that information).

Minute 19 – Private Hire Driver’s Licence PC– (Para 3).

Minute 20 – Private Hire Driver’s Licence CMC – (Para 3).

Minute 21 – Private Hire Driver’s Licence AJR – (Para 3).

Minute 22 – Private Hire Driver’s Licence GTB – (Para 3)

Minute 23 – Private Hire Driver’s Licence SCH – (Para 3)

- 19 Private Hire Driver’s Licence PC** – *(Head of Public Protection)* (Para 3) - This item contains exempt information under schedule 12A of the Local Government act 1972, (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely information relating to the financial or business affairs of any particular person (including the authority holding that information).

Purpose of Report

To consider what action, if any, should be taken against a licensed Private Hire Driver.

Decision

That the matter be deferred to a future meeting to enable the Private Hire Driver to be present.

- 20 Private Hire Driver’s Licence CMC** – *(Head of Public Protection)* (Para 3) - This item contains exempt information under schedule 12A of the Local Government act 1972, (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely information relating to the financial or business affairs of any particular person (including the authority holding that information).

Purpose of Report

To consider what action, if any, should be taken against a licensed Private Hire Driver.

Decision

That no action be taken.

- 21 Private Hire Driver's Licence AJR** – *(Head of Public Protection)*
(Para 3) - This item contains exempt information under schedule 12A of the Local Government act 1972, (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely information relating to the financial or business affairs of any particular person (including the authority holding that information).

Purpose of Report

To consider what action, if any, should be taken against a licensed Private Hire Driver.

Decision

That no action be taken.

- 22 Private Hire Driver's Licence GTB** – *(Head of Public Protection)*
(Para 3) - This item contains exempt information under schedule 12A of the Local Government act 1972, (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely information relating to the financial or business affairs of any particular person (including the authority holding that information).

Purpose of Report

To consider an application for a Private Hire Driver's Licence.

Decision

That the application be approved.

- 23 Private Hire Driver's Licence SCH** – *(Head of Public Protection)*
(Para 3) - This item contains exempt information under schedule 12A of the Local Government act 1972, (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely information relating to the financial or business affairs of any particular person (including the authority holding that information).

Purpose of Report

To consider an application for a Private Hire Driver's Licence

Decision

That the application be approved.

GEORGE MORRIS

CHAIRMAN



LICENSING COMMITTEE

Procedure For Contentious Matters Relating To Hackney Carriage/Private Hire Licensing Sub Committee

The hearing will be in private and not open to the press or members of the public. The applicant/appellant will be entitled to be represented by a solicitor or other person.

In advance of the commencement of the meeting (or consideration of an individual case) the Democratic Services Officer shall establish the identity of those present, who they represent and who intends, or wishes, to speak. The officer should also if possible, outline the procedure to the representatives before the meeting commences.

1. Chairman's opening comments.
2. The Democratic Services Officer representative will indicate which parties are present at the meeting and will briefly outline the procedure (if not already done).
3. The Head of Public Protection and Housing (or his representative) will outline the facts, adding any additional information as is necessary.
4. Members of the Committee will have an opportunity to ask any questions of the officer.
5. The Head of Public Protection and Housing (or his nominated representative) will call any further witnesses or persons (including a Police Officer) to comment. Members will again have the opportunity to ask questions.
6. The applicant/appellant (or representative) will then put his/her case.
7. Members of the Committee will have an opportunity to ask any questions of the applicant/appellant.
8. The applicant/appellant (or nominated representative) may call further witnesses or persons to comment. Members will again have the opportunity to ask questions.
9. All persons other than Committee members will then withdraw whilst the matter is considered and a decision reached.
10. Should members require further information at stage, all parties are to be invited to return.
11. All parties will be recalled to hear the decision of the members.

12. Should the decision go against the applicant/appellant, he/she will be informed verbally of the right of appeal to the Magistrates Court.
13. The decision will then be communicated to the applicant/appellant in writing as soon as practicable together with details of the right of appeal to the Magistrates Court within 21 days.

NOTES

Members of the Committee should ask only specific relevant questions and avoid debating the issue until all parties have withdrawn.

Only members present during the whole of the hearing should be involved in the decision making process.

An application for adjournment should be granted by the Chairperson at any time during the proceedings, if it is felt that the applicant/appellant is not receiving a fair hearing.

NO CROSS EXAMINATION IS TO TAKE PLACE AT THE MEETING.

Each party is to be allowed to make representation to the Members without interruption.