

# HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING SUB- COMMITTEE AGENDA



Thursday 9<sup>th</sup> October 2008

at 2.00 pm

in Committee Room B,  
Civic Centre, Hartlepool

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

Councillors Atkinson, R Cook, Fleet, Griffin and London

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 14 December 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 Driver KH – *Head of Procurement, Property and Public Protection (Para 3)*
- 6.2 Hackney Carriage / Private Hire Drivers Licence AJH - *Head of Procurement, Property and Public Protection (Para 3)*
- 6.3 Hackney Carriage Drivers Licence MAC - *Head of Procurement, Property and Public Protection (Para 3)*
- 6.4 Private Hire Driver's Licence DD - *Head of Procurement, Property and Public Protection (Para 3)*
- 6.5 Private Hire Drivers Licence IJR - *Head of Procurement, Property and Public Protection (Para 3)*
- 6.6 Private Hire Drivers Licence CT - *Head of Procurement, Property and Public Protection (Para 3)*

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



## 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.

# **HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING SUB-COMMITTEE**

## **MINUTES AND DECISION RECORD**

**14 December 2007**

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

**Present:**

Councillor Rob Cook (Chair), Councillors Atkinson, Fleet, Laffey and Morris

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

Also present: Terry Swales, District Licensing Officer, Cleveland Police

### **24. Apologies for Absence**

None.

### **25. Declarations of Interest by Members**

None.

### **26. Confirmation of the minutes of the meeting held on 12 September 2007**

Confirmed.

### **27. 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 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 28 – Private Hire Vehicle Driver’s Licence – LAH (Para 3)

Minute 29 – Private Hire Vehicle Driver’s Licence – PC (Para 3)

Minute 30 – Hackney Carriage Driver’s Licence – HN (Para 3)

**28. Private Hire Vehicle Driver’s Licence – LAH** (*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**

The decision is set out in the exempt section of the minutes.

**29. Private Hire Vehicle 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 whether the Private Hire Vehicle Driver is a ‘fit and proper person’ to continue to hold a Private Hire driver’s licence.

**Decision**

The decision is set out in the exempt section of the minutes.

**30. Hackney Carriage Driver's Licence – NH** (*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 whether a current Hackney Carriage Driver's licence should be revoked.

**Decision**

The decision is set out in the exempt section of the minutes.

**31. Any Other Items the Chair Considers Urgent**

Discussion took place regarding immediate suspension of a licence by Officers should circumstances come to light that a driver was not a 'fit and proper person' and Members expressed a wish that the Chair and Vice Chair of the Hackney Carriage and Private Hire Licensing Sub-Committee could have an input in any interim decision made by Officers.

R COOK

CHAIRMAN