

HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING SUB- COMMITTEE AGENDA



Wednesday 12th November 2008

at 10.00 am

in Committee Room A,
Civic Centre, Hartlepool

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

Councillors Fleming, Hall, McKenna, Rogan and Tumilty

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 1st August 2008 (*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 Hackney Carriage Drivers Licence MAC – *Head of Procurement, Property and Public Protection (Para 3)*
- 6.2 Dual Private Hire and Hackney Carriage Drivers Licence SPT – *Head of Procurement, Property and Public Protection (Para 3)*
- 6.3 Hackney Carriage Drivers Licence LAW – *Head of Procurement, Property and Public Protection (Para 3)*
- 6.4 Hackney Carriage Drivers Licence PBC - *Head of Procurement, Property & Public Protection (Para 3)*
- 6.5 Private Hire Drivers Licence TPA – *Head of Procurement, Property & Public Protection (Para 3)*
- 6.6 Private Hire Drivers Licence TPA – *Additional Information – Head of Procurement, Property & 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

1 August 2008

The meeting commenced at 10.00 a.m. in the Civic Centre

Present:

Councillors: Fleming, Hall, McKenna and Tumilty (Chair)

Officers: Ian Harrison, Principal Licensing Officer
Richard Smith, Locum Solicitor
Sarah Bird, Democratic Services Officer

9. Apologies for Absence

Apologies were received from Councillor Trevor Rogan

10. Declarations of Interest by Members

Councillor Gerard Hall suspected he was personally acquainted with one of the applicants. However upon seeing his photograph he confirmed that he did not know the applicant.

11. Confirmation of the minutes of the meeting held on 28 January 2008

The minutes of the meeting held on 28th January were confirmed as a true record.

12. 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 discussion 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 13 – Private Hire Driver Licence – KH (para 3)
- Minute 14 – Private Hire Driver Licence – DBB (para 3)
- Minute 15 – Private Hire Driver Licence – DD (para 3)
- Minute 16 – Private Hire Driver Licence – LBC (para 3)
- Minute 17 – Hackney Carriage Driver Licence – BJR (para 3)

13. Private Hire Driver Licence - KH *(Principal Licensing Officer)*

(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 licensed Private Hire driver, KH

Decision

That the decision be deferred.

14. Private Hire Driver Licence – DBB *(Principal Licensing Officer)*

(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 licensed Private Hire driver, DBB.

Decision

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

15. Private Hire Driver Licence – DD *(Principal Licensing Officer)*

(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 Licence.

Decision

The application was granted.

16. Private Hire Driver Licence – LBC *(Principal Licensing Officer)*

(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 Licence

Decision

The application was granted.

17. Hackney Carriage Driver Licence – BJR *(Principal Licensing Officer)*

(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 Hackney Carriage Driver Licence.

Decision

The application was granted

The meeting ended at 12.40 pm.

CHAIRMAN