

# HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING SUB- COMMITTEE AGENDA



Tuesday 3<sup>rd</sup> February 2009

at 2.00 pm

in Committee Room A,  
Civic Centre, Hartlepool

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

Councillors Aiken, Brash, Jackson, G Lilley and Morris

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 25<sup>th</sup> September 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 Private Hire Drivers Licence DN – *Head of Procurement, Property and Public Protection (Para 3)*
- 6.2 Private Hire Drivers Licence JTT - *Head of Procurement, Property and Public Protection (Para 3)*
- 6.3 Hackney Carriage Drivers Licence SW - *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**

**25 September & 7 October 2008**

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

**Present:**

Councillor Dr Morris (in the Chair)

Councillor Councillors Brash, G Lilley, and Jackson

Also in attendance: Councillor Tumilty as substitute for Councillor Aiken in accordance with Council Procedure Rule 4.2.

Officers: Ian Harrison, Principal Licensing Officer  
Sylvia Pinkney, Consumer Services Manager  
Tony MacNab, Solicitor  
David Cosgrove, Democratic Services Team

Police Representative: Inspector Tony Green

### **18. Apologies for Absence**

Councillor Aiken.

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

None.

### **20. Confirmation of the minutes of the meeting held on 17 March 2008**

Confirmed.

### **21. 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 22 – Thornaby Cars Ltd T/A Royal Cars (para 3) - This item contains exempt information under Schedule 12A Local Government Act 1972, namely information relating to the financial of business affairs of any particular person (including the authority holding that information)

**22. Thornaby Cars Ltd T/A Royal Cars** (*Head of Procurement Property and Public Protection*)

The Sub Committee considered whether the operators licence held by Thornaby Cars Ltd T/A Royal Cars should be revoked.

**Decision**

That in the absence of legal representation from the appellant, the meeting be adjourned to be reconvened on 7 October 2008 at 10.00am.

The meeting adjourned at 12.30 p.m.

The meeting reconvened at 10.00 a.m. on Tuesday 7 October, 2008 in the Civic Centre, Hartlepool

**Upon being reconvened, the following were present:**

Councillor Dr Morris (in the Chair)

Councillor Councillors Brash, G Lilley, and Jackson

Also in attendance: Councillor Tumilty as substitute for Councillor Aiken in accordance with Council Procedure Rule 4.2.

Officers: Ian Harrison, Principal Licensing Officer  
Sylvia Pinkney, Consumer Services Manager  
Tony MacNab, Solicitor  
David Cosgrove, Democratic Services Team

Police Representative: Inspector Tony Green

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The Sub Committee considered whether the operators licence held by Thornaby Cars Ltd T/A Royal Cars should be revoked.

### **Decision**

The Decision of the Sub Committee is set out in the exempt section of the minutes.

The meeting closed at 3.15 p.m.

CHAIRMAN