

HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING SUB- COMMITTEE AGENDA



Wednesday 23rd September 2009

at 10.00 am

**in Committee Room C
Civic Centre, Hartlepool**

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

Councillors Aiken, Fleet, McKenna, Morris 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 17th April 2009
 - 3.2 To confirm the minutes of the meeting held on 21st April 2009
 - 3.3 To confirm the minutes of the meeting held on 16th July 2009
- 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. CONFIDENTIAL ITEMS FOR DECISION

- 6.1 Private Hire Driver CW – *Head of Procurement, Property and Public Protection* (Para 3)
- 6.2 Hackney Carriage Driver GC – *Head of Procurement, Property and Public Protection* (Para 3)
- 6.3 Private Hire Drivers Licence LS – *Head of Procurement, Property and Public Protection* (Para 3)
- 6.4 Private Hire Drivers Licence PSG – *Head of Procurement, Property and 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

17th April 2009

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

Present:

Councillor Jonathan Brash

In accordance with Council Procedure Rule 4.2(ii) Councillor Victor Tumilty was in attendance as substitute for Councillor Dr Morris

Officers: Tony MacNab, Solicitor
Sylvia Pinkney, Consumer Services Manager
Sarah Bird, Democratic Services Officer

72. Apologies for Absence

Apologies had been received from Councillors Aiken, Jackson and Dr Morris

73. Inquorate Meeting

As the meeting was inquorate it was abandoned and in accordance with the wishes of Members present, it was reported that the meeting would be rescheduled as a matter of urgency.

The meeting concluded at 10.05 am

HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING SUB-COMMITTEE

MINUTES AND DECISION RECORD

21st April 2009

The meeting commenced at 2.30 p.m. in the Civic Centre, Hartlepool

Present:

Councillor: George Morris (In the Chair)

Councillor: Jonathan Brash

In accordance with Council Procedure Rule 4.2 (ii), Councillor Mary Fleet attended as a substitute for Councillor Peter Jackson

Officers: Tony MacNab, Solicitor
Sylvia Pinkney, Consumer Services Manager
Jo Wilson, Democratic Services Officer

74. Apologies for Absence

Apologies were received from Councillors Martyn Aiken, Peter Jackson and Geoff Lilley.

75. Declarations of Interest by Members

None

76. Confirmation of the minutes of the meeting held on 3rd February 2009

Agreed

77. Confirmation of the minutes of the meeting held on 17th April 2009

Agreed

78. 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 79 – Dual Hackney Carriage Driver's Licence / Private Hire Driver's Licence - IGT

Minute 80 – Private Hire Driver's Licence - PAR

Minute 81 – Private Hire Driver's Licence – DRT

Minute 82 – Hackney Carriage Driver's Licence – TP

Minute 83 – Private Hire Driver's Licence – WGK

Minute 84 – Dual Hackney Carriage/Private Hire Driver's Licence - PWD

79. Dual Hackney Carriage Driver's Licence / Private Hire Driver's Licence IGT *(Head of Procurement, Property and Public Protection)*

(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)

Purpose of Report

To consider an application for a dual Hackney Carriage Driver's Licence / Private Hire Drivers Licence.

Decision

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

80. Private Hire Driver's Licence PAR *(Head of Procurement, Property and Public Protection)*

(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)

Purpose of Report

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

Decision

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

81. Private Hire Driver's Licence DRT *(Head of Procurement, Property and Public Protection)*

(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)

Purpose of Report

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

Decision

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

82. Hackney Carriage Driver's Licence TP *(Head of Procurement, Property and Public Protection)*

(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)

Purpose of Report

To consider what action, if any, should be taken against a licensed Hackney Carriage driver.

Decision

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

83. Private Hire Driver's Licence WGK *(Head of Procurement, Property and Public Protection)*

(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)

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.

**84. Dual Hackney Carriage/Private Hire Driver's Licence
PWD** (*Head of Procurement, Property and Public Protection*)

(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)

Purpose of Report

To consider an application for a dual Hackney Carriage/Private Hire Driver's Licence.

Decision

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

The meeting concluded at 3.50 pm

CHAIRMAN

HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING SUB-COMMITTEE

MINUTES AND DECISION RECORD

16th July 2009

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

Present:

Councillor Tumilty (Chair)

Councillors Atkinson, Hall and Rogan

In accordance with Council Procedure Rule 4.2(ii) Councillor Atkinson was in attendance as substitute for Councillor Fleming

Officers: Tony Macnab, Solicitor
Ian Harrison, Principal Licensing Officer
Sarah Bird, Democratic Services Officer

1. Apologies for Absence

Apologies were received from Councillors Fleming and McKenna.

2. Declarations of Interest by Members

None.

3. Confirmation of the minutes of the meeting held on 4 March 2009

These were confirmed as an accurate account.

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

Minute 5 – Hackney Carriage Drivers Licence BMc (para 3)

Minute 6 – Private Hire Drivers Licence LS (para 3)

Minute 7 – Private Hire Drivers Licence MAS (para 3)

Minute 8 – Private Hire Drivers Licence NMJ (para 3)

Hackney Carriage Drivers Licence TP (para 3)

5. Hackney Carriage Drivers Licence BMc (para 3) – *Principal Licensing Officer*

Purpose of Report

To consider an application for a Hackney Carriage Drivers Licence.

Decision

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

6. Private Hire Drivers Licence LS (para 3) – *Principal Licensing Officer*

Purpose of Report

To consider an application for a Private Hire Drivers Licence.

Decision

This application was deferred.

7. Private Hire Drivers Licence MAS (para 3) – *Principal Licensing Officer*

Purpose of Report

To consider an application for a Private Hire Drivers Licence.

Decision

This is set out in the exempt section of the minutes.

8. Private Hire Drivers Licence NMJ (para 3) – *Principal Licensing Officer*

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.

9. Hackney Carriage Drivers Licence TP *(para 3) – Principal Licensing Officer*

Purpose of Report

To consider what action if any should be taken against a licensed Hackney Carriage Driver.

Decision

This is contained within the exempt section of the minutes.

The meeting concluded at 12.40 pm

CHAIR

LICENSING COMMITTEE

Procedure for Contentious Matters Relating To Hackney Carriage/Private Hire Licence 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.