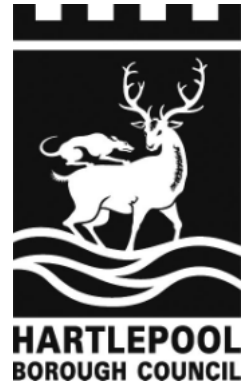


HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING SUB- COMMITTEE AGENDA



Thursday 3rd December 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, 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 23rd September 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. **EXEMPT ITEMS FOR DECISION**
 - 6.1 Hackney Carriage Driver JMMc – *Head of Procurement, Property and Public Protection (Para 3)*

- 6.2 Private Hire Driver ZU – *Head of Procurement, Property and Public Protection (Para 3)*
- 6.3 Private Hire Driver BG – *Head of Procurement, Property and Public Protection (Para 3)*
- 6.4 Private Hire Driver PAR – *Head of Procurement, Property and Public Protection (Para 3)*

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

HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING SUB-COMMITTEE

MINUTES AND DECISION RECORD

23rd September 2009

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

Present:

Councillor Victor Tumilty (In the Chair)

Councillors Martyn Aiken, Mary Fleet and Chris McKenna

In accordance with Council Procedure Rule 4.2(ii) Councillor Reuben Atkinson attended as substitute for Councillor George Morris

Officers: Ian Harrison, Principal Licensing Officer
Tony Macnab, Solicitor
Jo Wilson, Democratic Services Officer

10. Apologies for Absence

Apologies were received from Councillor George Morris.

11. Declarations of Interest by Members

None

12. Minutes of the meeting held on 17th April 2009

Confirmed as a true record

13. Minutes of the meeting held on 21st April 2009

Confirmed as a true record

14. Minutes of the meeting held on 16th July 2009

Confirmed as a true record

15. 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 16 – Private Hire Driver CW (para 3)

Minute 17 – Hackney Carriage Driver GC (para 3)

Minute 18 – Private Hire Drivers Licence LS (para 3)

Minute 19 – Private Hire Drivers Licence PSG (para 3)

16. Private Hire Driver CW (para 3) – Head of Procurement, Property and Public Protection

Purpose of Report

To consider an application for a Private Hire Drivers Licence.

Decision

Set out in the exempt section of the minutes

17. Hackney Carriage Driver GC (para 3) – Head of Procurement, Property and Public Protection

Purpose of Report

To consider what action, if any, should be taken against a licensed hackney carriage driver.

Decision

Set out in the exempt section of the minutes

18. Private Hire Drivers Licence LS (para 3) – Head of Procurement, Property and Public Protection

Purpose of Report

To consider an application for a Private Hire Drivers Licence.

Decision

Set out in the exempt section of the minutes

19. Private Hire Drivers Licence PSG *(para 3) – Head of Procurement, Property and Public Protection*

Purpose of Report

To consider an application for a Private Hire Drivers Licence.

Decision

Set out in the exempt section of the minutes

The meeting concluded at 12 noon.

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.

P.T.O.

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.