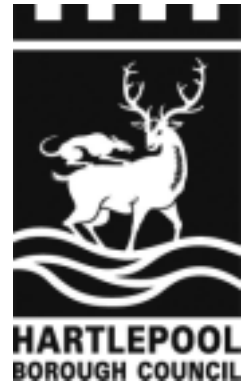


# **HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING SUB- COMMITTEE AGENDA**



**Tuesday 9<sup>th</sup> February 2010**

**at 10.00 am**

**in Committee Room A  
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 3<sup>rd</sup> December 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 Private Hire Driver KMc (para 3) – *Head of Community Safety and Protection*
- 6.2 Private Hire Driver SAL (para 3) - *Head of Community Safety and Protection*
- 6.3 Private Hire Driver ZU (para 3) - *Head of Community Safety and Protection*
- 6.4 Hackney Carriage Driver JMG (para 3) - *Head of Community Safety and Protection*
- 6.5 Private Hire Drivers Licence PLA (para 3) - *Head of Community Safety and Protection*
- 6.6 Hackney Carriage/Private Hire Driver LAH (para 3) - *Head of Community Safety and Protection*

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



## **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/ appellants 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 Community Safety and Protection (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 Community Safety and Protection (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.

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

## **MINUTES AND DECISION RECORD**

**3<sup>rd</sup> December 2009**

The meeting commenced at 10.00am in the Civic Centre, Hartlepool

**Present:**

Councillor Victor Tumilty (In the Chair)

Councillors Mary Fleet and Chris McKenna.

In accordance with Council Procedure Rule 4.2 (ii), Councillor Frances London was in attendance as substitute for Councillor Martyn Aiken and Councillor Gerard Hall was in attendance as substitute for Councillor George Morris.

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

### **37. Apologies for Absence**

Apologies were received from Councillors Martyn Aiken and George Morris

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

Councillor Victor Tumilty declared a personal and prejudicial interest in item 6.1 Hackney Carriage Driver JMMc and indicated he would leave the meeting during consideration of this item.

### **39. Minutes of the meeting held on 23<sup>rd</sup> September 2009**

Confirmed.

### **40. 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 41 – Private Hire Driver ZU (para 3)

Minute 43 – Hackney Carriage Driver JMMc (para 3)

Minute 45– Private Hire Driver BG (para 3)

Minute 46 – Private Hire Driver PAR (para 3)

#### **41. Private Hire Driver ZU** (para 3) – *Head of Procurement, Property and Public Protection*

##### **Purpose of Report**

To consider what action, if any, should be taken against a licensed private hire driver.

##### **Decision**

Set out in the exempt section of the minutes

#### **42. Appointment of Chair**

Owing to his previous declaration of interest Councillor Victor Tumilty withdrew from the meeting from the meeting for the following item with Councillor Gerard Hall in the Chair.

#### **43. Hackney Carriage Driver JMMc** (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

#### **44. Appointment of Chair**

Councillor Victor Tumilty returned to the meeting and resumed the Chair.

**45. Private Hire Driver BG** (para 3) – *Head of Procurement, Property and Public Protection*

**Purpose of Report**

To consider what action, if any, should be taken against a licensed private hire driver.

**Decision**

Set out in the exempt section of the minutes

**46. Private Hire Driver PAR** (para 3) – *Head of Procurement, Property and Public Protection*

**Purpose of Report**

To consider what action, if any, should be taken against a licensed private hire driver.

**Decision**

Set out in the exempt section of the minutes

The meeting concluded at 12 noon.

CHAIR