

REGULATORY SUB-COMMITTEE

AGENDA



Thursday 17 October 2024

at 10.00am

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

MEMBERS: REGULATORY SUB-COMMITTEE:

Councillors Allen, Bailey-Fleet, Darby and Jorgeson

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 16th February 2024
 - 3.2 To confirm the minutes of the meeting held on 16th May 2024
 - 3.3 To confirm the minutes of the meeting held on 29th July 2024
4. **ITEMS FOR DECISION**

No items.
5. **ANY OTHER ITEMS THE CHAIR CONSIDERS ARE URGENT**
6. **LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006**

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

CIVIC CENTRE EVACUATION AND ASSEMBLY PROCEDURE

In the event of a fire alarm or a bomb alarm, please leave by the nearest emergency exit as directed by Council Officers. A Fire Alarm is a continuous ringing. A Bomb Alarm is a continuous tone. The Assembly Point for everyone is Victory Square by the Cenotaph. If the meeting has to be evacuated, please proceed to the Assembly Point so that you can be safely accounted for.

7. EXEMPT ITEMS FOR DECISION

- 7.1 Private Hire and Hackney Carriage Driver TB – *Assistant Director, Regulatory Services*
- 7.2 Private Hire Driver Licence LAW – *Assistant Director, Regulatory Services*

8. ANY OTHER EXEMPT ITEMS THE CHAIR CONSIDERS ARE URGENT





LICENSING COMMITTEE

Procedure for Contentious Matters Relating To Regulatory 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 Assistant Director (Regulatory Services), or 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 Assistant Director (Regulatory Services), or 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.

REGULATORY SUB COMMITTEE

MINUTES AND DECISION RECORD

16th February 2024

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

Present:

Councillor: Tom Feeney (In the Chair)

Councillors: Bob Buchan and Sue Little

Also Present: Councillor Carole Thompson as substitute for Councillor Gary Allen in accordance with Council Procedure Rule 4.2.

Officers: Rachael Readman, Trading Standards and Licensing Manager
Tony Macnab, Solicitor
Jo Stubbs, Democratic Services Officer

11. Apologies for Absence

Apologies were submitted by Councillor Gary Allen.

12. Declarations of interest by Members

None

13. Local Government (Access to Information) (Variation Order) 2006

Under Section 100(A)(4) of the Local Government Act 1972, the press and public were excluded from the meeting for the following items of business on the grounds that they involved 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) (Variation) Order 2006.

Minute 14 — Hackney Carriage / Private Hire TA - This item contains exempt information under Schedule 12A 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 a particular person (including the authority holding that information) (para. 1).

Minute 15 — Private Hire Drivers Licence PMB - This item contains exempt information under Schedule 12A 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 a particular person (including the authority holding that information) (para. 1).

Minute 16 – Private Hire Drivers Licence CDG – This item contains exempt information under Schedule 12A 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 a particular person (including the authority holding that information) (para. 1).

- 14. Hackney Carriage / Private Hire TA** (*Assistant Director (Regulatory Services)*) This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 1) information relating to the financial or business affairs of a particular person (including the authority holding that information)

Members were asked to consider what action should be taken against a licensed private hire and hackney carriage driver. Details in the closed minutes.

Decision

Detailed in the closed minutes.

- 15. Private Hire Drivers Licence PMB** (*Assistant Director (Regulatory Services)*) This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 1) information relating to the financial or business affairs of a particular person (including the authority holding that information)

Members were asked to consider what action should be taken against a licensed Private Hire Driver. Details in the closed minutes.

Decision

Detailed in the closed minutes.

- 16. Private Hire Drivers Licence CDG** (*Assistant Director (Regulatory Services)*) This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 1) information relating to the financial or business affairs of a particular person (including the authority holding that information)

Members were asked to consider an application for a Private Hire Drivers licence. Details in the closed minutes.

Decision

Detailed in the closed minutes.

The meeting concluded at 11am

CHAIR

REGULATORY SUB COMMITTEE

MINUTES AND DECISION RECORD

16 May 2024

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

Present:

Councillor: Ged Hall (In the Chair)

Councillors: Ben Clayton and Rob Darby

In accordance with Council Procedure Rule 4.2 Councillor Sue Little was in attendance as substitute for Councillor Leisa Smith

Officers: Rachael Readman, Trading Standards and Licensing Manager
Tony Macnab, Solicitor
Denise Wimpenny, Democratic Services Team

17. Apologies for Absence

An apology for absence was submitted on behalf of Councillor Leisa Smith.

18. Declarations of interest by Members

None

19. Local Government (Access to Information) (Variation Order) 2006

Under Section 100(A)(4) of the Local Government Act 1972, the press and public were excluded from the meeting for the following items of business on the grounds that they involved 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) (Variation) Order 2006.

Minute 20 – Hackney Carriage and Private Hire Driver Licence MC – This item contained 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 any individual (para 1).

Minute 21 – Hackney Carriage Driver Licence MD AH – This item contained 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 any individual (para 1).

Minute 22 – Hackney Carriage and Private Hire Driver Licence SM – This item contained 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 any individual (para 1).

20. Hackney Carriage and Private Hire Drivers Licence

MC (*Assistant Director (Regulatory Services)*) This item contained exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely information relating to any individual (para 1).

Members were asked to consider what action should be taken against a licensed private hire and hackney carriage driver. Further details were contained in the closed minutes.

Decision

Details were set out in the closed minutes.

21. Hackney Carriage Driver Licence MD AH (*Assistant Director (Regulatory Services)*)

This item contained exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely information relating to any individual (para 1).

Members were advised that a request had been received from the appellant for more time and agreement was sought to withdraw the item.

Decision

That the item be withdrawn and considered at a future meeting of a Regulatory Sub-Committee

22. Hackney Carriage Driver Licence SM (*Assistant Director (Regulatory Services)*)

This item contained exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely information relating to any individual (para 1).

Members were advised that a request had been received from the appellant for more time and agreement was sought to withdraw the item.

Decision

That the item be withdrawn and considered at a future meeting of a Regulatory Sub-Committee

The meeting concluded at 10:25 am

CHAIR

REGULATORY SUB COMMITTEE

MINUTES AND DECISION RECORD

29 July 2024

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

Present:

Councillor: Dunbar (In the Chair)

Councillor: Clayton, Darby and Nelson

Officers: Rachael Readman, Trading Standards and Licensing Manager
Tony Macnab, Solicitor
Angela Armstrong, Principal Democratic Services and Legal Support Officer

1. Apologies for Absence

None.

2. Declarations of interest by Members

None.

3. Local Government (Access to Information) (Variation Order) 2006

Under Section 100(A)(4) of the Local Government Act 1972, the press and public were excluded from the meeting for the following items of business on the grounds that they involved 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) (Variation) Order 2006.

Minute 4 – Hackney Carriage Driver Licence SM (*Assistant Director Regulatory Services*) – This item contains exempt information under Schedule 12A 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 a particular person (including the authority holding that information) (para. 1).

Minute 5 – Hackney Carriage Driver Licence MDAM (*Assistant Director Regulatory Services*) – This item contains exempt information under Schedule 12A 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 a particular person (including the authority holding that information) (para. 1).

- 4. Hackney Carriage Driver Licence SM** (*Assistant Director, Regulatory Services*) This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 1) information relating to the financial or business affairs of a particular person (including the authority holding that information)

Members were asked to consider what action should be taken against a licensed private hire and hackney carriage driver. Further details were contained in the closed minutes.

Decision

Details were set out in the closed minutes.

- 5. Hackney Carriage Driver Licence MDAM** (*Assistant Director, Regulatory Services*) This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 1) information relating to the financial or business affairs of a particular person (including the authority holding that information)

Members were asked to consider what action should be taken against a licensed private hire and hackney carriage driver. Further details were contained in the closed minutes.

Decision

Details were set out in the closed minutes.

The meeting concluded at 12.00 noon

CHAIR