

HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING SUB- COMMITTEE AGENDA



Monday, 27 September 2010

at 2.00 pm

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

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

Councillors Aiken, Jackson, Lawton, Morris and Rogan

- 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 19 November 2009
 - 3.2 To confirm the minutes of the meeting held on 9 July 2010
- 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 Hackney Carriage/Private Hire Driver RPB (Para 1) - *Assistant Director, Community Safety and Protection*
- 6.2 Hackney Carriage Drivers Licence JRS (Para 1) – *Assistant Director, Community Safety and Protection*
- 6.3 Hackney Carriage Drivers Licence JS (Para 1) – *Assistant Director, Community Safety and Protection*
- 6.4 Hackney Carriage/Private Hire Driver MH (Para 1) – *Assistant Director, Community Safety and Protection*
- 6.5 Private Hire Driver PGS (Para 1) – *Assistant Director, Community Safety and Protection*

7. ANY OTHER CONFIDENTIAL 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/ 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 Assistant Director (Community Safety and Protection) (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 (Community Safety and Protection) (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.

HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING SUB-COMMITTEE

MINUTES AND DECISION RECORD

19 November 2009

The meeting commenced at 2.00 p.m. in the Civic Centre, Hartlepool

Present:

Councillors Reuben Atkinson, Sheila Griffin, Peter Jackson and Trevor Rogan

Officers: Ian Harrison, Principal Licensing Officer
 Richard Smith, Solicitor
 Jo Wilson, Democratic Services Officer

28. Appointment of Chair

In the absence of the Chair Councillor Peter Jackson was elected as Chair for the duration of the meeting.

29. Apologies for Absence

Apologies were received from Councillor Rob Cook

30. Declarations of Interest by Members

None

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

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 32 – Hackney Carriage Driver JR (para 3)

Minute 33 – Private Hire Drivers Licence SH (para 3)

Minute 34 – Hackney Carriage / Private Hire Driver PDMc (para 3)

Minute 35 – Private Hire Drivers Licence KW (para 3)

Minute 36 – Hackney Carriage / Private Hire Driver LAH (para 3)

32. Hackney Carriage Driver JR (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

33. Private Hire Drivers Licence SH (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

34. Hackney Carriage / Private Hire Driver PDMc (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 / private hire driver.

Decision

Set out in the exempt section of the minutes

35. Private Hire Drivers Licence KW(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

36. Hackney Carriage / Private Hire Driver LAH *(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 / private hire driver.

Decision

Set out in the exempt section of the minutes

The meeting concluded at 3:35pm

CHAIR

HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING SUB-COMMITTEE

MINUTES AND DECISION RECORD

9 July 2010

The meeting commenced at 2.00 p.m. in the Civic Centre, Hartlepool

Present:

Councillor George Morris (Chair)
Councillors Martin Aiken, Peter Jackson

In accordance with Council Procedure Rule 4.2 (ii) Councillor Sheila Griffin
was in attendance as substitute for Councillor Jonathan Brash

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

8. Apologies for Absence

These were received from Councillors Atkinson and Brash.

9. Declarations of Interest by Members

Cllr Jackson declared a personal interest in minute number 12.

10. 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 it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of the Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information)(Variation) order 2006

Minute 11 – Private Hire Vehicle Operators Licence ADG– 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 3), information relating to the financial and business affairs of any particular person (including the authority holding that information).

Minute 12 – Hackney Carriage/Private Hire Drivers Licence BM – (Para 3 – as above)

Minute 13 – Hackney Carriage Drivers Licence JS – (Para 3 – as above)

Minute 14 – Hackney Carriage Drivers IH – (Para 3 – as above)

Minute 15 – Private Hire Driver ACMc – (Para 3 – as above)

11. Private Hire Vehicle Operators Licence ADG (para 3) -
Principal Trading Standards and Licensing Officer

Purpose of Report

To consider an application for a Private Hire Vehicle Operators Licence.

Decision

This was contained in the exempt section of the minutes.

Councillor Jackson left the meeting

12. Hackney Carriage/Private Hire Drivers Licence BM (para 3) -
Principal Trading Standards and Licensing Officer

Purpose of Report

To consider an application for a dual hackney carriage/private hire drivers licence.

Decision

This was outlined in the exempt section of the minutes.

13. Hackney Carriage Drivers Licence JS (para 3) – *Principal Trading Standards and Licensing Officer*

Purpose of Report

To consider an application for a Hackney Carriage Drivers Licence.

Decision

This was detailed in the exempt section of the minutes

14. Hackney Carriage Driver IH (para 3) – *Principal Trading Standards and Licensing Officer*

Purpose of Report

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

Decision

This was contained in the exempt section of the minutes

15. Private Hire Driver ACMc (para 3) – *Principal Trading Standards and Licensing Officer*

Purpose of Report

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

Decision

This was detailed in the exempt section of the minutes.

The meeting concluded at 3.30 pm

CHAIR