

HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING SUB- COMMITTEE AGENDA



Thursday, 24 February 2011

At 2.00 pm

in Committee Room A, Civic Centre, Hartlepool

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

Councillors Morris (Chair), Aiken, Jackson, Law ton 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 17 November 2011
- 4. ITEMS FOR INFORMATION**

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

7. ITEMS FOR DECISION

- 7.1 Hackney Carriage Drivers Licence AG (Para 3) – *Assistant Director, Community Safety and Protection*
- 7.2 Private Hire Drivers Licence ASK (Para 3) – *Assistant Director, Community Safety and Protection*
- 7.3 Hackney Carriage Drivers Licence CEL (Para 3) – *Assistant Director, Community Safety and Protection*
- 7.4 Private Hire Drivers' Licence KJ (Para 3) – *Assistant Director, Community Safety and Protection*

8. 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.

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

17 November 2010

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

Present:

Councillor George Morris (in the Chair)

Also Present: in accordance with Council Procedure Rule 4.2

Councillor Sheila Griffin as substitute for Councillor Trish Lawton and
Councillor Geoff Lilley as substitute for Councillor Martyn Aiken

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

34. Apologies for Absence

Apologies were submitted by Councillors Martyn Aiken, Trish Lawton and Trevor Rogan.

35. Declarations of Interest by Members

None.

36. Confirmation of the minutes of the meeting held on 1 July 2010

Confirmed

37. Confirmation of the minutes of the meeting held on 27 September 2010

Deferred

38. 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 39 –Private Hire Drivers Licence (DA) - 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 any individual

Minute 40 – Hackney Carriage Drivers Licence (AWJ) – 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 any individual

Minute 41 –Private Hire Drivers Licence (SBC) – 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 any individual

Minute 42 –Private Hire Drivers Licence (JRS) – 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 any individual.

39. Private Hire Drivers Licence (DA) – Assistant Director, Community Safety and Protection

Purpose of Report

To consider an application for a Private Hire Drivers Licence.

Issues for Consideration

Detailed in the exempt section of the minutes.

Decision

Outlined in the exempt section of the minutes.

40. Hackney Carriage Drivers Licence (AWJ) – Assistant

Purpose of Report

To consider an application for a Hackney Carriage Drivers Licence

Issues for Consideration

Detailed in the exempt section of the minutes.

Decision

Outlined in the exempt section of the minutes.

41. Any Other Items which the Chairman Considers are Urgent

The Chair ruled that the following items of business should be considered by the Committee as a matter of urgency in accordance with the provisions of Section 100(B) (4) (b) of the Local Government Act 1972 in order that the matter could be dealt with without delay.

Following on from a previous discussion regarding the high number of taxi drivers in Hartlepool the Principal Trading Standards and Licensing Officer advised that he had consulted with drivers on this matter with mixed results. The owners of private hire companies felt more drivers were required whereas individual hackney carriage drivers thought there were too many drivers. The officer agreed that a reduction in the number of vehicles for hire was needed however the Office of Fair Trading had introduced a £25,000 charge to limit numbers as they regarded such action as a block on trade.

The Chair requested an update on the Church Street marshal rank. The Principal Trading Standards and Licensing Officer acknowledged that there had been a number of differing views however in his and the police's opinion the venture was proving a success. The possibility of erecting a shelter for waiting customers was now being considered.

42. 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 43 –Private Hire Drivers Licence (SBC) – 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 any individual

Minute 44 –Private Hire Drivers Licence (JRS) – 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 any individual.

43. Private Hire Drivers Licence (SBC) – Assistant Director, Community Safety and Protection

Purpose of Report

To consider an application for a Private Hire Drivers Licence

Issues for Consideration

Detailed in the exempt section of the minutes.

Decision

Outlined in the exempt section of the minutes.

44. Private Hire Drivers Licence (JRS) – Assistant Director, Community Safety and Protection

Purpose of Report

To consider an application for a Private Hire Drivers Licence

Issues for Consideration

Detailed in the exempt section of the minutes.

Decision

Outlined in the exempt section of the minutes.

The meeting concluded at 12 noon

CHAIR