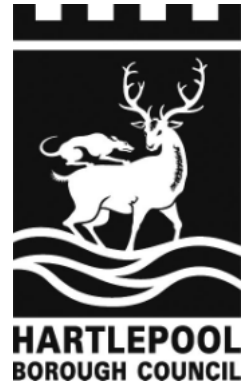


HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING SUB- COMMITTEE AGENDA



Monday, 18 April 2011

at 10.30 am

in Committee Room C, Civic Centre, Hartlepool

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

Councillors Morris (Chair) Fleet, Hall, Lawton, Sutheran

- 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 9 February 2010
 - 3.2 To confirm the minutes of the meeting held on 28 January 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 Private Hire Driver – LB (Para 3) – *Assistant Director (Regeneration and Planning)*
- 7.2 Hackney Carriage Drivers Licence – PBC (Para 3) – *Assistant Director (Regeneration and Planning)*

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, Regeneration and Planning (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, Regeneration and Planning (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

9th February 2010

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

Present:

Councillor Victor Tumilty (In the Chair)

Councillors Mary Fleet and Chris McKenna

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

56. Apologies for Absence

Apologies were received from Councillor Martyn Aiken

57. Declarations of Interest by Members

Councillor Fleet declared a personal non-prejudicial interest in item 60 Private Hire Driver KMc.

58. Minutes of the meeting held on 3rd December 2009

Confirmed.

59. 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 60 – Private Hire Driver KMc (para 3)

Minute 61 – Private Hire Driver SAL (para 3)

Minute 62 – Private Hire Driver ZU (para 3)

Minute 63 – Hackney Carriage Driver JMG (para 3)

Minute 64 – Private Hire Drivers Licence PLA (para 3)

Minute 65 – Hackney Carriage/Private Hire Driver LAH (para 3)

Minute 66 – Any other business (para 3)

60. Private Hire Driver KMc (para 3) – *Head of Community Safety and 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

61. Private Hire Driver SAL (para 3) – *Head of Community Safety and 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

62. Private Hire Driver ZU (para 3) – *Head of Community Safety and 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

63. Hackney Carriage Driver JMG (para 3) – *Head of Community Safety and 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

64. Private Hire Drivers Licence PLA (para 3) – *Head of Community Safety and Protection*

Purpose of Report

To consider an application for a Private Hire Drivers Licence.

Decision

Set out in the exempt section of the minutes

65. Hackney Carriage/Private Hire Driver LAH (para 3) – *Head of Community Safety and 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

66. Any other business

Councillor Chris McKenna advised that following a previous meeting he had witnessed one of the drivers whose case had been considered by the sub-committee parking illegally. Details are included in the exempt minutes.

The meeting concluded at 1:40pm

CHAIR

HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING SUB-COMMITTEE

MINUTES AND DECISION RECORD

28 January 2011

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

Present:

Councillor Pauline Laffey (Chair), Ged Hall, Geoff Lilley and Lillian Sutheran

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

60. Apologies for Absence

Councillor Mary Fleet.

61. Declarations of Interest by Members

None.

62. Confirmation of the minutes of the meeting held on 19 October 2010

Confirmed.

Matters Arising

The Principal Trading Standards and Licensing Officer updated Members on the result of a recent appeal and was thanked by the Chair for his efforts.

63. 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 64 – Hackney Carriage Drivers Licence RAD – 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 65 – Hackney Carriage 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

Minute 66 – Hackney Carriage Drivers Licence AG - 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

64. Hackney Carriage Drivers Licence (RAD) – (para 1) –
Assistant Director, Community Safety and Protection

Purpose of report

To consider an application for a Hackney Carriage Drivers Licence.

Issues for Consideration

These were outlined in the exempt section of the minutes

Decision

This was detailed in the exempt section of the minutes

65. Hackney Carriage Drivers Licence (JRS) – Para 1) –
Assistant Director, Community Safety and Protection

Purpose of report

To consider an application for a Hackney Carriage Drivers Licence.

Issues for Consideration

These were outlined in the exempt section of the minutes

Decision

This was detailed in the exempt section of the minutes

66. Hackney Carriage Drivers Licence (AG) – Para 1) –
Assistant Director, Community Safety and Protection

Purpose of report

To consider an application for a Hackney Carriage Drivers Licence.

Issues for Consideration

These were outlined in the exempt section of the minutes

Decision

This was detailed in the exempt section of the minutes

67. Any Other Items which the Chairman Considers are Urgent

The Chairman 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.

No items.

The meeting concluded at 11.00 am.

CHAIR