

HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING SUB- COMMITTEE AGENDA



13 December 2012

at 10.00 am

in Committee Room B, Civic Centre, Hartlepool

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

Councillors Dawkins, Griffin, Hall, Shields and Sirs

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 November 2012 (*to follow*)
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 they involve 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 KMMc (para 1) – *Assistant Director, Regeneration & Planning*
- 7.2 Hackney Carriage/Private Hire Drivers Licence AR (para 1) – *Assistant Director, Regeneration & Planning*
- 7.3 Hackney Carriage Drivers Licence MY (para 1) – *Assistant Director, Regeneration & Planning*
- 7.4 Private Hire Drivers Licence PP (para 1) – *Assistant Director, Regeneration & 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 November 2012

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

Present:

Councillor: George Morris (In the Chair)

Councillors: Jim Ainslie, Steve Gibbon, Sylvia Tempest

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

19. Apologies for Absence

Apologies received from Councillor Peter Jackson.

20. Declarations of Interest by Members

None.

21. Minutes of the meeting held on 29 August 2012

Confirmed.

22. Items for information

No Items.

23. 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 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 namely information relating to the financial or business affairs of any particular person (including the authority holding that information).

Minute 24 Private Hire Drivers Licence – CMRS - 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 any individual – Para 1.

Minute 25 Hackney Carriage Drivers Licence – MH - 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 any individual – Para 1.

Minute 26 Private Hire Drivers Licence – CW - 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 any individual – Para 1.

Minute 27 Hackney Carriage and Private Hire Drivers Licence – LAW - 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 any individual – Para 1.

- 24. Private Hire Drivers Licence CMRS** – *Assistant Director, Regeneration and Planning*. 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 any individual – Para 1.

Purpose of report

To consider an application for a private hire drivers licence by CMRS.

Issues for Consideration

These were outlined in the exempt section of the minutes.

Decision

This was detailed in the exempt section of the minutes.

- 25. Hackney Carriage Drivers Licence MH** – *Assistant Director, Regeneration and Planning*. 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 any individual – Para 1.

Purpose of report

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

Issues for Consideration

These were outlined in the exempt section of the minutes.

Decision

This was detailed in the exempt section of the minutes.

- 26. Private Hire Drivers Licence CW** – *Assistant Director, Regeneration and Planning*. 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 any individual – Para 1.

Purpose of report

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

Issues for Consideration

These were outlined in the exempt section of the minutes.

Decision

This was detailed in the exempt section of the minutes.

- 27. Hackney Carriage and Private Hire Drivers Licence LAW** – *Assistant Director, Regeneration and Planning*. 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 any individual – Para 1.

Purpose of report

The consider what action, if any, should be taken against licensed hackney carriage and private hire driver LAW.

Issues for Consideration

These were outlined in the exempt section of the minutes.

Decision

This was detailed in the exempt section of the minutes.

The meeting concluded at 12.15 pm

CHAIR