



Licensing Sub Committee (Taxis)

Wed 5 Sep
2018
10.00 am

Council Chamber
Town Hall
Redditch

REDDITCH BOROUGH COUNCIL

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**If you have any queries on this Agenda please contact
Sarah Sellers**

Town Hall, Walter Stranz Square, Redditch, B98 8AH

Tel: (01527) 64252 ext 2884

e.mail: sarah.sellers@bromsgroveandredditch.gov.uk

LICENSING SUB-COMMITTEE (TAXIS) PROCEDURE

1. Rights of Applicants/Drivers

- (a) An applicant/driver will be permitted the opportunity of being heard by the Committee before his/her application is determined.
- (b) The applicant/driver will also be allowed to be accompanied by a legal or other representative to assist them if he/she so desires.

2. Notice of Meeting

- (a) As much notice as is practicable will be given to the applicant of the date of the Committee meeting at which his/her application/licence review will be heard, in order to enable him/her to prepare his/her case adequately.
- (b) Every member of the Committee will be issued with copies of every document which has been supplied, both by and to the applicant/driver and any third parties.

3. Procedure at Meeting

- (a) The Chair will ascertain whether the applicant/driver, if unaccompanied, was aware that he/she could be represented.
- (b) Those present at the meeting will be identified so that the applicant is able to satisfy him/herself that no person, who may be in a position to influence the Committee, remains when he/she is asked to withdraw to allow the Committee to deliberate on the case.
- (c) The hearing will be opened with an outline of the relevant details of the application/case by either the Chair or the appropriate Officer of the Council. The legal representative to the Committee will also be asked to report whether there are any matters of which the Committee should be particularly aware.
- (d) Where an applicant/driver has spent convictions which Officers consider are relevant to the application/licence review, Officers will give a brief indication as to what these are. The applicant/driver will then be given the opportunity to say why he/she feels the spent convictions are irrelevant or should not be taken into account. The Committee will then decide whether there is a need to take the spent convictions into consideration and to hear the full details of these.
- (e) Any complainant(s)/witness(es) present will be asked to read out their statement(s) and members of the Committee and/or the applicant's/driver's side may ask the complainant/witness questions on this.

- (f) The applicant will then be invited to present his/her case, at the conclusion of which, he/she may be questioned by members of the Committee.
- (g) The applicant will then be allowed to make a final statement.
- (h) At the conclusion of the hearing, the stage at which the Committee will wish to deliberate upon the application/licence review, the applicant will be asked to withdraw, together with any third parties present and the Officers of the Council, with the exception of the Committee's Legal Adviser and the Committee Services Officer. If it is necessary to recall any party to provide further information or clarification, all parties to the hearing must be invited to return.
- (i) When the Committee has reached its conclusions, the applicant/driver and the remaining Officers of the Council will be recalled and its decision will be announced to the applicant, accompanied by, as appropriate, a description of any conditions which are to be attached to the grant of a licence or the reasons for refusal/suspension/revocation of a licence. That information should also be given to the applicant in writing as soon as is practicable and he/she should be told of any statutory rights of appeal which are available to him/her.

4. Adjournment

If an application is made for an adjournment, the Committee should grant the request if refusal would deny the applicant/driver a fair hearing and thereby result in a breach of the rules or natural justice.

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Agenda

Membership:

Cllrs:

Anita Clayton (Chair)
Julian Grubb

Pat Witherspoon
Andy Fry (Reserve)

- 1.** Apologies
- 2.** Declarations of Interest

To invite Councillors to declare any Disclosable Pecuniary Interests and / or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.

- 3.** Exclusion of the Public and Press

In the opinion of the Chief Executive, the meeting will not be, or is unlikely to be open to the Public at the time the following items of business are considered for the reasons stated. The Committee will be asked to pass the following resolution:

“that under S.100 I of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public be excluded from the meeting for the following item(s) of business on the grounds that it/they involve(s) the likely disclosure of exempt information as defined in the following paragraphs of Part 1 of Schedule 12 (A) of the said Act, as amended:

- Paragraph 1 – Any Individuals**
- Paragraph 2 – Identity of Individuals**
- Paragraph 3 – Financial or Business Affairs**
- Paragraph 7 – The Prosecution of a Crime.”**

- 4.** Private Hire Vehicle - Renewal Application Age Exemption (Pages 1 - 20)
- 5.** Hackney Carriage Vehicle - Renewal Application Age Exemption (Pages 21 - 34)
- 6.** Hackney Carriage Vehicle - Renewal Application Age Exemption (Pages 35 - 44)
- 7.** Hackney Carriage Driver's Licence - Review (Pages 45 - 62)

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- 8.** Private Hire Driver's Application (Pages 63 - 84)
- 9.** Enforcement Matters - Officer Update(s)

To consider, subject to the Chair's agreement of the matter(s) as general Urgent Business, any item(s) of an enforcement nature which need to be considered before the next meeting of the Committee.

(In view of the fact that information may be revealed in relation to individuals, the identities and financial or business affairs of those individuals and the prosecution of crimes, any reports will be confidential and circulated to Members and relevant Officers only.)