

Please note that by law this meeting can be filmed, audio-recorded, photographed or reported electronically by the use of social media by anyone attending. This does not apply to any part of the meeting that is held in private session.

Please ask for:
Suzanne Hulks

4 August 2017

Dear Councillor

You are requested to attend a meeting of the WELWYN HATFIELD BOROUGH COUNCIL HACKNEY Carriage Committee to be held on Monday 21 August 2017 at 7.30 pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE.

Yours faithfully



Executive Director
Public Protection, Planning and Governance

AGENDA
PART 1

1. **SUBSTITUTION OF MEMBERS**

To note any substitution of Members made in accordance with Council Procedure Rules 19-22.

2. **APOLOGIES**

To note any apologies.

3. **MINUTES**

To confirm as a correct record the Minutes of the meeting held on 14 August 2017 (previously circulated).

4. **DECLARATIONS OF INTERESTS BY MEMBERS**

To note declarations of Members' disclosable pecuniary interests, non-disclosable pecuniary interests and non-pecuniary interests in respect of items on the Agenda.

5. EXCLUSION OF PRESS AND PUBLIC

The Board/Committee is asked to resolve:

That under Section 100(A)(2) and (4) of the Local Government Act 1972, the press and public be now excluded from the meeting for Item 7 on the grounds that it involves the likely disclosure of confidential or exempt information as defined in Section 100(A)(3) and Paragraph 3 (private financial or business information) of Part 1 of Schedule 12A of the said Act (as amended).

In resolving to exclude the public in respect of the exempt information, it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

6. COMMITTEE PROCEDURES (Pages 3 - 4)

7. REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE (Pages 5 - 12)

Report of the Executive Director (Public Protection, Planning and Governance) which informs Members of the details for a review of a Hackney Carriage Driver's Licence.

<u>Circulation:</u>	Councillors	H.Bower (Chairman)	P.Mabbott
		J.Beckerman	T.Mitchinson
		A.Chesterman	H.Quenet
		L.Chesterman	

Executive Board
Press and Public (except Part II Items)

If you require any further information about this Agenda please contact Suzanne Hulks 01707 357467 democracy@welhat.gov.uk, Governance Services Unit on 01707 357467 or email – s.hulks@welhat.gov.uk

Agenda Item 6

Once the Committee is present and seated the Driver and his solicitor/supporter and interpreter (if applicable) to enter the room.

The Chairman will open the meeting by asking all present to introduce themselves and then to explain the procedure.

It will be stated that the hearing is quasi-judicial based on discussion and the principle of reasonableness. It is not a court procedure but is conducted in a non-adversarial friendly format.

The driver/operator will be asked whether they have received the papers in plenty of time to allow them to arrange legal support, etc.

The Hackney Carriage Officer or Assistant Hackney Carriage Officer will be invited to introduce their report

The driver/operator to be asked whether they have any questions or comments on the accuracy of the report.

Invite the Hackney Carriage Officer or Assistant Hackney Carriage Officer to call any witnesses.

Invite the Members to ask questions of the witnesses.

Invite the driver/operator to ask any questions of the witnesses.

Invite the Committee to ask questions of the Hackney Carriage Officer or Assistant Hackney Carriage Officer.

Invite the driver/operator to ask questions of the Hackney Carriage Officer or Assistant Hackney Carriage Officer.

Invite the driver/operator to state their case and to provide any evidence that they consider necessary. (Evidence will have been pre-notified).

Allow Members to ask the driver/operator or their witnesses questions for further clarification.

Allow cross examination if required.

Invite the driver/operator to make a final address to the Committee.

Invite the Hackney Carriage Officer or Assistant Hackney Carriage Officer to summarise.

The Hackney Carriage Officer or Assistant Hackney Carriage Officer, the Driver/Operator, Legal Representatives, Interpreters and supporters will leave the room whilst the Committee considers its decision.

If any legal clarification is required, the Legal Adviser must return to inform all parties of the point considered, together with the advice given.

All parties to return to the room to hear the decision of the Committee.

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By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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