

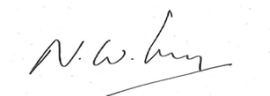
Please ask for:
Helen Johnson

13 November 2018

Dear Councillor

You are requested to attend a meeting of the WELWYN HATFIELD BOROUGH COUNCIL HACKNEY CARRIAGE COMMITTEE to be held on Thursday 22 November 2018 at 7.30 pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE.

Yours faithfully



Corporate Director
Public Protection, Planning and Governance

AGENDA
PART 1

PROCEDURE

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 27 September 2018 (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 the item on the Agenda.

5. EXCLUSION OF PRESS AND PUBLIC

The 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 items 6 and 7 on the grounds that they involve the likely disclosure of confidential or exempt information as defined in Section 100A(3) and Paragraph 1 (personal information), 2 (individual identity) and 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.

PART II

6. DETERMINATION OF A REVIEW OF HACKNEY CARRIAGE DRIVER'S LICENCE (Pages 5 - 32)

Exempt report of the Hackney Carriage Officer on the application for a review of a Hackney Carriage Driver's Licence.

7. COMMISSION OF OFFENCES BY AN UNLICENSED DRIVER (Pages 33 - 70)

Exempt report of the Hackney Carriage Officer on the commission of offences by an unlicensed driver.

Circulation: Councillors H.Bower (Chairman) P.Mabbott
P.Hebden (Vice-Chairman) H.Quenet
A.Chesterman R.Trigg
L.Chesterman

Head of Public Health and Protection (J.Harding)
Legal Services Manager (F.Hussain)
Hackney Carriage Officer (J.Vaughan)
Regulatory Support Officer (C.Bridges)
Press and Public (except Part II items)

If you require any further information about this Agenda please contact Helen Johnson, Governance Service on 01707 357467 or email – democracy@welhat.gov.uk

Agenda Annex

Procedure at the Meeting

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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