

NOTICE OF MEETING

Meeting LICENSING SUB-COMMITTEE

Date and Time MONDAY, 25 OCTOBER 2010 AT 10.00 A.M.

Place COUNCIL CHAMBER, APPLETREE COURT, LYNDHURST

Telephone enquiries to: Lyndhurst (023) 8028 5000
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Dave Yates
Chief Executive

Appletree Court, Lyndhurst, Hampshire SO43 7PA

This Agenda is also available on audio tape, in Braille, large print and digital format

AGENDA

Apologies

1. Election of a Chairman

To elect a Chairman for the meeting.

2. Declarations of Interest

To note any declarations of interest made by members in connection with an agenda item. The nature of the interest must also be specified.

Members are asked to discuss any possible interests with Democratic Services prior to the meeting.

3. Minutes (Report A)

To agree minutes of meeting held on 4 June 2010.

4. Exclusion of the public and the Press

At the conclusion of this part of the Agenda, the Chairman of the Committee will move the following resolution:-

That, under Section 100(A)(4) of the Local Government Act 1972, the public and the press be excluded from the meeting on the grounds that the information it wishes to consider involves the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12A of the Act and the public interest in maintaining the exception outweighs the public interest in disclosing it.

Members are reminded that reports and information relating to this session are not for publication and should be treated as **strictly confidential**.

5. Application for a Review of a Combined Hackney and Private Hire Vehicle Driver's Licence (Report B)

To consider a review of a combined Hackney Carriage and Private Hire Vehicle Driver's Licence on the basis of whether the holder is a fit and proper person.

6. Any other items which the Chairman decides are urgent

To: Councillors:
G C Beck
W H Dow

Councillors:
Mrs M McLean

(lc251010)

NEW FOREST DISTRICT COUNCIL

**TOWN POLICE CLAUSES ACT 1847 AND LOCAL GOVERNMENT
(MISCELLANEOUS PROVISIONS) ACT 1976**

Grant/Renewal/Review of Hackney Carriage and Private Hire Driver Licence

Procedure at Hearings before the Licensing Sub-Committee

1. INTRODUCTION

An oral hearing will be held to determine applications. The applicant will have an opportunity to be heard, together with any representatives they may wish to call. This hearing will be in open session and in the public domain.

2. PROCEDURES AT HEARING

2.1 The application and all objections will be considered by the Licensing Sub-Committee.

2.2 At the commencement of the hearing, the Chairman of the Licensing Sub-Committee will:-

- (i) Introduce himself/herself and the other members of the Sub-Committee.
- (ii) State the purpose of the proceedings which are to be heard by the Sub-Committee and ensure that the Applicant understands the procedure to be followed.
- (iii) Read aloud from the agenda paper particulars of the application.
- (iv) Ask for the names and addresses of persons the Applicant wishes to be heard in support of his application and for the name and status of any person representing the Applicant.

2.3 The Licensing Officer's Report

- (i) The Licensing Officer or his representative will present a report on the details of the application and call witnesses if appropriate;
- (ii) The Applicant and the Sub-Committee will be given an opportunity to question the Licensing Officer or his representative and witnesses, if any, on the details of their report.

2.4 **The Applicant's Case**

- (i) Opening remarks by the Applicant or his representative;
- (ii) The Applicant or his representative will then call any witnesses and/or give evidence in support of his case;
- (iii) The Licensing Officer or his representative, and the Sub-Committee will be given the opportunity to question the Applicant and any of his witnesses as they are called; and
- (iv) The Applicant or his representative will be given an opportunity of asking any further questions of each witness after they have been questioned by the other parties in (ii) above.

2.5 **Concluding Remarks**

- (i) The Licensing Officer or his representative will be given the opportunity to sum up;
- (ii) The Applicant or his representative will be given the opportunity to sum up.

2.6 The Chairman will then ask the applicant and Licensing Officer to leave the meeting whilst the Sub-Committee considers the application.

2.7 The Sub-Committee's Legal Advisor and the Clerk will remain to give any procedural or legal advice and to record the decision.

2.8 Once the Sub-Committee has reached a decision, the Applicant and Licensing Officer will be invited to re-enter the meeting to hear the decision. The Applicant and the Licensing Officer will be notified of the decision in writing as soon as possible following the meeting.