

Public Document Pack

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Date: Monday, 23 May 2022

To all Members of the Licensing Sub-Committee

Dear Sir or Madam

**Summons to attend the Licensing Sub-Committee Meeting – Tuesday, 31 May 2022
at 10.30 am
Kenn Room**

You are requested to attend the Meeting of the Licensing Sub-Committee to be held at 10.30 am on Tuesday, 31 May 2022.

The agenda is set out below.

Yours faithfully

Assistant Director Legal & Governance and Monitoring Officer

This document and associated papers may be made available in a different format on request.

Agenda

1. **Election of Chairman for the meeting (Agenda item 1)**
2. **Apologies for absence and notification of substitutes (Agenda item 2)**
3. **Declaration of Disclosable Pecuniary Interest (Standing Order 37) (Agenda item 3)**

A Member must declare any disclosable pecuniary interest where it relates to any matter being considered at the meeting. A declaration of a disclosable pecuniary interest should indicate the interest and the agenda item to which it relates. A Member is not permitted to participate in this agenda item by law and should immediately leave the meeting before the start of any debate.

If the Member leaves the Chamber in respect of a declaration, he or she should ensure that the Chairman is aware of this before he or she leaves to enable their exit from the meeting to be recorded in the minutes in accordance with Standing Order 37.

4. **Adoption of hearing procedures (Agenda item 4) (Pages 5 - 8)**
5. **Exclusion of the press and public (Agenda item 5)**

The Sub-Committee will be invited to pass the following resolutions:

(1) That the press, public and officers are not required by the Members, the Chief Executive or the Director, to remain during the exempt session, be excluded from the meeting during consideration of the following item of business on the ground that its consideration will involve the disclosure of exempt information as defined in Section 1001 of the Local Government Act 1972, by virtue of paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act

Also, if appropriate, the following resolution should be passed –

(2) That Members of the Council who are not members of this Sub-Committee be invited to remain”.

6. **Application for Private Hire Driver's Licence - Case No 01-2022-23 (Exempt item) (Agenda item 6) (Pages 9 - 16)**
7. **Review of Private Hire Driver's Licence - Case No 02-2022-23 (Exempt item) (Agenda item 7) (Pages 17 - 40)**
8. **Urgent business permitted by the Local Government Act 1972 (Agenda item 8)**

For a matter to be considered as an urgent item, the following question must be addressed: “What harm to the public interest would flow from leaving it until the next meeting”. If harm can be demonstrated, then it is open to the Chairman to rule that it be considered as urgent. Otherwise the matter cannot be considered urgent within the statutory provisions.

Exempt Items

Should the Licensing Sub-Committee wish to consider a matter as an Exempt Item, the following resolution should be passed -

“(1) That the press, public, and officers not required by the Members, the Chief Executive or the Director, to remain during the exempt session, be excluded from the meeting during consideration of the following item of business on the ground that its consideration will involve the disclosure of exempt information as defined in Section 100I of the Local Government Act 1972.”

Mobile phones and other mobile devices

All persons attending the meeting are requested to ensure that these devices are switched to silent mode. The chairman may approve an exception to this request in special circumstances.

Filming and recording of meetings

The proceedings of this meeting may be recorded for broadcasting purposes.

Anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chairman. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting, focusing only on those actively participating in the meeting and having regard to the wishes of any members of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairman or the Assistant Director Legal & Governance and Monitoring Officer’s representative before the start of the meeting so that all those present may be made aware that it is happening.

Members of the public may also use Facebook and Twitter or other forms of social media to report on proceedings at this meeting.

Emergency Evacuation Procedure

On hearing the alarm – (a continuous two tone siren)

Leave the room by the nearest exit door. Ensure that windows are closed.

Last person out to close the door.

Do not stop to collect personal belongings.

Do not use the lifts.

Follow the green and white exit signs and make your way to the assembly point.

Do not re-enter the building until authorised to do so by the Fire Authority.

Go to Assembly Point C – Outside the offices formerly occupied by Stephen & Co

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North Somerset Council

Licensing Sub-Committee

Procedure to be followed for meetings of the Sub-Committee relating to a review of a Private Hire Driver's Licence, Hackney Carriage Driver's Licence, Combined Driver's Licence, Private Hire Operator's Licence

The Chairman introduces members of the Sub-Committee and officers present, and explains the procedure to be followed:

1. The Chairman invites the Licensing Authority's representative to outline the reasons for the review of the licence. All parties may then ask questions;
2. The Chairman invites the licence holder or his/her representative to respond. All parties may then ask questions;
3. The parties are invited to sum up;
4. The Sub-Committee withdraws to consider the submissions and to make its deliberations;
5. On returning to the meeting with all parties present, the Chairman/Legal Adviser to the Sub-Committee announces the decision.

Please note:

The Chairman appointed for the meeting shall have absolute control of the Hearing and the ruling of the Chairman shall be final.

The Legal Advisor to the Sub-Committee can assist the Chairman during the Hearing and may interrupt proceedings when it is considered necessary to ensure that the Sub-Committee is able to determine the review of the Private Hire Driver's Licence fairly.

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North Somerset Council

Licensing Sub-Committee

Procedure to be followed for meetings of the Sub-Committee relating to applications for Hackney Carriage Drivers' Licences, Private Hire Drivers' Licences, Combined Drivers' Licences and Operators' Licences

The Chairman introduces members of the Sub-Committee and officers present, and explains the procedure to be followed:

- 1 The Chairman invites the Licensing Authority's representative to outline the application. All parties may then ask questions
- 2 The Chairman invites the applicant or his/her representative to respond. All parties may then ask questions
- 3 The parties are then invited to sum up
- 4 The Sub-Committee withdraws to consider the submissions and to make its deliberations
- 5 On returning to the meeting with all parties present, the Chairman/Legal Adviser to the Sub-Committee announces the decision

Please note:-

The Chairman appointed for the meeting shall have absolute control of the Hearing and the ruling of the Chairman shall be final.

The Legal Advisor to the Sub-Committee can assist the Chairman during the Hearing and may interrupt proceedings when it is considered necessary to ensure that the Sub-Committee is able to determine the application fairly.

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Agenda Item 6

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Agenda Item 7

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