

Public Document Pack

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Date: Friday, 29 September 2023

Dear Sir or Madam

The Licensing Sub-Committee – Monday, 9 October 2023, 10.00 am – Kenn Room

A meeting of the Licensing Sub-Committee will take place as indicated above.

The agenda is set out overleaf.

Yours faithfully

Assistant Director Legal & Governance and Monitoring Officer

To: Members of the Licensing Sub-Committee

Councillors:

Stuart Davies, Mike Solomon and Dan Thomas.

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

Agenda

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

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 Chairperson 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 procedure (Pages 5 - 6)**
- 5. Exclusion of the Press and Public**

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 to review PHDL Case No 3 2023- 24 (Pages 7 - 40)**
- 7. Urgent business permitted by the Local Government Act 1972**

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 Chairperson 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.”

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

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

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

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

1. The Chairperson invites the Licensing Authority's representative to outline the reasons for the review of the licence. All parties may then ask questions;
2. The Chairperson 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 Chairperson/Legal Adviser to the Sub-Committee announces the decision.

Please note:

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

The Legal Advisor to the Sub-Committee can assist the Chairperson 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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Agenda Item 6

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

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