



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE LICENSING (MISCELLANEOUS) SUB-COMMITTEE A

WEDNESDAY 27TH JUNE 2012

AT 3.00 P.M.

CONFERENCE ROOM, THE COUNCIL HOUSE, BURCOT LANE, BROMSGROVE

MEMBERS: Councillors Mrs. R. L. Dent (Chairman), Ms. M. T. Buxton and
S. P. Shannon

Mrs. H. J. Jones (Substitute Member)

AGENDA

TAXI LICENSING HEARING PROCEDURES (Pages 1 - 2)

1. To receive apologies for absence and notification of substitutes
2. Declarations of Interest
3. To consider, and if considered appropriate, to pass the following resolution to exclude the public from the meeting during the consideration of items of business containing exempt information:-

"RESOLVED: that under Section 100 I of the Local Government Act 1972, as amended, the public be excluded from the meeting during the consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A to the Act, as amended, the relevant paragraph(s) of that part being as set out below, and that it is in the public interest to do so:-

<u>Item No.</u>	<u>Paragraph(s)</u>
4	1, 2 and 3
5	1, 2 and 3 “

4. Hackney Carriage and Private Hire Vehicle Driver's Licence - Review (Pages 3 - 6)

5. Enforcement Matters - Officer Update(s)
6. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman considers to be of so urgent a nature that it cannot wait until the next meeting

K. DICKS
Chief Executive

The Council House
Burcot Lane
BROMSGROVE
Worcestershire
B60 1AA

18th June 2012



INFORMATION FOR THE PUBLIC

Access to Information

The Local Government (Access to Information) Act 1985 widened the rights of press and public to attend Local Authority meetings and to see certain documents. Recently the Freedom of Information Act 2000 has further broadened these rights, and limited exemptions under the 1985 Act.

You can attend all Council, Cabinet and Committee/Board meetings, except for any part of the meeting when the business would disclose confidential or “exempt” information.

You can inspect agenda and public reports at least five days before the date of the meeting.

You can inspect minutes of the Council, Cabinet and its Committees/Boards for up to six years following a meeting.

You can have access, upon request, to the background papers on which reports are based for a period of up to six years from the date of the meeting. These are listed at the end of each report.

An electronic register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees etc. is available on our website.

A reasonable number of copies of agendas and reports relating to items to be considered in public will be made available to the public attending meetings of the Council, Cabinet and its Committees/Boards.

You have access to a list specifying those powers which the Council has delegated to its Officers indicating also the titles of the Officers concerned, as detailed in the Council’s Constitution, Scheme of Delegation.

You can access the following documents:

Meeting Agendas
Meeting Minutes
The Council’s Constitution

at www.bromsgrove.gov.uk

Declaration of Interests - Explained

Definition of Interests

A Member has a **PERSONAL INTEREST** if the issue being discussed at a meeting affects the well-being or finances of the Member, the Member's family or a close associate more than most other people who live in the ward affected by the issue.

Personal interests are also things relating to an interest the Member must register, such as any outside bodies to which the Member has been appointed by the Council or membership of certain public bodies.

A personal interest is also a **PREJUDICIAL INTEREST** if it affects:

The finances, or

A regulatory function (such as licensing or planning)

Of the Member, the Member's family or a close associate **AND** which a reasonable member of the public with knowledge of the facts would believe likely to harm or impair the Member's ability to judge the public interest.

Declaring Interests

If a Member has an interest they must normally declare it at the start of the meeting or as soon as they realise they have the interest.

EXCEPTION:

If a Member has a **PERSONAL INTEREST** which arises because of membership of another public body the Member only needs to declare it if and when they speak on the matter.

If a Member has both a **PERSONAL AND PREJUDICIAL INTEREST** they must not debate or vote on the matter and must leave the room.

EXCEPTION:

If a Member has a prejudicial interest in a matter being discussed at a meeting at which members of the public are allowed to make representations, give evidence or answer questions about the matter, the Member has the same rights as the public and can also attend the meeting to make representations, give evidence or answer questions **BUT THE MEMBER MUST LEAVE THE ROOM ONCE THEY HAVE FINISHED AND CANNOT DEBATE OR VOTE.**

However, the Member must not use these rights to seek to improperly influence a decision in which they have a prejudicial interest.

For further information please contact Committee Services, Legal, Equalities and Democratic Services, Bromsgrove District Council, The Council House, Burcot Lane, Bromsgrove, B60 1AA

Tel: 01527 873232 Fax: 01527 881414

Web: www.bromsgrove.gov.uk email: committee@bromsgrove.gov.uk

Appendix

TAXI LICENSING

HEARING PROCEDURE

1. The Chairman will open the hearing and introduce the members of the Sub-Committee and officers present.
2. The Chairman will ask the Applicant and his/her representative present to introduce themselves.
3. The Chairman will inform those present that the meeting is being recorded. Any other recording of this meeting is prohibited.
4. The Chairman will remind the Applicant that he/she can be represented by a legal representative at his/her own expense.
5. The Senior Licensing Practitioner will present the report and call any witnesses.
6. The Chairman will invite Members of the Sub-Committee and the Applicant to ask any relevant questions of the Senior Licensing Practitioner or the witnesses.
7. The Chairman will invite the Applicant or his/her representative to present the Applicant's case and to call any witnesses on behalf of the Applicant.
8. The Chairman will invite members of the Sub-Committee to put questions to the Applicant and/or his/her representative and/or witnesses.
9. The Chairman will invite the Applicant and/or his/her legal representative to sum up.
10. The Chairman will ask the Applicant to confirm that he/she has said all he/she wishes to.
11. The Chairman will ask the Sub-Committee Members if they have all the information they need to reach a decision.
12. The Chairman will ask the Legal Advisor if there is any legal advice to be given.
13. The Applicant and any other parties present will retire from the meeting room so that the Sub-Committee can reach its decision in private.
14. When the Sub-Committee has reached its decision the Applicant and his/her representative will be invited to return to the meeting room. The Chairman will relay the decision and the reason(s) for the decision to the Applicant.
15. The Chairman will inform the Applicant of the date on which the decision will take effect and of any right of appeal.

An appeal to the Magistrates' Court against the Sub-Committee's decision must be lodged within 21 days of the date on which written confirmation of the decision is received by the Applicant.

Revised 11th May 2012

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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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