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HAMBLETON
DISTRICT COUNCIL

AGENDA

Committee Administrator: Democratic Services Officer (01609 767015)

Monday, 28 January 2019

Dear Councillor

NOTICE OF MEETING

Meeting **LICENSING AND APPEALS HEARINGS PANEL**

Date **Tuesday, 5 February 2019**

Time **11.30 am**

Venue **Main Committee Room, Civic Centre, Stone Cross, Northallerton**

Yours sincerely

J. Ives.

Dr Justin Ives
Chief Executive

| | | |
|------------|---------------------------|-------------|
| To: | Councillors | Councillors |
| | M A Barningham (Chairman) | A Wake |
| | N A Knapton | |

Other Members of the Council for information

AGENDA

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1. APOLOGIES FOR ABSENCE

2. EXCLUSION OF THE PUBLIC AND PRESS

To consider passing a resolution under Section 100A(4) of the Local Government Act 1972 excluding the press and public from the meeting during consideration of item 3 on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A to the Act.

3. CONDUCT OF HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER

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Report of the Director of Law and Governance (Monitoring Officer)

4. MATTERS OF URGENCY

Any other business of which not less than 24 hours' prior notice, preferably in writing, has been given to the Chief Executive and which the Chairman decides is urgent.

HAMBLETON **DISTRICT COUNCIL**

HACKNEY CARRIAGE/PRIVATE HIRE LICENSING

LICENSING AND APPEALS HEARINGS PANEL

PROCEDURE

1. The hearing of matters will be less formal than hearings before, for instance, a Magistrates' Court. In particular, strict rules of evidence are not adhered to and information is not provided under oath. Nevertheless, proceedings before the Panel will observe basic rules of natural justice.
2. At the beginning of the hearing the Chairman shall:-
 - ask those present to introduce themselves;
 - explain the procedure;
 - ask the parties whether they wish permission for another person to appear at the hearing.
3. The Panel will consider whether the public should be excluded from all or any part of the hearing. This will only be done if the Panel considers that the public interest in so doing outweighs the public interest in the hearing taking place in public.
4. The Panel will consider requests for permission for other persons to appear at the hearing. Such permission will not be unreasonably withheld.
5. The Chairman will ask the Principal Licensing Officer to outline the background to the case.
6. The hearing shall take the form of a discussion led by the Panel (through the Chairman) and cross-examination shall not be permitted unless the Panel considers that cross-examination is required for it to consider the matter.
7. The Chairman is likely to ask for the views of the parties in the following order:-

- (a) the applicant/licence holder (including any other persons who have been given permission to participate);
 - (b) any party making representations (including any other persons who have been given permission to participate).
- 8. The applicant/licence holder will be given the final opportunity to address the Panel.
- 9. The Panel may exclude disruptive persons.
- 10. The Panel may adjourn the hearing.
- 11. The Panel may ask the parties to withdraw so that it can consider its determination. In considering its determination, the Panel may ask its Legal Advisor to provide it with legal and procedural advice. The nature of this advice will be notified to the parties.
- 12. The Panel will make its determination at the end of the hearing and this will be confirmed in writing.

February 2017

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

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