

Appendix A

Private Hire Operators Licence - Sub-Committee Hearing Procedure

1. Licensing Sub-Committee Hearings to consider a Private Hire Operators Licence will be open to the public to attend.
2. Members of the public attending will not normally be permitted to speak, nor pose public questions.
3. Present at the hearing will be members of the Licensing Sub-Committee, the Licensing Officer, and a Legal Officer who will be the Sub-Committee's legal advisor. A Committee Manager and the applicant may also be present.
4. At the start of the hearing the Chair of the Sub-Committee will open the meeting, introduce the members of the committee and officers present and explain the procedure to be followed.
5. The Officer will outline the report and present any information considered relevant in relation to the case.
6. Members may ask any relevant questions of the Officer.
7. The Chair will invite the applicant or her/his representative to ask any questions of the Officer.
8. The Chair will invite the applicant or a representative to put the applicant's case to the committee. The Chair will have the discretion to determine whether the Sub-Committee will hear from additional speakers (for example where a directly relevant customer complaint has been received).
9. Members may ask any relevant questions of the applicant and/or her/his witnesses.
10. The Officer may ask any relevant questions to clarify the information that has been given.
11. When all the information has been offered, the Chair will invite all parties to summarise their points if they wish.
12. The Chair will ask all parties if they are satisfied that they have had the opportunity to say everything that they wish to say.
13. The Chair will invite the Legal Advisor to the Sub-Committee to give any legal advice that the Adviser considers to be appropriate.
14. If the Sub-Committee wish to consider their decision in private, everyone, except the members of the Sub-Committee, will be asked to leave the room; alternatively the Sub-Committee will withdraw to

another room. The Sub-Committee may invite the Legal Advisor to join them. Any legal advice given to the Sub-Committee when they are withdrawn will be reported back to the hearing before the Chair resumes it.

15. The Sub-Committee may reconvene the meeting in order to seek clarification of the facts.
16. For new applications, the decisions open to members are as follows:
 - Issue the Operator's licence for the standard 1 year period.
 - Issue the Operator's licence for a limited duration up to 1 year.
 - Issue the Operator's licence with additional conditions if deemed necessary.
 - Refuse to issue the Operator's licence.
17. For first renewal applications and subsequent renewal applications, the decisions open to Members are as follows:
 - Renew the Operator's licence for the standard 1 year or 5 year period.
 - Renew the Operator's licence for a limited duration up to 5 years.
 - Renew the Operator's licence with additional conditions if deemed necessary.
 - Refuse the renewal.
18. For an Operator that is having a current licence reviewed, the decisions open to Members are as follows:
 - Take no further action.
 - Send a written warning letter.
 - Add additional conditions to the licence if deemed necessary.
 - Suspend the licence (for a period not exceeding 6 months).
 - Revoke the licence.
19. Any decision must be made in accordance with section 62 of the Local Government (Miscellaneous Provisions Act) 1976 and the Local Authority must be satisfied that the applicant or existing licence holder is a "fit and proper person to hold an operator's licence".
20. When the decision has been made the Chair will announce this to the applicant.
21. Members must give their reasons for any decision made.
22. Following the hearing the Council will write to the applicant with formal notification of the decision of the Licensing Sub-Committee and informing the applicant of any right of appeal to the Magistrates Court and the time within which the appeals must be submitted.