

REGULATORY SUB-COMMITTEE

AGENDA

WEDNESDAY 25 NOVEMBER 2015

6.30 PM

**ROOM 2, CIVIC OFFICES
CENTRAL MILTON KEYNES**

**PLEASE NOTE THAT THE DEADLINE FOR ANY FURTHER
SUBMISSIONS IS 12 NOON ON TUESDAY 24 NOVEMBER 2015**

Email to jane.crighton@milton-keynes.gov.uk or dino.imbimbo@milton-keynes.gov.uk

**ANY DOCUMENTS SUBMITTED AFTER THIS DEADLINE WILL BE
RECEIVED BY THE PANEL AT THE DISCRETION OF THE CHAIR**

Councillors: Geaney, Morris, Wallis and C Williams

If you have any enquires about this agenda please contact Dino Imbimbo, Democratic Services Manager, Tel: (01908) 252458 or E-mail: Dino.imbimbo@milton-keynes.gov.uk

AGENDA

1. Appointment of Chair

The Chair of the Regulatory Committee, shall Chair meetings of the Regulatory Sub-Committee, if present. In the absence of the Chair, the Vice-Chairs of the Regulatory Committee, shall Chair meetings of the Regulatory Sub-Committee. In the absence of both the Chair and the Vice-Chairs, the Regulatory Sub-Committee will, as its first item of business, appoint a Chair from its Membership.

2. Chair's Announcement

The Chair to welcome and introduce all in attendance at the meeting.

3. Apologies for Absence

4. Regulatory Sub-Committee Procedure

The Chair will outline the procedure to be followed by the Regulatory Sub-Committee for review hearings, which is set out at Item 4(a) (**Pages 4 to 5**), and the procedure to be followed for new applications, which is set out at Item 4(b) (**Pages 6 to 7**).

5. Exclusion of Public and Press

To consider excluding the public and press representatives by virtue of Paragraph 2 (Information which is likely to reveal the identity of an individual) and Paragraph 3 (Information relating to the Financial or Business Affairs of a Particular Person (including the Authority holding that information)) of Part I of Schedule 12A of the Local Government Act 1972, in order that the Committee may consider the following matters:

Item 6 (Renewal of Private Hire and Hackney Carriage Driver Licences)

Item 7 (Application for a Private Hire Driver Licence)

6. Renewal of Private Hire and Hackney Carriage Driver Licences

To consider Item 6 (**circulated under separate cover**), which is not for publication by virtue of Paragraph 2 (Information which is likely to reveal the identity of an individual) and Paragraph 3 (Information relating to the Financial or Business Affairs of a Particular Person (including the Authority holding that information)) of Part I of Schedule 12A of the Local Government Act 1972.

7. Application for a Private Hire Driver Licence

To consider Item 7 (**circulated under separate cover**), which is not for publication by virtue of Paragraph 2 (Information which is likely to reveal the identity of an individual) and Paragraph 3 (Information relating to the Financial or Business Affairs of a Particular Person (including the Authority holding that information)) of Part I of Schedule 12A of the Local Government Act 1972.

Health and Safety

Please take a few moments to familiarise yourself with the nearest available fire exit, indicated by the fire evacuation signs. In the event of an alarm sounding during the meeting you must evacuate the building immediately and follow all instructions provided by the fire evacuation officer who will identify him/herself should the alarm sound. You will be assisted to the nearest designated assembly point until it is safe to return to the building.

Mobile Phones

Please ensure that your mobile phone is switched to silent or is switched off completely during the meeting.

Agenda

Agendas and reports for the majority of the Council's public meetings can be accessed via the Internet at: <http://milton-keynes.cmis.uk.com/milton-keynes/> Wi Fi access is available in the Council's meeting rooms.

Users of Windows 7 and above can simply click the link to any documents you wish to see. Users of Windows XP will need to right click on the link and select 'open in browser'.

Recording of Meetings

The proceedings at this meeting may be recorded for the purpose of preparing the minutes of the meeting.

In accordance with the Openness of Local Government Bodies Regulations 2014, you can film, photograph, record or use social media at any Council meetings that are open to the public. If you are reporting the proceedings, please respect other members of the public at the meeting who do not want to be filmed. You should also not conduct the reporting so that it disrupts the good order and conduct of the meeting. While you do not need permission, you can contact the Council's staff in advance of the meeting to discuss facilities for reporting the proceedings and a contact is included on the front of the agenda, or you can liaise with staff at the meeting.

Guidance from the Department for Communities and local government can be viewed at the following link:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/343182/140812_Openness_Guide.pdf

Comments, Complaints and Compliments

Milton Keynes Council welcomes comments, complaints and compliments from members of the public in order to make its services as efficient and effective as possible. We would appreciate any suggestions regarding the usefulness of the paperwork for this meeting, or the conduct of the meeting you have attended.

Please e-mail your comments to meetings@milton-keynes.gov.uk

If you require a response please leave contact details, ideally including an e-mail address. A formal complaints / compliments form is available online at <http://www.milton-keynes.gov.uk/complaints/>

**REGULATORY SUB-COMMITTEE
PROCEDURE FOR DEALING WITH HEARINGS
FOR DRIVER LICENCE RENEWAL APPLICATIONS**

1. The Chair to propose excluding the public and press representatives by virtue of Paragraph 2 (Information which is likely to reveal the identity of an individual) and Paragraph 3 (Information relating to the Financial or Business Affairs of a Particular Person (including the Authority holding that information)) of Part I of Schedule 12A of the Local Government Act 1972, in order that the Sub-Committee may continue with the hearing.
2. On being seconded, voted upon and carried, the public, press and officers with no connection with the item, leave the room.
3. The Chair will introduce the Sub-Committee Councillors and colleagues and explain their roles for the purpose of the hearing.
4. The Chair will explain the procedure to be followed by the Sub-Committee, which will normally take the form of:
 - (a) The colleague will introduce his report, but make no recommendations regarding a decision on issues to be considered by the Sub-Committee. The colleague is permitted to call any witness or present any information in support of their case.
 - (b) The Sub-Committee may ask questions of the colleague.
 - (c) The applicant or the applicant's representative may ask questions of the colleague.
 - (d) The applicant or the applicant's representative will then present their case. The applicant is permitted to call any witnesses or present any information in support of their case.
 - (e) The colleague has the opportunity to ask questions of the applicant or the applicant's representative.
 - (f) The Sub-Committee may ask questions of the applicant and/or the applicant's representative.
 - (g) Parties will be invited to sum up their case in the following order:
 - (i) The colleague will be invited to sum up his case.
 - (ii) The applicant or the applicant's representative will be invited to sum up their case.
 - (h) The Sub-Committee will be invited to adjourn to come to its decision. Upon adjournment, all parties will withdraw, directly or through retirement of the Sub-Committee. The only colleague who may remain with the Sub-Committee during its adjournment shall be the legal advisor.

- (i) Where the Sub-Committee has to make a decision at the end of the hearing, all parties will be called back and informed orally of the decision of the Sub-Committee and any conditions made, with the reasons for those conditions.
- 5. The Regulatory Sub-Committee may choose to take one of the following options:
 - (a) allow the application to proceed in this case; or
 - (b) refuse the application.
- 6. The Committee will reconvene and inform all present of its decision. If the applicant is not present during this part of the meeting a letter will be sent to the Licence Holder within 5 working days of the hearing.
- 7. If the Sub-Committee decides to refuse a licence, the applicant has the right to appeal to the magistrate's court within 21 days of notification.

At any stage, the Committee may seek 'advice/clarification' from its legal representative, adjourning the meeting if necessary.

**REGULATORY SUB-COMMITTEE
PROCEDURE FOR DEALING WITH HEARINGS
FOR DRIVER LICENCE APPLICATIONS**

1. The Chair to propose excluding the public and press representatives by virtue of Paragraph 2 (Information which is likely to reveal the identity of an individual) and Paragraph 3 (Information relating to the Financial or Business Affairs of a Particular Person (including the Authority holding that information)) of Part I of Schedule 12A of the Local Government Act 1972, in order that the Sub-Committee may continue with the hearing.
2. On being seconded, voted upon and carried, the public, press and officers with no connection with the item, leave the room.
3. The Chair will introduce the Sub-Committee Councillors and colleagues and explain their roles for the purpose of the hearing.
4. The Chair will explain the procedure to be followed by the Sub-Committee, which will normally take the form of:
 - (a) The colleague will introduce his report, but make no recommendations regarding a decision on issues to be considered by the Sub-Committee. The colleague is permitted to call any witness or present any information in support of their case.
 - (b) The Sub-Committee may ask questions of the colleague.
 - (c) The applicant or the applicant's representative may ask questions of the colleague.
 - (d) The applicant or the applicant's representative will then present their case. The applicant is permitted to call any witnesses or present any information in support of their case.
 - (e) The colleague has the opportunity to ask questions of the applicant or the applicant's representative.
 - (f) The Sub-Committee may ask questions of the applicant and/or the applicant's representative.
 - (g) Parties will be invited to sum up their case in the following order:
 - (i) The colleague will be invited to sum up his case.
 - (ii) The applicant or the applicant's representative will be invited to sum up their case.
 - (h) The Sub-Committee will be invited to adjourn to come to its decision. Upon adjournment, all parties will withdraw, directly or through retirement of the Sub-Committee. The only colleague who may remain with the Sub-Committee during its adjournment shall be the legal advisor.

- (i) Where the Sub-Committee has to make a decision at the end of the hearing, all parties will be called back and informed orally of the decision of the Sub-Committee and any conditions made, with the reasons for those conditions.
5. The Regulatory Sub-Committee may choose to take one of the following options:
 - (a) allow the application to proceed in this case; or
 - (b) refuse the application.
6. The Committee will reconvene and inform all present of its decision. If the applicant is not present during this part of the meeting a letter will be sent to the Licence Holder within 5 working days of the hearing.
7. If the Sub-Committee decides to refuse a licence, the applicant has the right to appeal to the magistrate's court within 21 days of notification.

At any stage, the Committee may seek 'advice/clarification' from its legal representative, adjourning the meeting if necessary.