

QUASI-JUDICIAL PROCEDURE RULES

Suspension and revocation of private hire vehicle driver's licences

The committee comprises three district councillors. At least three members of the committee must be present at each hearing.

The council may suspend, revoke or refuse to renew a driver's licence on the following grounds:

- (1) The driver has, since the grant of the licence, been convicted of an offence involving dishonesty, indecency or violence.
 - (2) The driver has, since the grant of the licence, been convicted of an offence under or has failed to comply with the provisions of the Town Police Clauses (1847) or Local Government Miscellaneous Provisions (1976) Acts.
 - (3) Any other reasonable cause.
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1. Opening remarks by the chairman of committee

1.1 The chairman will introduce those present at the hearing and will ensure that all present understand the procedure to be followed.

1.2 The chairman will give a brief outline of the nature of the matter to be considered.

2. The council's case

2.1 The council's representative will present its case.

2.2 The council's representative may then be questioned by the following in the order shown:

- (1) the private hire vehicle driver or his representative;
- (2) the council's legal representative;
- (3) the representatives of consultees (eg police, general practitioner) and
- (4) the members of the committee.

3 The private hire vehicle driver's case

3.1 The private hire vehicle driver or his representative will present their case.

3.2 The private hire vehicle driver or his representative may then be questioned by the following in the order shown:

- (1) the council's representative and/or legal representative;
- (2) the representative of any consultee (eg the police, general practitioner) and
- (3) the members of the committee.

4. Representatives/consultees

4.1 The representatives of any consultees present shall then each present their case.

4.2 The representatives of any statutory consultees present may then each be questioned by the following in the order shown:

- (1) the private hire vehicle driver or his representative;
- (2) the council's representative and/or legal representative;
- (3) the representative of any other consultee and
- (4) the members of the committee.

5. **Closing statements**

5.1 Closing statements will then be made in the following order:

- (1) the council's representative and/or legal representative;
- (2) the representative of each consultee and
- (3) the private hire vehicle driver or his representative.

5.2 All persons present, with the exception of members of the committee, the advisor and the clerk, will then leave the meeting.

6. **The committee's decision**

6.1 The committee will discuss the matters under consideration and determine by voting, the action to be taken.

6.2 In the event of an equality of votes, the chairman has a second or casting vote.

6.1 During the decision making process, the committee may seek the advice and guidance of its clerk and advisor.

6.4 All persons referred to in paragraph 5.2 above, will be asked to re-join the meeting. The chairman will announce the committee's decision with a summary of the reasons why if the application is refused or special conditions are added.

6.5 The private hire vehicle driver will be provided with a full written copy of the committee's decision within 5 working days of the hearing.

6.6 In the event of a decision that is of disbenefit to the private hire vehicle driver, the committee must clearly state the reasons how the committee reached its decision.

6.7 The private hire vehicle driver should be advised that he has a right of appeal to the magistrates' court within 21 days of receiving the written decision.