

Minutes of the meeting of the **REGULATORY COMMITTEE** held at the Council Offices, Whitfield on Friday, 28 February 2014 at 10.01 am.

Present:

Chairman: Councillor B W Butcher

Councillors: S C Manion
J M Smith
R J Thompson

Officers: Senior Solicitor
Licensing Enforcement Officer
Team Leader – Democratic Support
Democratic Support Officer

525 APOLOGIES

An apology for absence was received from Councillor P S Le Chevalier.

526 APPOINTMENT OF SUBSTITUTE MEMBERS

There were no substitute members appointed.

527 DECLARATIONS OF INTEREST

There were no declarations of interest from Members.

528 MINUTES

The Minutes of the meeting of the Committee held on 26 November 2013 were approved as a correct record and signed by the Chairman.

529 EXCLUSION OF THE PRESS AND PUBLIC

It was moved by Councillor S C Manion, duly seconded and

RESOLVED: That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the remainder of the business on the grounds that the items to be considered involve the likely disclosure of exempt information as defined in the Paragraphs 1 and 2 of Schedule 12A of the Act.

530 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION FOR A JOINT HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS LICENCE

The Licensing Enforcement Officer informed the Committee that an application for a Joint Hackney Carriage and Private Hire Drivers Licence where an Enhanced Disclosure from the Disclosable and Barring Services (DBS) had shown a number

of previous convictions that were relevant to any decision as to the applicant's suitability as a Fit and Proper Person to hold a licence to drive a Hackney Carriage or Private Hire vehicle in the Dover District.

In accordance with the approved procedure Members offered the applicant the opportunity to present evidence concerning the circumstances surrounding the convictions. The applicant called upon a witness to speak to his good character and suitability as a fit and proper person. The applicant's last conviction of an offence was on 1 May 2008, which was over 5 years ago

The Committee withdrew to consider its decision and upon resuming the meeting the Senior Solicitor explained that she had advised the Committee in relation to Sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 and had also advised on how the council's policy regarding fit and proper persons related to offences on record.

RESOLVED: That having regard to the evidence, the application for a Joint Hackney Carriage and Private Hire Drivers Licence be approved for an initial period of six months and;

- a) That the Licensing Team monitor the applicant's performance for the duration of this period and;
- b) That prior to the expiration of the initial six months the Licensing Team Leader submit a report to the Committee on the driver's conduct and that no further licence shall be granted or renewed without Regulatory Committee approval.

The meeting ended at 10.36 am.