

Minutes of the meeting of the **REGULATORY COMMITTEE** held at the Council Offices, Whitfield on Tuesday, 10 February 2015 at 10.01 am.

Present:

Chairman: Councillor B W Butcher

Councillors: P S Le Chevalier  
R J Thompson

Also present: Mr L Reynolds (Minute No 25)  
Applicant (Minute No 27)  
Applicant's Supporter (Minutes No 27)

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

21 APOLOGIES

An apology for absence was received from Councillor B Gardner.

22 APPOINTMENT OF SUBSTITUTE MEMBERS

There were no substitute Members appointed.

23 DECLARATIONS OF INTEREST

There were no declarations of interest from Members.

24 MINUTES

The minutes of the meeting of the Committee held on 18 November 2014 were approved as a correct record and signed by the Chairman.

25 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION TO LICENCE VEHICLE OUTSIDE OF POLICY GUIDELINES

The Licensing Team Leader informed the Committee that Mr L Reynolds of County Cars had applied for permission to licence a Fiat Panda (WR12 CYC) as a Private Hire Vehicle.

The Committee was asked to consider the application as the vehicle was outside of the policy guidelines which required vehicles to have a passenger seating capacity of not less than 4 persons and not more than 8 persons. The vehicle had passenger seating for 3 passengers but fulfilled the other licensing requirements including minimum leg room, internal head room and seat width.

Mr Reynolds advised the Committee that he had identified a market for such passenger journeys. The vehicle was economical, environmentally friendly and exempt from road tax and the start rate would be £2.30, which was £1.00 less than the maximum start rate according to the Hackney Carriage Tariff and less than other private hire vehicles in the Dover area.

The Committee adjourned to examine the vehicle accompanied by the applicant (Mr L Reynolds) and officers.

RESOLVED: That, notwithstanding the Council's current policy guidelines, Mr L Reynolds be granted a Private Hire Vehicle licence in respect of a 2012 Fiat Panda (WR12 CYC) for a period of 12 months.

26 EXCLUSION OF THE PRESS AND PUBLIC

It was proposed by Councillor P S Le Chevalier, 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 involved the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12A of the Act.

27 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION FOR A DRIVER'S LICENCE

The Committee considered the report of the Licensing Team Leader on an application for a Joint Hackney and Private Hire Driver's Licence where an Enhanced Disclosure from the Disclosure and Barring Service (DBS) had shown previous convictions that were relevant to the decision as to the applicant's suitability as a fit and proper person to hold a licence to drive a taxi 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 and, in line with the Council's policy, 3 years had lapsed since the last conviction.

The Committee withdrew to consider its decision and upon resuming the Senior Solicitor explained that she had advised the Committee in relation to the Council's Policy guidelines and Sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 relating to the applicant's suitability as a fit and proper person.

RESOLVED: That having regard to the evidence, the Committee considered that the applicant was a fit and proper person in accordance with Sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 and the application for a Joint Hackney and Private Hire Driver's Licence be approved for a period of 12 months.

The meeting ended at 10.45 am.