

Minutes of the meeting of the **REGULATORY COMMITTEE** held as a Teams Live Events remote meeting on Tuesday, 17 November 2020 at 10.08 am

Present:

Chairman: Councillor D P Murphy

Councillors: P M Brivio  
S J Jones  
O C de R Richardson  
R S Walkden

Officers: Contentious and Regulatory Lawyer  
Licensing Team Leader  
Licensing Enforcement Officer  
Democratic Services Officer

Also Present: Applicant (Minute No.13)  
Supporting Person (Minute No.13)

7 APOLOGIES

It was noted that no apologies for absence were received.

8 APPOINTMENT OF SUBSTITUTE MEMBERS

There were no substitute Members appointed.

9 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

10 MINUTES

The Minutes of the meeting held on 29 September 2020 were approved as a correct record and signed by the Chairman.

11 FEES AND CHARGES 2021/22

The Committee received the report of the Head of Regulatory Services which set out the fees and charges for the financial year 2021/22 relevant to the Regulatory Committee.

RESOLVED: (a) That the Fees and Charges for 2021/22 as set out in Appendix 4 of the report be approved.

(b) That Members approved the general principle that fees are set at an appropriate inclusive level, irrespective of VAT status, and that the VAT element within the overall fee level is then determined.

(c) Members approved the general principle that, unless the fee is set by statute, licensing fees will be set on a cost recovery basis.

- (d) That the Head of Regulatory Services be authorised to adopt fees at, or close to government directed levels without the need for further reporting, in cases where the Council is awaiting Government guidance and it has not been possible to set a fee level at this stage.
- (e) That the Head of Regulatory Services be authorised in consultation with the Strategic Director of Corporate Resources to make minor adjustments to the fees and charges as necessary.

12 EXCLUSION OF THE PRESS AND PUBLIC

It was moved by Councillor O C de R Richardson, 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.

13 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 three-year Joint Hackney Carriage and Private Hire Driver's Licence. The applicant had disclosed a driving conviction received in March 2019 which resulted in a fine and penalty points. The offence was a Major Motoring Offence within the Hackney Carriage and Private Hire Licensing Policy and the policy guidelines would generally prevent the granting of a licence by the Authority within 3 years after the date of the conviction. In line with the policy the applicant requested that the application be referred to the Committee for its consideration.

In accordance with the approved procedure Members offered the applicant the opportunity to explain the circumstances that led to the driving offence. The applicant explained the circumstances and provided documentary evidence to support the application. The applicant's supporting person also spoke to the applicant's good character and supported their application.

The Committee withdrew from the remote meeting with the Contentious and Regulatory Lawyer to consider its decision and upon resuming the meeting it was

RESOLVED: That notwithstanding the Hackney Carriage and Private Hire Licensing Policy and the relevance of convictions, and upon detailed consideration of the information presented surrounding the events, including that which led to the motoring conviction, the application for a Joint Hackney Carriage and Private Hire Driver's Licence be granted for 3 years on the basis that the Committee was satisfied that at this time the applicant was a Fit and Proper Person to hold a licence.

The meeting ended at 11.05 am.