

Minutes of the meeting of the **REGULATORY COMMITTEE** held at the Council Offices, Whitfield on Tuesday, 20 August 2013 at 10.00 am.

Present:

Chairman: Councillor B W Butcher

Councillors: P S Le Chevalier
J M Smith
R J Thompson

Also Present: Mr M Oatridge (Minute No. 162)
Applicant (Minute No. 164)

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

159 APOLOGIES

An apology for absence was received from Councillor S C Manion.

160 APPOINTMENT OF SUBSTITUTE MEMBERS

There were no substitute members appointed.

161 DECLARATION OF INTEREST

There were no declarations of interest from Members.

162 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION TO LICENCE VEHICLE OUTSIDE OF POLICY GUIDELINES - MR M OATRIDGE

The Licensing Team Leader advised the Committee that Mr M Oatridge had applied for permission to transfer a Hackney Carriage Vehicle licence (HV001) to a 2008 Citroen C4 Picasso (CE08 EUU), first registered on 1 March 2008.

The vehicle was outside the Council's Hackney Carriage and Private Hire Licensing Policy 2013-16 by reason that it exceeded five years of age. However, at 56,418 miles the vehicle was under the 100,000 miles limit.

The Committee adjourned to examine the vehicle accompanied by the applicant and officers and upon reconvening it was

RESOLVED: That, notwithstanding the Council's current policy guidelines that Mr M Oatridge be granted a Hackney Carriage Vehicle licence in respect of a 2008 Citroen C4 Picasso (CE08 EUU) for a period of 12 months.

163 EXCLUSION OF THE PRESS AND PUBLIC

It was moved 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 business on the grounds that the item to be considered involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Act.

164 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION FOR RENEWAL OF A JOINT DRIVERS LICENCE

The Committee considered the report of the Licensing Team Leader on an application for a Joint Hackney Carriage/Private Hire Drivers Licence where a disclosure from the Disclosure and Barring Service (DBS) had shown two previous convictions that were relevant to the decision as to the applicant's suitability to hold a licence to driver 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. The Committee withdrew to consider its decision and upon resuming the meeting the Senior Solicitor explained how the Council's policy regarding fit and proper persons related to offences on record.

RESOLVED: (a) That, having regard to the evidence heard, the existing convictions and the conviction for failing to insure a vehicle within the last three years which is classed as a major motoring offence under the policy, the application for a Joint Hackney Carriage/Private Hire licence be refused.

(b) That the driver be advised of the right of appeal against the determination.

The meeting ended at 10.34 am.