

Central Bedfordshire
Council
Priory House
Monks Walk
Chicksands,
Shefford SG17 5TQ



please ask for Helen Bell
direct line 01462 611040
date 20 April 2009

NOTICE OF MEETING

REGULATION COMMITTEE

Date & Time

Wednesday, 6 May 2009 at 9.30 a.m.

Venue at

Council Chamber, Priory House, Monks Walk, Shefford

Jaki Salisbury
Interim Chief Executive

To: The Chairman and Members of the REGULATION COMMITTEE:

Clrs B J Spurr (Chairman), J H Lewis (Vice-Chairman), D Bowater,
I Dalgarno, Mrs J R Davison, Mrs S Gilchrist, Ms A M W Graham, T Green,
H J Lockey, K D Lynch, A A J Rogers and N Warren

[Named Substitutes:

A R Baines, L Birt, A Fahn, J A Gurney, R V King, Mrs J G Lawrence and
Mrs C Turner]

All other Members of the Council - on request

AGENDA

R1. **APOLOGIES**

Apologies for absence and notification of substitute members

R2. **MINUTES**

To receive and sign the Minutes of the meeting of the Regulation Committee of the predecessor authorities as follows:

- (i) South Bedfordshire District Council – 3 December 2008
- (ii) Mid Bedfordshire District Council – 4 March 2009
(attached)

R3. **MEMBERS' INTERESTS**

To receive from Members declarations and the **nature** thereof in relation to:-

- (a) Personal Interests in any Agenda item
- (b) Personal and Prejudicial Interests in any Agenda item

R4. **PUBLIC PARTICIPATION**

To deal with any general questions and statements from members of the public in accordance with paragraph 1 of the scheme of public participation set out in Annex 1 to Part 4 of the Constitution.

Exclusion of Press and Public

To consider whether to pass a resolution under section 100A of the Local Government Act 1972 to exclude the Press and Public from the meeting for the following items of business on the grounds that the consideration of the items is likely to involve the disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Act.

REPORTS

Items	Subject	Exempt Para.	Page Nos.
R5	Application for Renewal of Hackney Carriage Drivers Licence To make a decision on the application to renew Hackney Carriage Drivers Licence No. 425 in respect of Mr M. Kamran.	* 1	R5.1 – R5.22
R6	Application for Grant of Private Hire Driver's Licence To make a decision on the application to grant a Private Hire Driver's Licence in respect of Mr M. Phillips.	* 1	R6.1 – R6.15
R7	Application for Renewal of Private Hire Driver's Licence To make a decision on the application to renew Private Hire Driver's Licence No. 611 in respect of Mr R G Constant.	* 1	R7.1 – R7.11
R8	Application for Grant of Private Hire Driver's Licence To make a decision on the application to Grant a Private Hire Driver's Licence in respect of Mr J M McNeil.	* 1	R8.1 – R8.13
R9	Application to Reinstate Private Hire Driver's Licence No. 745 This report requires Members to determine the application to reinstate Private Hire Driver's Licence No. 745 in respect of Mr Raggett.	* 1	R9.1 – R9.5

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LICENSING COMMITTEE

Minutes of a meeting of the Licensing Committee held at the District Offices, Dunstable, on 3 December 2008.

Present:

Councillors:

Bowater
Janes
Mrs Meakins (Chairman)
Swain (sub for Mrs Gilchrist)

Councillors:

Mrs Coleman (sub for Hogan)
Mrs Ledster
Shingler
Warren

Officers attending: Mr Dunleavy, Mr Ronan, Mrs James and Mrs Hulks

31. MINUTES

RESOLVED to approve the Minutes of the meeting of the Committee held on 10 September 2008 as a correct record and to authorise the Chairman to sign them.

32. SPECIFIC DECLARATIONS OF INTEREST

None

33. REQUEST TO INCREASE HACKNEY CARRIAGE FARES

Members received a report that informed them of a proposal to increase Hackney Carriage fares that had been declined at the meeting on 10 September. Included in the report was a further proposal for increasing the fares and aligning them with those of Mid Bedfordshire.

This proposal had been suggested at the September meeting, but could not be considered at that time as details had to be sent to the trade for consultation.

Consultation had resulted in one letter in support from the trade. There had been no comment made by members of the public.

Members were advised that there would a period of one year from Vesting day for Central Bedfordshire to align terms and conditions of the trade and that it therefore seemed sensible to take this opportunity to make changes that could, in time, be inevitable.

It was noted that the points previously raised about the cost of fuel impacting on the requirement for a fares increase did not necessarily still apply, but other costs had increased and these supported the request.

Advice was given that there was already a requirement in statute to increase fares by the Retail Price Index in January each year and Members therefore

needed to be aware that not accepting the proposal did not mean that fares would not increase.

An amendment to the report was put forward which stated that, if Members agreed the changes, these should be implemented from 2 January 2009, not the day following the meeting, as shown in the report.

RESOLVED to approve an application to increase Hackney Carriage fares to bring them in line with those currently used by Hackney Carriages in Mid Bedfordshire, effective from 2 January 2009.

CHAIRMAN

MID BEDFORDSHIRE DISTRICT COUNCIL

At a meeting of the **REGULATION COMMITTEE** held at Council Chamber, Priory House, Chicksands, Shefford on Wednesday, 4 March 2009.

PRESENT

Cllr J H Lewis (Chairman)
Cllr L Birt (Vice-Chairman)

Cllrs P A Blaine
I Dalgarno
Mrs J R Davison
M J Gibson

Cllrs Mrs J G Lawrence
H J Lockey
K D Lynch
Mrs C Turner

Apologies for Absence: Cllrs A R Baines

Substitutes: Cllrs S A Mitchell (In place of A R Baines)

Members in Attendance: Cllrs A A J Rogers

Officers in Attendance: Miss H Bell – Committee Administrator
Mr P Jones – Licensing Manager
Mr M Woolsey – Solicitor

REG/08/42 **MINUTES**

RESOLVED

that the Minutes of the meeting held on 7 January 2009 be confirmed and signed by the Chairman as a correct record.

REG/08/43 **ADDITIONAL ITEM OF BUSINESS**

By virtue of the Authority vested in him, in accordance with Section 100(b) of the Local Government Act 1972, the Chairman agreed to allow an additional item of business to be considered at this meeting as a matter of urgency.

This item related to the making of a decision on the action required with regard to Private Hire Driver's Licence No. 745 for Mr K Raggett, which would not admit delay to the next scheduled meeting of the Regulation Committee and therefore needed to be considered as a matter of urgency.

A copy of the report (R10) was circulated at the meeting.

REG/08/44 **MEMBERS' INTERESTS**

(a) **Personal Interests:-**

Member	Item	Nature of Interest	Present or Absent during discussion
Cllr K D Lynch	R10 (Additional Item of Business)	Knows driver in a personal capacity.	Absent
Cllr P A Blaine	R10 (Additional Item of Business)	Lives in close vicinity to driver.	Absent

(b) **Personal and Prejudicial Interests:-**

None.

REG/08/45 **PUBLIC PARTICIPATION**

No applications had been received in accordance with the Scheme of Public Participation set out in Appendix "A" referred to in Procedure Rule No. CM9.

REG/08/46 **APPLICATION FOR A NEW HACKNEY CARRIAGE DRIVERS LICENCE IN RESPECT OF MR A MAJID OF LUTON**

The Committee received and considered the report of the Director of Corporate and Democratic Services concerning an application for a new Hackney Carriage Driver's Licence in respect of Mr A Majid of Luton.

A copy of the application form and supporting documents were attached as an appendix for Members information. The Applicant attended the meeting and made representations in support of the application.

In accordance with the procedures for hearings held in private the Applicant and Licensing Officer were asked to withdraw whilst the Committee made their decision, following which all who had withdrawn were recalled to hear the decision.

RESOLVED

1. ***that the application for a new Hackney Carriage Driver's Licence in respect of Mr A Majid of Luton be refused in this case under Paragraph 59 of the Local Government Act 1976 as the Committee did not consider the Applicant to be a "fit and proper" person to hold such a licence on the information provided during the meeting.***
2. ***that the Applicant be informed in writing of his right to appeal against this decision to the Magistrates Court and that the appeal must be made within 21 days of written notification of this decision.***

REG/08/47 **APPLICATION FOR RENEWAL OF HACKNEY CARRIAGE DRIVERS LICENCE IN RESPECT OF MR A KAMRAN OF LUTON**

The Committee received and considered the report of the Director of Corporate and Democratic Services concerning an application for renewal of a Hackney Carriage Driver's Licence No. 425 in respect of Mr M Kamran of Luton.

A copy of the application form and supporting documents were attached as an appendix for Members information.

RESOLVED

that the application for renewal of a Hackney Carriage Driver's Licence for Mr M Kamran of Luton be postponed due to the failure to attend the hearing.

The matter be postponed until the next meeting of the Regulation Committee on 6 May 2009.

REG/08/48 **APPLICATION FOR RENEWAL OF PRIVATE HIRE DRIVERS LICENCE IN RESPECT OF MR K S JOHNSTONE OF SHEFFORD**

The Committee received and considered the report of the Director of Corporate and Democratic Services concerning an application for renewal of a Private Hire Driver's Licence in respect of Mr K S Johnstone of Shefford.

A copy of the application form and supporting documents were attached as an appendix for Members information. The Applicant attended the meeting and made representations in support of the application.

In accordance with the procedures for hearings held in private the Applicant and Licensing Officer were asked to withdraw whilst the Committee made their decision, following which all who had withdrawn were recalled to hear the decision.

RESOLVED

that the application for renewal of a Private Hire Driver's Licence for Mr K S Johnstone of Shefford be granted in this case subject to the Applicant being reminded of his responsibilities to comply with the conditions of the Licence and that the Council has the powers under the Local Government (Miscellaneous Provisions) Act 1976 to revoke the Licence at any time and that any further convictions could be viewed extremely seriously.

REG/08/49 **APPLICATION FOR RENEWAL OF PRIVATE HIRE DRIVERS LICENCE IN RESPECT OF MR J TYRELL OF SANDY**

The Committee received and considered the report of the Director of Corporate and Democratic Services concerning an application for renewal of a Private Hire Driver's Licence No. 711 in respect of Mr J Tyrell of Sandy.

A copy of the application form and supporting documents were attached as an appendix for Members information. The Applicant attended the meeting and made representations in support of the application.

In accordance with the procedures for hearings held in private the Applicant and Licensing Officer were asked to withdraw whilst the Committee made their decision, following which all who had withdrawn were recalled to hear the decision.

RESOLVED

that the application for renewal of a Private Hire Driver's Licence No. 711 for Mr J Tyrell of Sandy be granted in this case subject to the Applicant being reminded of his responsibilities to comply with the conditions of the Licence and that the Council has the powers under the Local Government (Miscellaneous Provisions) Act 1976 to revoke the Licence at any time and that any further convictions could be viewed extremely seriously.

REG/08/50 **APPLICATION FOR A NEW PRIVATE HIRE DRIVERS LICENCE IN RESPECT OF MR B KINGSLEY OF ARLESEY**

The Committee received and considered the report of the Director of Corporate and Democratic Services concerning an application for a new Private Hire Driver's Licence in respect of Mr B Kingsley of Arlesey.

A copy of the application form and supporting documents were attached as an appendix for Members information. The Applicant attended the meeting and made representations in support of the application.

In accordance with the procedures for hearings held in private the Applicant and Licensing Officer were asked to withdraw whilst the Committee made their decision, following which all who had withdrawn were recalled to hear the decision.

RESOLVED

that the application for a new Private Hire Driver's Licence for Mr B Kingsley of Arlesey be granted in this case subject to the Applicant being reminded of his responsibilities to comply with the conditions of the Licence and that the Council has the powers under the Local Government (Miscellaneous Provisions) Act 1976 to revoke the Licence at any time and that any further convictions could be viewed extremely seriously.

REG/08/51 **ADDITIONAL ITEM OF BUSINESS**

By virtue of the authority vested in accordance with Section 100(b) (4) (b) of the Local Government Act 1972, the Chairman authorised consideration of the making of a decision on the action required with regard to Private Hire Driver's Licence No. 745 for Mr K Raggett.

A copy of the report was circulated at the meeting.

RESOLVED

1. ***that Private Hire Driver's Licence No. 745 be suspended with immediate effect and that Mr K Raggett be invited to provide clarification at the next meeting of the Regulation Committee on 6 May 2009.***
2. ***that the Applicant be informed in writing of his right to appeal against this decision to the Magistrates Court and that the appeal must be made within 21 days of written notification of this decision.***

(Note: The meeting commenced at 9.30 a.m. and concluded at 11.30 a.m.)

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