

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **REGULATION COMMITTEE** held in The Council Chamber, Priory House, Chicksands on Wednesday, 14 October 2009

### PRESENT

Cllr L Birt (Chairman)  
Cllr T Green (Vice-Chairman)

Cllrs D Bowater  
I Dalgarno  
M Gibson  
K Janes  
Ms J Nunn

Cllrs A A J Rogers  
J A G Saunders  
G Summerfield  
P F Vickers

Member in Attendance: Cllr P N Aldis

Officers in Attendance:

Mrs C Bell	Team Leader Public Protection
Miss H Bell	Democratic Services Officer
Mrs S Childerhouse	Head of Public Protection (North)
Mrs M James	Licensing Officer
Mrs P Letting	Licensing Assistant
Mrs J Moakes	Assistant Director Community Safety & Public Protection
Mr M Woolsey	Principal Solicitor

REG/09/17 **Minutes**

### **RESOLVED**

***that the Minutes of the meeting held on 15 July 2009 be confirmed and signed by the Chairman as a correct record.***

REG/09/18 **Members' Interests**

(a) **Personal Interests:-**

None.

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

None.

REG/09/19 **Petitions**

The Chairman announced that no petitions had been referred to this meeting.

REG/09/20 **Public Participation**

No applications had been received in accordance with the Scheme of Public Participation set out in Paragraph 1 of the Scheme of Public Participation set out in Annex 1 to part 4 of the Constitution.

REG/09/21 **Statement of Policy About Relevant Convictions**

The Committee were advised that the Statement of Policy about relevant convictions was attached to the agenda for information and guidance at Item 7.

REG/09/22 **Alcohol Designation Order - Shefford**

The Committee received and considered a report of the Director of Corporate Resources advising of the progress and further steps required for a designation order in Shefford. The report further sought authorisation to proceed with appointing three members to act as a panel to review the Alcohol Designation Order and determine the appropriate area for public consultation and that subject to the comments and decision of the panel Members authorisation for the Assistant Director of Legal and Democratic Services to undertake the necessary public consultation.

The report advised that on the 10 September 2008, the former Mid Bedfordshire District Council Regulation Committee had considered a report relating to an application received from Shefford Town Council in association with the Police for an Alcohol Designation Order for Shefford. Following which three Members had been appointed in order to consider and discuss the proposed Alcohol Designation Order. Attached at Appendix A to the report for Members information was the original report with the application and supporting information. In addition, a plan and schedule of roads outlining the area for the Alcohol Designation Order was attached at Appendix B to the report.

Due to Local Government Review has meant that three Members originally appointed to be panel Members were no longer part of the Regulation Committee for Central Bedfordshire Council, therefore the work undertaken due to the Local Government Review has meant that this was the first opportunity for the Central Bedfordshire Council Regulation Committee to consider the matter. Once the work is undertaken, a draft order would be brought before this Committee for consideration prior to the making of the Order being taken to full Council.

The Committee appointed three Members to meet as a panel to review the Alcohol Designation Order and determine the appropriate area for public consultation as follows:-

Cllrs I Dalgarno, D Bowater and L Birt.

In addition the Committee authorised the Assistant Director of Legal and Democratic Services to undertake the necessary public consultation.

**RESOLVED**

- 1. that Cllrs I Dalgarno, D Bowater and L Birt be appointed to act as a panel to review the Alcohol Designation Order in Shefford and determine the appropriate area for public consultation.**
- 2. that subject to the comments and decision of the above panel Members, the Assistant Director of Legal and Democratic Services undertake the necessary public consultation.**

REG/09/23 **Prohibiting the Consumption of Alcohol in Designated Public Places - Arlesey**

The Committee received and considered a report of the Director of Corporate Resources advising of progress and further steps required for a Designation Order in Arlesey.

The report further advised that on 7 January 2009, the former Mid Bedfordshire District Council Regulation Committee considered a report relating to the application for an Alcohol Designation Order in Arlesey. The application had been received from Arlesey Town Council with the full support from the Police. At that time three Members had been appointed as a panel to meet an order to consider and discuss the proposed Alcohol Designation Order. Attached at Appendix A to the report for Members information was the original report for the application and supporting information. A plan and schedule of the roads taken forward for consultation was attached at Appendix B for Members information.

Due to the Local Government Review, the originally appointed panel Members were no longer Members of the Regulation Committee and therefore it was now necessary to bring this matter back for consideration.

The Committee appointed three Members to meet as a Panel to review the Alcohol Designation Order and to determine the appropriate area for public consultation in Arlesey as follows:-

Cllrs I Dalgarno, D Bowater and L Birt.

In addition, the Committee authorised the Assistant Director of Legal and Democratic Services to undertake the necessary public consultation.

**RESOLVED**

- 1. that Cllrs I Dalgarno, D Bowater and L Birt be appointed as panel Members to review the Alcohol Designation Order and determine the appropriate area for public consultation in Arlesey.**

2. ***that the Assistant Director of Legal and Democratic Services undertake the necessary public consultation required for the Alcohol Designation Order in Arlesey.***

REG/09/24 **Exclusion of Press and Public**

The Committee resolved to exclude the press and public from the remainder of the meeting under Section 100A of the Local Government Act 1972 on the grounds that the consideration of the items of business would involve the disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act.

REG/09/25 **Urgent Item of Business**

By virtue of the Authority vested in him in accordance with Section 100(b) (4) (b) of the Local Government Act 1972, the Chairman has agreed to allow an additional item to be considered at this meeting as a matter of urgency. The Committee were advised of the immediate suspension of a private hire drivers licence.

REG/09/26 **Conviction of Licensed Hackney Carriage / Private Hire Driver - Mr F B Leigh**

The Committee received and considered the report of the Licensing Officer Public Protection North requesting a decision to be made to permit Mr F B Leigh a Licence for a Hackney Carriage/Private Hire Drivers Licence and to continue to be licensed in view of his criminal conviction. A copy of the application form and supporting documents were attached as an Appendix to the report.

**RESOLVED**

***that the Mr F B Leigh's Hackney Carriage/Private Hire Drivers licence be revoked in view of his criminal convictions as appended to the report.***

REG/09/27 **Application for Grant of Hackney Carriage / Private Hire Driver's Licence - Mr S J Hashimi**

The Committee received and considered the report of the Licensing Officer Public Protection North concerning an application for a grant of a Hackney Carriage/Private Hire Drivers Licence in respect of Mr S J Hashimi.

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

The Applicant failed to attend the meeting.

**RESOLVED**

**that the decision on the Application to grant a Hackney Carriage/Private Hire Drivers Licence to Mr S J Hashimi be deferred to the next meeting of the Regulation Committee.**

REG/09/28 **Application for Grant of Hackney Carriage / Private Hire Driver's Licence - Mr P Ditta**

The Committee received and considered the report of the Licensing Officer Public Protection North concerning an application for a grant of a Hackney Carriage/Private Hire Drivers Licence in respect of Mr P Ditta.

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

The Applicant attended the meeting and made representations in support of the application.

In accordance with the procedure for hearings held in private, the Applicant and all other officers 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 Hackney Carriage/Private Hire Drivers Licence be refused in this case under Paragraph 5A of the Local Government (Miscellaneous Provisions) Act 1976, as the Committee does 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 Courts and that the appeal must be made within 21 days of written notification of this decision.**

REG/09/29 **Application for Grant of Hackney Carriage / Private Hire Driver's Licence - Mr I J Alexander**

The Committee received and considered the report of the Head of Public Protection North concerning an application for grant of a Private Hire Drivers Licence in respect of Mr I J Alexander.

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

The Applicant attended the meeting and was accompanied by his father and made representations in support of the application.

In accordance with the procedure for hearings held in private, the Applicant and all other officers 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 grant of a Private Hire Drivers Licence to Mr I J Alexander be refused in this case under Paragraph 59 of the Local Government (Miscellaneous Provisions) Act 1976 as the Committee does 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 Courts and that the appeal must be made within 21 days of written notification of this decision.**

REG/09/30 **Application for Grant of Hackney Carriage Driver's Licence - Mr M Kamran**

The Committee received and considered the report of the Head of Public Protection North concerning an application for a grant of a Hackney Carriage Drivers Licence in respect of Mr M Kamran.

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

The Applicant attended the meeting and was accompanied by a relative and made representations in support of the application.

In accordance with the procedure for hearings held in private, the Applicant and other relevant officers 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 grant of a Hackney Carriage Drivers Licence be granted to Mr M Kamran 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 seriously affect the continuation or renewal of the licence.**

REG/09/31 **Re-admittance of Press and Public**

**RESOLVED**

***that the Committee resolved to re-admit the press and public for the remainder of the meeting.***

REG/09/32 **Special Regulation Meeting**

**RESOLVED**

***that a Special Meeting of the Regulation Committee be held on Wednesday, 13 January 2010 at 9.30a.m. in the Council Chamber, Priory House, Monks Walk, Chicksands to receive a report on the Taxi and Private Hire Licensing Policy.***

(Note: The meeting commenced at 9.30 a.m. and concluded at 11.10 a.m.)