

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **REGULATION COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 24 February 2010

### PRESENT

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

Cllrs I Dalgarno  
M Gibson  
H J Lockey  
Ms J Nunn

Cllrs A A J Rogers  
G Summerfield  
P F Vickers

Apologies for Absence: Cllrs D Bowater  
K Janes  
J A G Saunders

Member in Attendance: Cllr P N Aldis

Officers in Attendance: Mrs C Bell                      Team Leader Public Protection  
Mrs M Clampitt                Democratic Services Officer  
Mrs M James                    Licensing Officer  
Mrs P Letting                    Licensing Assistant  
Mr B Salvatierra                Environmental Health Officer  
Mr M Woolsey                    Principal Solicitor

REG/09/44 **Minutes**

### **RESOLVED**

*that the Minutes of the meeting held on 13 January 2010 be confirmed and signed by the Chairman as a correct record.*

REG/09/45 **Members' Interests**

(a) **Personal Interests:-**

<b>Member</b>	<b>Item</b>	<b>Nature of Interest</b>	<b>Present or Absent during discussion</b>
Cllr Dalgarno	I 16	Member of Arlesey Town Council and involved in the work.	Present

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

None.

REG/09/46 **Chairman's Announcements**

None.

REG/09/47 **Petitions**

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

REG/09/48 **Public Participation**

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

REG/09/49 **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 I of Schedule 12A of the Act.

REG/09/50 **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/09/51 **Application for the Grant of a Combined Hackney Carriage / Private Hire Driver's Licence**

The Committee received and considered the report of the Licensing Officer concerning an application for grant of a Hackney Carriage / Private Hire Driver's 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 attended the meeting and made representations in support of the application.

In accordance with the procedures for hearings held in private, the applicant, Team Leader Public Protection 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 Hackney Carriage / Private Hire Driver's Licence for Mr S J Hashimi 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 powers under the Local Government (Miscellaneous Provisions) Act 1976 to revoke the licence at any time and that any further convictions could seriously affect continuation or renewal of the licence. Lastly Mr Hashimi had to submit a medical certificate prior to the licence being issued.***

REG/09/52 **Application for the Grant of a Combined Hackney Carriage / Private Hire Driver's Licence**

The Committee agreed to defer consideration of the application to grant a Hackney Carriage Driver's Licence to Mr S Visanji, following his non-appearance at Committee. Mr Visanji had notified Officers that he was out of the country and would not be able to attend.

**RESOLVED**

***that consideration of the application for a Hackney Carriage Driver's Licence / Private Hire Driver's Licence for Mr N Visanji be deferred to the next meeting of the Regulation Committee.***

REG/09/53 **Application for Renewal of Private Hire Driver's Licence**

The Committee received and considered the report of the Licensing Officer concerning an application for renewal of a Private Hire Driver's Licence in respect of Mr P Kennedy.

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, Team Leader Public Protection 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 Private Hire Driver's Licence for Mr P Kennedy be renewed 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 powers under the Local Government (Miscellaneous Provisions) Act 1976 to revoke the licence at any time and that any further convictions could seriously affect continuation or renewal of the licence.***

REG/09/54 **Application for Renewal of Hackney Carriage Drivers Licence**

The Committee agreed to defer consideration of the application to renew a Hackney Carriage Driver's Licence to Mr N Sabir, following his non-appearance at Committee. Mr Sabir had notified Officers that he was on a course which had been re-scheduled to the same day as Committee and he could not miss the course.

**RESOLVED**

***that consideration of the application for a Hackney Carriage Driver's Licence for Mr N Sabir be deferred to the next meeting of the Regulation Committee.***

REG/09/55 **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/09/56 **Health and Safety (as a Regulator) Service Plan 2010-11**

The Committee received and considered the report of the Director of Sustainable Communities which requested the Committee to endorse the Health and Safety (as a Regulator) Service Plan 2010 – 11 (a copy of which was appended to the report) and forward any comments to the Executive for consideration. The Committee was advised that the Health and Safety Service Plan was a mandatory requirement by the Health and Safety Executive (HSE) which set out the Health and Safety Enforcement activities to be undertaken by Central Bedfordshire Council.

The report was presented by an Environmental Health officer who answered the Members' questions on various aspects of the service plan.

The Committee was pleased to endorse the Plan but expressed concern at the lack of financial information provided from the Finance area. It was agreed that the Executive should be asked to help ascertain the missing information.

**RESOLVED**

1. ***that the Health and Safety (as a Regulator) Service Plan for 2010 – 11 be endorsed.***
2. ***that the Executive be asked to approve the Health and Safety (as a Regulator) Service Plan 2010 – 11.***
3. ***that the Assistant District Community Safety and Public Protection, in consultation with the Portfolio Holder for Safer and Stronger Communities, be given delegated authority to undertake any necessary minor amendments to the requirements prior to publication.***
4. ***that the Executive request the Finance Department to provide the outstanding figures for the budget allocation for Health and Safety Enforcement 2009/10 and 2010/11 (estimated).***

REG/09/57 **Hackney Carriage and Private Hire Requirements**

The Committee considered the report of the Director of Sustainable Communities which proposed the adoption of the requirements necessary to obtain hackney carriage and private hire licences.

Following consultation and taking into account the views of the trade, the Regulation committee met on 13 January 2010 and adopted the new policies and conditions for hackney carriage and private hire matters which take effect on 1 April 2010.

The Committee were asked to consider the draft application forms and guidance notes attached at appendices a – c to the above report. It was agreed that minor changes when required by legislative changes would be made by Officers as and when required.

Members did ask for one minor change to the forms which was the inclusion of a box which states “complete a separate paper if more room required”.

**RESOLVED**

***that the various requirements to obtain a Hackney Carriage or Private Hire Licence as set out in the Application Forms and Guidance notes subject to the inclusion of the additional wording above, be approved for:-***

- (a) ***A Private Hire Operators Licence and renewal***
- (b) ***A Hackney Carriage or Private Hire Vehicle Licence***
- (c) ***A Combined Hackney Carriage / Private Hire Driver Licence.***

REG/09/58 **Prohibiting the Consumption of Alcohol in Designated Public Places - Sandy**

The Committee received and considered the report of the Director of Corporate Resources advising of the progress and further steps required for a designation order in Sandy. 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 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, T Green and L Birt. In addition it was the wish of the Committee that Cllr Aldis, who is a substitute member of the Regulation Committee, be invited to attend any meetings as a Ward Representative.

**RESOLVED**

- 1. that the Assistant Director of Legal and Democratic Services be authorised to proceed with the necessary consultations under the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007, in respect of the possible alcohol designation order in Sandy.**
- 2. that three Members, Cllrs I Dalgarno, T Green and L Birt, be appointed to meet informally with the Assistant Director of Legal and Democratic Services to consider the outcome of consultation and report back to Committee.**

REG/09/59 **Prohibiting the Consumption of Alcohol in Designated Public Places - Arlesey & Shefford**

The Committee received and considered the report of the Director of Corporate Resources which informed of the progress made in the making of the Alcohol Designation Order to restrict anti-social drinking in public places in Arlesey and Stotfold.

At the 14 October 2009 meeting, the Committee appointed three Members to review the Alcohol Designation Order and to determine the appropriate area for public consultation in Arlesey and three Members to review the Alcohol Designation Order and to determine the appropriate area for public consultation in Shefford.

Both proposed areas were in the final stages of public consultation. On 13 February 2010 adverts were placed inviting comments. The Committee were asked to approve the Orders subject to any comments being received.

The Principal Solicitor confirmed that two letters of objection had been received for the Arlesey review but they were deemed to be extreme by the Panel.

**RESOLVED**

1. ***that the contents of the report be noted.***
2. ***that the draft Order attached to enable Designation Orders under the Criminal Justice and Police Act 2001 and the Local Authorities (Alcohol Consumption in Public Places) regulations 2001 to be made and advertised in Arlesey and Shefford; and***

**RECOMMENDED**

3. ***that the Orders be recommended to Council for approval, subject to there being no adverse responses from the public, to the public consultation.***

(Note: The meeting commenced at 9.30 a.m. and concluded at 11.40 a.m.)