

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **REGULATION COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 13 April 2011

### PRESENT

Cllr L Birt (Chairman)

Cllrs D Bowater  
K Janes  
H J Lockey

Cllrs Ms J Nunn  
A A J Rogers  
P F Vickers

Apologies for Absence: Cllrs I Dalgarno  
M Gibson  
R W Johnstone  
G Summerfield

Officers in Attendance: Miss H Bell Democratic Services Officer  
Mrs J Borthwick Service Manager, Public Manager  
Mrs M James Licensing and Enforcement Officer  
Mr M Woolsey Managing Solicitor

#### REG/09/51 **Chairman's Announcements and communications**

The Committee held a one minute silence as a mark of respect for Councillor T Green, Vice Chairman of the Committee who had suddenly and recently passed away.

#### REG/09/52 **Minutes**

##### **RESOLVED**

***that the Minutes of the meeting held on 16 February 2011 be confirmed and signed by the Chairman as a correct record.***

#### REG/09/53 **Member's Interests**

##### (a) **Personal Interests:-**

<b>Member</b>	<b>Item</b>	<b>Nature of Interest</b>	<b>of Present or Absent during discussion</b>
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Cllr D Bowater	12 & 13	Family member involved with Council policies at the Local Better Regulation Office	Present
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(b) **Personal and Prejudicial Interests:-**

None

REG/09/54 **Petitions**

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

REG/09/55 **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 A4 of the Constitution.

REG/09/56 **Statement of Policy about relevant convictions**

The Committee noted the Statement of Policy about relevant convictions as attached to the agenda.

REG/09/57 **EXCLUSION OF PRESS AND PUBLIC**

RESOLVED

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 the Act.

REG/09/58 **Application for a Private Hire Vehicle Licence**

The Committee received and considered the report of the Licensing and Enforcement Officer concerning an application for a private hire vehicle licence in respect of Mr S Ahmed of D & R Taxis in view of the age of the vehicle.

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. The Committee were invited to view the vehicle, which was located in the car park.

In accordance with the procedures for hearings held in private, the applicant, Team Leader Public Protection and Licensing Officers were asked to withdraw whilst the Committee made their decision. The Committee's deliberation and visual inspection of the vehicle along with the service history and its appearance aided the decision process. Following which all who had withdrawn were recalled to hear the decision.

### **RESOLVED**

**that the application for a Private Hire Vehicle Licence for D& R Taxis be refused in this case under Section 48 of the Local Government (Miscellaneous Provisions )Act 1976, as the Committee does not consider the vehicle to be of an acceptable standard due to defects on the number plate, chip indentations on the bonnet and a chip on the grill.**

**The Applicant would be informed in writing of his right to appeal against the decision to the Magistrates' Court and that the appeal must be made in 21 days of written notification of this decision.**

### **REG/09/59 Application for a Private Hire (Special events) vehicle (Stretched Limosine)**

The Committee received and considered the report of the Licensing and Enforcement Officer concerning and application for a Private Hire Special Events) vehicle licence for Ms B J W of C B Limos in view of the age of the vehicle.

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. The Committee were invited to view the vehicle, which was located in the car park.

In accordance with the procedures for hearings held in private, the applicant, Team leader Public Protection and Licensing Officers were asked to withdraw whilst the Committee made their decision. The Committee's deliberation and visual inspection of the vehicle along with the service history and its appearance aided the decision process. Following which all who had withdrawn were recalled to hear the decision.

### **RESOLVED**

**that the application for a Private Hire (Special Events)Vehicle licence to Ms B J W of CB Limos be granted subject to (1) the Applicant being**

**reminded of the 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 (2) that the application be granted subject to (1) above and receipt of a UK individual Vehicle Approval (IVA) Certificate or A European Whole Vehicle Approval Certificate and Limousine Declaration of Condition of Use.**

REG/09/60 **RE-ADMITTANCE OF PRESS AND PUBLIC**

**RESOLVED**

**That the Press and Public be re-admitted to the remainder of the meeting.**

REG/09/61 **Adoption of Central Bedfordshire Street Trading Policy**

The Committee received and considered the report which sought adoption of the Central Bedfordshire Council Street Trading policy. The Committee were advised that adoption of schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 would enable the Council to control the numbers and quality of street traders in the area. The Provisions of Schedule 4 of the Policy had been adopted by Full Council on 24 February 2011.

The Council had published a notice of the resolution to adopt the provisions of Schedule 4 in the Bedfordshire Times and Citizen newspaper on 3 March 2011 and again on 10 March 2011 as required by legislation.

**RESOLVED**

**That the Central Bedfordshire Council Street Trading policy be adopted subject to the inclusion of the relevant Parish Councils' in Paragraph 5.5 and deletion of the word 'rise' and addition of the word 'change' in Paragraph 7.3 of the Policy**

REG/09/62 **Adoption of statement of licensing policy for sex establishments**

The Committee received and considered a report seeking adoption of the Statement of Licensing Policy for sex Establishments.

The Committee were advised that adoption of Schedule 3 of the local Government (Miscellaneous Provisions) Act 1982 and Section 27 of the Policing and Crime Act 2009 would enable the Council to control the licensing of sex establishments.

A consultation period for the policy on sex Establishments ran between 18 October 2010 and 9 January 2011.

**RESOLVED**

**that the Statement of Licensing Policy for Sex Establishments be adopted**

(Note: The meeting commenced at 9.30 a.m. and concluded at 10.37 a.m..)

Chairman .....

Dated .....