

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **REGULATION COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 19 May 2010

### PRESENT

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

Cllrs D Bowater  
M Gibson  
H J Lockey

Cllrs Ms J Nunn  
A A J Rogers  
G Summerfield

Apologies for Absence: Cllrs I Dalgarno  
A Fahn  
K Janes  
P F Vickers

Substitutes: Cllr R D Berry (In place of Cllr I Dalgarno)

Members 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 M Woolsey                      Principal Solicitor

#### REG/09/1      **Chairman's Announcements**

The Chairman informed the Committee that under Committee Procedure Rule CM16 that the order of business would be varied as follows:-

Exempt items 2 – 4 would be considered prior to the non-exempt reports 9 and 10 contained within the agenda.

In addition, it was noted that exempt item 5 had been withdrawn by the applicant due to family illness.

#### REG/09/2      **Minutes**

##### **RESOLVED**

***that the Minutes of the meeting held on 24 February 2010 be confirmed and signed by the Chairman as a correct record.***

REG/09/3 **Members' Interests**

(a) **Personal Interests:-**

None.

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

None.

REG/09/4 **Petitions**

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

REG/09/5 **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/09/6 **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/09/7 **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/09/8 **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 the application for grant of a Hackney Carriage/Private Hire Driver's Licence in respect of Mr S Visanji.

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 Visanji 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 remove the licence at any time and that any further convictions could seriously affect continuation or renewal of the licence.***

REG/09/9      **Application for a Private Hire Vehicle Licence**

The Committee received and considered the report of the Licensing Officer concerning an application for a private hire vehicle licence in respect of William Rees of A to B Travel 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 Licensing and Enforcement Officer requested that Members consider the definition of 'exceptional condition'. Members suggested alternative wording which was forwarded to Officers for them to review and report back at the next meeting.

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. 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 William Rees of A to B Travel 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.***

REG/09/10 **Application for the Renewal of a Hackney Carriage Driver's Licence**

The Committee received and considered the report of the Licensing Officer Public Protection concerning an application for a renewal of a Hackney Carriage Driver's Licence in respect of Mr N Sabir.

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 the renewal of a Hackney Carriage Driver's Licence be refused in this case under Paragraph 51 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 notice of this decision.***

REG/09/11 **Application for Renewal of Private Hire Driver's Licence**

The Committee did not consider the application as the applicant had withdrawn it due to family illness.

REG/09/12 **Advertisements on Hackney Carriages**

The Committee received and considered the report of the Licensing and Enforcement Officer which proposed the permitting of advertisements on hackney carriages, in order to take advantage of current marketing practice, providing no objection being received from the trade.

It was noted that from 1 April 2010 new conditions had been adopted for Hackney Carriages, which included the restriction of no advertising on vehicles. It was noted that Mid Beds drivers had never been permitted to have advertising on their hackney carriages whilst South Beds drivers had been permitted advertising.

Members noted that to permit advertising on the outside of hackney carriages then the conditions should be amended to include the following permitted signage:-

- (a) An inscription identifying the proprietor of the licensed vehicle or the association of proprietors to which he or she belongs, together with a telephone number.
- (b) Advertisements on the outside of the vehicle promoting certain products or companies providing the proprietor has the prior approval of the Council for the content of the advertisement.

Members were happy to approve this wording and allow the decisions to be delegated to Officers, however, members wanted to ensure that clear guidance of what was acceptable had been approved. Therefore it was agreed that a sub committee would be set up with officers and Members reviewing the guidance of acceptable advertisements. The sub committee would include Cllrs Gibson, Green and Summerfield.

**RESOLVED**

- 1. that the permitting of advertisements on the outside of hackney carriages provided no objection is received from the hackney carriage trade, be approved.**
- 2. that a sub committee work with officers to prepare guidance on acceptable advertisements.**

REG/09/13 **Petitions received on Fees and Charges**

The Committee received and considered the report of the Licensing and Enforcement Officer which provided information in relation to objections received regarding the new Hackney Carriage and Private Hire fees.

It was noted that at the Executive meeting held on 10 November 2009, the Executive considered and agreed the Fees and Charges for Central Bedfordshire Council for 2010/11. This included Hackney Carriage and Private Hire services. Members were also informed that the fees were determined by the Fees and Charges Members Working Group to bring the North and South onto a level par. The Members Working Group only review certain Fees and Charges in depth each year and due to the size of the organisation, annual reviews are not always possible.

A notice was placed in the Beds on Sunday on 7 March 2010 to notify of the 28 day consultation process. In addition, a letter was sent to all Hackney Carriage and private hire operators, proprietors and drivers on 5 March 2010. Two petitions and one letter of objection were received. The petitions had not met the requirements for submission of a petition as stated in the Constitution.

The fees and charges had to come into effect prior to 4 June 2010 and it was decided that 1 June 2010 would be the date. Drivers had established a Forum which officers and members were invited to attend. The meeting was mutually beneficial and clarification for the review of the fees and charges had been accepted by the drivers.

**RESOLVED**

***that the petitions and objection received in relation to hackney carriage and private hire fees be noted.***

(Note: The meeting commenced at 9.30 a.m. and concluded at 11.45 a.m.)

Chairman .....

Dated .....