

REGULATORY COMMITTEE

Minutes of the meeting held on Monday 17 November 2005 in the Town Hall, Royal Leamington Spa at 10.00 am

Present: Councillor Mrs Goode (Chair); Councillors Harris, Holland, Kundi, and Windybank

Councillor Holland substituted for Councillor Mrs Knight

An apology for absence was received from Councillor Butler

610. DECLARATIONS OF INTEREST

Minute No. 615 - Public Entertainments Licence – Application for Reduction in Fee

Councillor Windybank declared a personal interest in this matter because he was a member of the Royal British Legion.

611. MINUTES

The minutes of the meeting held on the 1 August 2005, were taken as read and signed by the Chair as a correct record.

612. PUBLIC AND PRESS

RESOLVED that under Section 100A of the Local Government Act 1972 the public and press be excluded from the meeting for the following two items by reason of the likely disclosure of exempt information within paragraph 4 of Schedule 12A of the Local Government Act 1972

613. APPLICATION FOR PRIVATE HIRE DRIVERS LICENCE

A report was submitted from Members' Services on an application for a private hire drivers licence from an applicant who had previously had a private hire drivers licence revoked.

AT (date of birth 17.05.50) had had his licence revoked by the Committee in January 2005 for driving a private hire vehicle without a licence and for driving without insurance.

Mr T had now asked whether the Committee would be prepared to approve an application for a private hire drivers licence if he were to submit one.

Mr T attended the meeting and addressed members in support of his application. Mr T then answered questions from members and was given the opportunity to sum up, which he declined. He then left the room whilst the Committee made a decision.

REGULATORY COMMITTEE MINUTES (Continued)

RESOLVED that subject to Mr T submitting a valid application form, the Officers be authorised to approve the application.

Mr T was then invited back into the meeting and informed of the decision.

614. PRIVATE HIRE DRIVER WITH CONVICTIONS

A report from Members' Services was submitted on convictions revealed against the holder of a private hire drivers licence.

GJM (date of birth 9.05.49) had been convicted of driving a private car without insurance since his licence was last renewed. Mr M attended the meeting, addressed the Committee and answered questions from members. He was then invited to sum up which he did. He then left the room whilst the Committee made a decision.

The Committee received advice from the officers, including advice on the provisions of the Human Rights Act 1998.

RESOLVED that

- (1) provided Mr M can provide a letter from his employer's insurance company stating that they are still prepared to insure him following his recent conviction then no action be taken; and
- (2) if Mr M is unable to submit such a letter the matter be referred back to the Committee.

615. PUBLIC ENTERTAINMENTS LICENCE – APPLICATION FOR REDUCTION IN FEE

A report from Members' Services was submitted on a application for a reduction in the fee for a public entertainments licence in respect of a charitable event which had been held in the district on the 12 November 2005.

The Royal British Legion had organised the Warwickshire Poppy Appeal in a marquee at Sherbourne Park again this year. An application for the necessary public entertainments licence had been approved and the usual fee of £375 had been paid.

An application had been received from the British Legion for the fee to be reduced or waived. If it was decided to reduce or waive the fee a refund would be made to the British Legion.

There was no delegation to this Committee to approve the waiving or reduction in the fee for this type of licence. Should the Committee wish to approve the application it would therefore be a recommendation to Council.

REGULATORY COMMITTEE MINUTES (Continued)

Last year the Committee recommended to Council that the fee be waived completely. This recommendation had been accepted by the Council.

RECOMMENDED that the fee in this case be waived and the necessary refund be made.

(The meeting ended at 10.55 am)

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