

REGULATORY COMMITTEE

Minutes of the meeting held on Thursday 22 May 2008, in the Town Hall, Royal Leamington Spa at 2.30 pm.

PRESENT: Councillors Copping, Crowther, Gallagher, Gill, Mrs Grainger, Harris, Mrs Higgins, Mackay, Mobbs and Vincett.

(Councillor Mackay substituted for Councillor Mrs Falp, Councillor Copping substituted for Councillor Goode and Councillor Mrs Higgins substituted for Councillor Mrs Mellor).

Apologies for absence were received from Councillors Mrs Falp, Goode and Mrs Mellor.

92. DECLARATIONS OF INTEREST

Minute Number 96 - Hackney Carriage/Private Hire Drivers who have not taken Disability Awareness Training

Councillor Crowther declared a prejudicial interest because he was known to one of the drivers attending the meeting. He left the room while the driver presented his case and while the Committee came to a decision on it, returning for the remainder of the item.

Minute Number 6 - Hackney Carriage/Private Hire Driver with Offices

Councillor Gill declared a prejudicial interest because he was known to the driver with whom the item was concerned. He left the room for the duration of the item.

93. APPOINTMENT OF CHAIRMAN

RESOLVED that Councillor Gallagher be appointed as Chairman for the ensuing municipal year.

94. APPOINTMENT OF VICE-CHAIRMAN

RESOLVED that Councillor Mobbs be appointed as Vice-Chairman for the ensuing municipal year.

95. 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 the paragraph 1 of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006.

96. HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS WHO HAVE NOT TAKEN DISABILITY AWARENESS TRAINING

The Licensing Services Manager reported on Hackney Carriage and Private Hire drivers who had not taken Disability Awareness Training.

REGULATORY COMMITTEE MINUTES (Continued)

It was part of the Council's requirement that all new drivers attend Disability Awareness Training within one year of appointment. Guide Dogs for the Blind had been hosting the training sessions, having so far trained around 180 drivers in groups of 10-15 per week. Despite being contacted on numerous occasions and being offered several dates, nine drivers had failed to attend the course. MA, YG and GD had been asked to give account of themselves to this meeting of the Regulatory Committee. Of these, YG and GD attended.

The Committee discussed the best course of action and took legal advice from Mr Howarth, a Council solicitor, also in attendance. Drivers YG and GD then came before the Committee individually to explain their reasons for failing to attend the training course, giving the Committee the opportunity to question them further.

YG gave reasons for his not attending the course on one previous occasion. The Committee were satisfied with his assurance that he would attend on the next scheduled date, 28 May 2008, but pointed out to him that failure to do so could result in the suspension of his licence.

GD explained why he had twice failed to attend the training course, indicating that he planning to attend in the future.

All parties were asked to leave the room while the Committee made a decision on the matter. The Committee then advised GD that if he failed to attend a course on or before 25 June 2008 his licence would be suspended. Upon suspension he would have the right to appeal within 21 days.

The Committee agreed that a letter to the same effect should be sent to MA, who had failed to attend.

RESOLVED that GD and MA be advised in writing that failure to attend Disability Awareness Training on or before 25 June 2008 would result in the suspension of their licenses, at which time they would have 21 days to appeal against the decision.

97. HACKNEY CARRIAGE/PRIVATE HIRE DRIVER WITH OFFENCES

A report from Members' Services asked the Committee to consider if YSV was a fit and proper person to continue to hold a hackney carriage/private hire driver's licence.

YSV attended the meeting to explain to the Committee the details of the offence and to respond to Members' questions. YSV then left the room while Councillors came to a decision, and then came before the Committee once more to hear the delivery of their verdict.

RESOLVED that YSV be issued with a warning and that no further action be taken with regard to this matter.

(The meeting ended at 3.47pm)