

REGULATORY COMMITTEE

Minutes of the meeting held on Monday 15 November 2010 at Town Hall, Royal Leamington Spa at 2.30pm.

PRESENT: Councillor Vincett (Vice Chairman); Councillors Mrs Falp, Gill, Copping, Coker, Mobbs.

Apologies for absence were received from Councillors Mrs Gallagher, Mrs Goode, Harris, Illingworth, Pratt and Weed.

(Councillor Vincett (Vice Chairman) took the chair in absence of Councillor Pratt (Chairman))

The Chairman explained to the Committee and the members of the public present, that in accordance with the Committees' decision on 6 May 2009, the meeting would be recorded.

21. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

22. **MINUTES**

Minutes from the meeting held on 13 September 2010 were taken as read and signed by the chairman as a correct record.

23. **PUBLIC AND PRESS**

RESOLVED that under Section 100A of the Local Government Act 1972 that 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 1 of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006.

24. **APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE FROM A PERSON WITH CONVICTIONS**

The Committee considered a report from Community Protection with regard to an application for a hackney carriage/private hire drivers licence from a person with declared convictions.

In April 2010 GB had applied to Warwick District Council for a hackney carriage/private hire driver's licence. GB's convictions were shown on his CRB and had been declared on the application form. In addition two speeding convictions had also been declared on the application form.

A copy of GB's CRB disclosure was circulated at the meeting.

GB addressed the Committee and answered questions from the members explaining that he had changed since his convictions and that at the time

he was young. He confirmed with the Committee what his convictions were for and told them that he wanted a licence so that he could give his family a better quality of life. He also confirmed that he had been offered a job.

GB and the Licensing Services Manager left the room whilst the Committee deliberated in private. They were then asked to return to hear the decision of the Committee.

The Committee considered the report, the representations of GB, all the information before them including GB's CRB, the references provided by him and the Councils Policy Document and Guidance Relating to the Relevance of Convictions and Cautions.

The Committee expressed concerns regarding the seriousness of GB's convictions and cautions. However it recognised that the last conviction was almost 5 years ago. It also took into account the fact that GB had been offered employment and had provided good references from his current employer and clients.

On balance the Committee was satisfied that he was a fit and proper person to hold a hackney carriage/private hire driver's licence.

RESOLVED that the application be allowed to proceed.

All parties were advised of the decision and that they had 21 days from the notification of this decision to appeal to the Magistrates Court.

The Committee also took this opportunity to remind GB that the position of hackney carriage/private hire driver was one of great responsibility and reminded him that he could be brought before the Committee should there be any complaints as to his behaviour in future, or if there were any further convictions or cautions.

25. **APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE FROM A PERSON WITH CONVICTIONS**

This item was deferred until the next meeting of the Regulatory Committee because the applicant's solicitor was unable to attend this meeting.

(The meeting finished at 3.23pm)