

## BOROUGH OF REIGATE AND BANSTEAD

### REGULATORY COMMITTEE

Minutes of a meeting of the Regulatory Committee held at the Town Hall, Reigate on Wednesday, 10 December 2008 at 7.30 pm

Present: Councillors G.P. Crome (Chairman), S.S. Banwait, Mrs. L.J. Brunt, M.A. Brunt†, Dr. L.R. Hack, R. Harper, G.L. Norman, D.J. Pay†, J.M. Stephenson and S.T. Walsh

†Substitute Member

#### 33. MINUTES

**RESOLVED** that the Minutes of the meeting held on 5 November 2008 be approved as a correct record and signed.

#### 34. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

##### Apologies for Absence

Councillor S.N. Farrer  
Councillor R. Miah

##### Substitute Members

Councillor M.A. Brunt  
Councillor D.J. Pay

#### 35. DECLARATIONS OF INTEREST

None.

#### 36. LICENSING PROCEDURE

The Committee noted the licensing procedures to be followed for the applications before it, as set out in Appendix B to the agenda.

#### 37. EXEMPT BUSINESS

**RESOLVED** that the Press and public be excluded from the meeting for items 38 and 39 under Section 100A(4) of the Local Government Act 1972 on the grounds

that:

- (i) they involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act; and
- (ii) the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

38. **APPLICATION FOR A PRIVATE HIRE VEHICLE LICENCE**  
KS04 KUG

The Committee considered a report on an application for a private hire vehicle licence. The report included a copy of the relevant application form, MOT test certificate and driver's licence, together with photographs of the vehicle. Coloured photographs of the exterior and interior were circulated at the meeting.

It was noted that the vehicle had been first registered on 28 June 2004 and that the application for a private hire vehicle licence had been made on 14 October 2008.

In accordance with the Council's Private Hire Vehicles, Drivers and Operators booklet, officers were not authorised to grant a licence for any vehicle that was more than four years old at first registration. The applicant had, therefore, asked for his application to be considered by the Committee.

The Chairman set out the procedure to be followed to those present.

The applicant was accompanied by his brother who spoke on his behalf in support of the application. The applicant's brother also responded to questions from Committee members.

Following this, the applicant was given the opportunity to make a closing statement and this was again made by his brother on his behalf.

The Committee adjourned at 7.47 pm to deliberate in private session. All parties then reconvened at 8.11 pm in order for the Committee to put further questions to the licensing officer.

The Committee further adjourned at 8.13 pm to deliberate in private session and reconvened at 8.18 pm to give its decision.

The Chairman stated that the Committee had carefully considered the applicant's submission, made by his brother on his behalf. It had equally had regard to the Council's policy and had determined that, in this case, there were no exceptional circumstances to merit waiving the established criteria.

In these circumstances, the Committee

**RESOLVED** that the application for a private hire vehicle licence as set out in the report be **NOT GRANTED**.

39. **APPLICATION FOR A PRIVATE HIRE VEHICLE LICENCE**  
- YC54 DPO

The Committee considered a report on an application for a private hire vehicle licence. The report included a copy of the relevant application form, MOT test certificate and driver's licence, a letter from the applicant in support of his application, together with photographs of the vehicle. Coloured photographs of the exterior and interior were circulated at the meeting.

The vehicle had been first registered on 6 October 2004, whereas the application for a private hire vehicle licence had been made on 23 October 2008.

In accordance with the Council's Private Hire Vehicles, Drivers and Operators booklet, officers were not authorised to grant a licence for any vehicle that was more than four years old at first registration. The applicant had, therefore, asked for his application to be considered by the Committee.

The Chairman set out the procedure to be followed to those present.

In the course of the officer's presentation it was noted that page 29 of the report should show the date of first registration as being 6 October 2004 and not 4 October 2008.

The applicant spoke in favour of his application and it was noted that the vehicle was in exceptionally good condition and had registered less than 53,000 miles.

The applicant then responded to questions from Committee members before being given the opportunity to make his closing statement.

The Committee adjourned at 8.29 pm to deliberate in private session and reconvened at 8.59 pm.

The Chairman stated that the Committee had taken into account Council policy and the merits of the individual case, in particular the exceptional condition of the car and its low mileage.

In these circumstances, and in accordance with the requirements as set out in paragraph 10 of the report, the Committee had decided not to apply the Council's policy on age criteria and consequently

**RESOLVED** that the application for a private hire vehicle licence as set out in the report **BE GRANTED** subject to the following condition:

*"The whole vehicle, both internally and externally, is to be inspected by officers of Reigate & Banstead Borough Council every six months, as and when the MOT certificate is renewed and presented to the authority."*

40. **PRESS RELEASE**

**RESOLVED** that no press release be issued in respect of the items considered under Minutes 38 and 39 above.

**The meeting closed at 9.03 pm**