

BOROUGH OF REIGATE AND BANSTEAD

REGULATORY COMMITTEE

Minutes of a meeting of the Regulatory Committee held at the Town Hall, Reigate on Wednesday, 4th March 2009 at 7.30 p.m.

Present: Councillors G.P. Crome (Chairman), Mrs. L.J. Brunt, M.A. Brunt†, G.L. Norman, D.J. Pay†, M.J. Selby†, Ms. B.J. Thomson and S.T. Walsh.

†Substitute Member

50. MINUTES

RESOLVED that the Minutes of the meeting held on 14th January 2009 be approved as a correct record and signed.

51. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for Absence

Councillor R. Miah
Councillor R. Harper
Councillor J.M. Stephenson
Councillor S.S. Banwait
Councillor S.N. Farrer
Councillor Dr. L.R. Hack

Substitute Members

Councillor D.J. Pay
Councillor M.J. Selby
Councillor Ms B.J. Thomson
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Councillor M.A. Brunt

(NOTE: Councillor Dr. L.R. Hack was delayed and only arrived after consideration of Item 56 had commenced, meaning that she was unable to sit upon the Committee for this application.)

52. DECLARATIONS OF INTEREST

There were no declarations of interest.

53. LICENSING PROCEDURE

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

54. ANY OTHER URGENT BUSINESS

None.

55. **EXEMPT BUSINESS**

RESOLVED that the Press and public be excluded from the meeting for item 56 below under Section 100A(4) of the Local Government Act 1972, on the grounds that:

- (i) it involved the likely disclosure of exempt information as defined in paragraph 3 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.

56. **APPLICATION FOR A PRIVATE HIRE DRIVER LICENCE**

The Committee considered a report on an application for a private hire driver licence.

The applicant had previously held a licence which was revoked on 12th May 2006, following receipt of the applicant's CRB enhanced disclosure report. The CRB report listed a previous conviction and advised that due to the nature of the offence the applicant had been provisionally placed on the Protection of Vulnerable Adults List (POVA).

In his initial re-application dated 22nd September 2008 the applicant made no reference to his earlier conviction. It was only after the intervention of officers, who were aware of the previous history, that Mr. Adakelen included the information in his third application submitted on 10th October 2008.

The report included a copy of the relevant application forms and correspondence with the Head of Environmental Health Services. In the course of the officer's presentation it was noted that the date referred to in paragraph 13 of the report should state 12th September 2004 and not 12th September 2002.

Annexes 5 and 6 to the report relating to the CRB disclosure report were tabled at the meeting, together with a letter from Surrey Police received the previous day, advising that they would not be taking any further action against the applicant for having applied for a licence whilst being on the POVA list.

The meeting was adjourned at 7.38 p.m. to allow the Committee to read through the papers tabled at the meeting, and reconvened at 7.50 p.m.

The Chairman set out the procedure to be followed to those present and invited the applicant to present his case.

The applicant commenced his submissions by apologising that his representative had been unable to accompany him at the last minute. He intimated that he would have preferred to have had legal support in view of the formality of the hearing.

In these circumstances, the Committee

RESOLVED to adjourn the hearing to a later date to enable the applicant to arrange to be accompanied.

The meeting was adjourned at 8.03 pm