

BOROUGH OF REIGATE AND BANSTEAD

REGULATORY COMMITTEE

Minutes of a reconvened meeting of the Regulatory Committee held at the Town Hall, Reigate on Monday, 16th 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† and Ms. B.J. Thomson†.

†Substitute Member

Notes:

1. *Under Standing Orders, this being a reconvened hearing, the Committee remained the same as that at the meeting on 4th March 2009, with the exception of Councillor Walsh who had a prior commitment.*
2. *The Committee had previously resolved to exclude the Press and Public as set out in Minute 55 of 4th March 2009.*
3. *The Chairman invited the Committee to make any declarations of interest that may have arisen since the meeting on 4th March 2009 and there were none.*

The Chairman reconvened the meeting that had been adjourned at 8.03 p.m. on Wednesday, 4th March 2009.

57. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for Absence

Substitute Members

Councillor S.T. Walsh

58. DECLARATIONS OF INTEREST

There were no declarations of interest.

59. APPLICATION FOR A PRIVATE HIRE DRIVER LICENCE

The Chairman welcomed the applicant and his representative to the meeting and advised them of the procedures to be followed.

Officers were then invited to outline the case in full for the benefit of the applicant's representative.

The applicant then made a statement, explaining the circumstances surrounding his previous conviction and the action that he was currently taking in respect of his entry on the Protection of Vulnerable Adults list.

The Committee put questions to the applicant and noted that he was appealing against the inclusion of his name on the PoVA list.

The Committee also sought clarification from Officers upon the time limits and requirements for a name to be removed from the PoVA list.

The Committee further noted that the circumstances surrounding the completion of the applicant's original application were not relevant issues in determining the application.

The applicant was then given the opportunity to make a closing statement.

The Committee adjourned at 8 p.m. to deliberate in private session and reconvened at 8.20 p.m. to give its decision.

RESOLVED that the application for a private hire driver licence as set out in the report be **REFUSED**.

REASONS FOR THE DECISION

The Committee has considered the report and the applicant's submission.

The Committee has taken into consideration the Department of Transport Circular 2/92 and Home Office Circular 13/92.

The Committee has also considered the Care Standards Act 2000 sections 87 and 88 and noted that the applicant is not able to apply to have his name removed from the Protection of Vulnerable Adults list for ten years from the date of conviction.

The Committee has concluded, in compliance with s51 of the Local Government (Miscellaneous Provisions) Act 1976, that due to the applicant's conviction it is not satisfied that the applicant is a fit and proper person to be granted a private hire driver's licence.

60. **PRESS RELEASE**

RESOLVED that no press release be issued in respect of the items considered under Minute 59 above.

The meeting closed at 8.22 p.m.