

## BOROUGH OF REIGATE AND BANSTEAD

### REGULATORY COMMITTEE

Minutes of a meeting of the Regulatory Committee held at the Town Hall, Reigate on Tuesday 21 April 2009 at 7.30 pm

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

†Substitute Member

#### 61. MINUTES

**RESOLVED** that the Minutes of the meeting held on 4 March, subsequently adjourned to 16 March 2009, be approved as a correct record and signed.

#### 62. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

##### Apologies for Absence

Councillor Dr. L.R. Hack  
Councillor S.S. Banwait

##### Substitute Members

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

#### 63. DECLARATIONS OF INTEREST

Councillor Pay declared a personal interest in Minute 67 because he was acquainted with the witness referred to in Annex 6 to the report.

#### 64. 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.

#### 65. ANY OTHER URGENT BUSINESS

None.

#### 66. EXEMPT BUSINESS

**RESOLVED** that the Press and public be excluded from the meeting for item 67 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.

67. **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1972**  
**SECTION 52 – FIT & PROPER PERSON**

The Committee considered a report concerning a history of complaints against Mr x, the holder of a hackney carriage driver licence valid until 19 July 2011. The report included a summary of all complaints, warning letters and other correspondence sent to Mr x, a recent formal statement of complaint against Mr x and the associated witness statements, and a summary of the officers' investigation into this particular incident.

The Committee was invited to determine whether Mr x was a fit and proper person to hold a licence under the provisions of the Local Government (Miscellaneous Provisions) Act 1972 section 52, and, dependent upon its findings, to decide whether it wished to take any further action.

Mr x attended the meeting, accompanied by his wife, in order to present his case and to respond to any questions.

The Chairman welcomed everyone to the meeting and explained the procedure to be followed.

Officers presented the report and explained the background to the matter. The history of complaints covered a period of more than ten years and, in view of the volume of complaints that had now accumulated, and with particular reference to witness statements made in respect of a more recent incident, Officers believed that the case should now be drawn to the Committee's attention.

The applicant's wife spoke on his behalf. She drew attention to the importance of being even-handed in weighing the evidence of complaints against the applicant and asked permission to table a file of letters written by clients in his support. The applicant also asked for a letter written by a witness to the most recent incident to be taken into account.

*The Committee adjourned at 8.11 pm to deliberate in private session and reconvened at 8.30 pm.*

**RESOLVED** that the meeting be adjourned to a future date in order to allow the Committee an opportunity to study the additional papers tabled by Mr x at the meeting, and to receive full details of the complaints summarised in the report.

68. **PRESS RELEASE**

**RESOLVED** that no press release be issued in respect of the item considered under Minute 67 above.

**The meeting closed at 8.22 pm**

