

REGULATORY & APPEALS COMMITTEE

25 APRIL 2019

Present:

Councillors Dennis (Chairman), Austen, Cook, Evans, Prowse and Haines (Reserve)

Apologies:

Councillors Hockin

Officers in Attendance:

Marie Downey, Solicitor

Hayley Carpenter, Licensing Officer

Tim Slater, Human Resources and Organisational Development Manager

Trish Corns, Democratic Services Officer

19. MINUTES

The minutes of the meeting held on 25 March 2019 were approved as a correct record and signed by the Chairman.

20. DECLARATIONS OF INTEREST.

There were no declarations of Interest.

21. HACKNEY CARRIAGE VEHICLE EXTENSION

This application was withdrawn at the applicant's request.

22. DISCIPLINARY APPEALS

The Committee referred to the report HR and OD Manager which detailed the current and proposed arrangements for hearing staff appeals under the Disciplinary, Capability, Redundancy and Grievance policies. Such appeals against dismissal and final grievance appeals are currently the responsibility of the Committee. The report recommended that these appeals are delegated to the Managing Director (Head of Paid Service) as enabled by The Local Government Act 2000. The reasons for the proposal were outlined in the report. A Constitution Task and Finish Group would be reviewing the Constitution and this matter could be looked at as part of the review.

Resolved

The current procedure that such appeals lie with the responsibility of the Regulatory and Appeals Committee continue and the matter be reviewed by this Committee in six months.

23. EXCLUSION OF THE PRESS AND PUBLIC

Resolved

That under Section 100(A)(4) of the Local Government Act 1972, the Press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 1 and 2 of Part 1 of Schedule 12A of the Act.

24. APPLICATION FOR A COMBINED HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE

The Chairman welcomed all those present and introduced the Committee.

The Legal Adviser set out the procedure for the Hearing. The Licensing Officer also introduced a report which detailed an appeal against the decision to refuse an application for a combined Hackney Carriage/Private Hire Drivers' Licence. The Committee carefully considered the report and the associated appendices together with the oral evidence provided at the Hearing.

The Applicant and his wife were in attendance in support of the appeal and both addressed the Committee. The Applicant submitted a character reference which was circulated.

After considering all written and verbal representations the Committee adjourned to consider its decision.

Upon reconvening it was

Resolved

That the appeal be upheld and the application in respect of a combined Hackney Carriage/Private Hire Licence be approved.

Reason for the Decision

The Committee was satisfied that on the evidence provided at the Hearing the Applicant had sufficiently demonstrated that he was a fit and proper person. By a unanimous decision, the Committee considered there were no grounds to dismiss the appeal.

CLLR CHARLIE DENNIS
Chairman