

## **REGULATORY PANEL**

**WEDNESDAY 21 NOVEMBER 2012 AT 2.00 PM**

**PRESENT:** Councillor Bell (Chairman) Councillors Allison, Cape, Craig, Layden, Morton, Mrs Parsons, Scarborough, Mrs Stevenson and Mrs Warwick.

**OFFICERS:** Acting Legal Services Manager  
Licensing Manager

### **RP.34/12 APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillor Ms Franklin and Councillor Mrs Vasey.

### **RP.35/12 DECLARATIONS OF INTEREST**

Councillor Mrs Warwick declared a registrable interest in accordance with the Council's Code of Conduct for Agenda Item B.1 Hackney Carriage/Private Hire Driver Alleged Offence. The interest related to the fact that she knew the Driver through her work.

### **RP.36/12 MINUTES OF PREVIOUS MEETINGS**

**RESOLVED** – That the minutes of the meeting held on 12 September 2012 be agreed as a correct record of the meeting and signed by the Chairman.

### **RP.37/12 REVIEW OF CHARGES 2013/14 - LICENSING**

The Licensing Manager submitted report GD.61/12 setting out the proposed fees and charges for areas falling within the responsibility of the Licensing Section of the Governance Directorate.

The Licensing Manager reported that the Corporate Charging Policy, which was part of the Strategic Financial Framework approved by the Executive and full Council on 3 September and 11 September 2012 respectively, set out the City Council's policy for reviewing charges.

He added that it was recognised that licence fees (that could be determined by local authorities) could only be set at a level which recovered the cost of administration, inspection and enforcement of the licensing authorities, arising out of carrying out their licensing functions under the various legislation.

The Licensing Section had made a small profit in 2012/13 and as a result there was no increase in the charges other than a 2% increase in the fee for wheelchair accessible vehicles. This increase was necessary to bring the fee in line with the Hackney Carriage fees

**RESOLVED** – That the fees and charges for areas falling within the responsibility of the Licensing Section of the Governance Directorate, as set out in Appendices A and B to

Report GD.61/12, be agreed with effect from 1 February 2013 subject to any required advertising for hackney carriages and no objections being received.

### **RP.38/12            STREET COLLECTIONS 2013**

The Licensing Manager presented Report GD.62/12 containing details of all applications received for the year 2013 in respect of Street Collections.

The Licensing Manager advised that there was a requirement that organisers of all Street Collections give details of their collections on a formal statement issued to them at the time they received authorisation for their ventures. The Council should receive this within one month of the collection taking place. All of the charities that were granted a collection last year and had re-applied had complied with the condition.

In 2011 the Panel authorised 11 collections in Carlisle, a further 54 “one-off” money raising charity events were authorised throughout the year by the Director of Governance on the condition they did not clash with those authorised by the Panel.

He added that all of the applications were from registered charities and therefore complied with the criteria which had been agreed by the Regulatory Panel at its meeting on 21 January 2009.

Some Members were concerned that Childreach International may not provide any support for local communities and questioned whether or not it was appropriate to grant them a street collection.

The Licensing Manager assured the Panel that all charities were investigated before being submitted to the Panel and Childreach International were a registered charity and had no adverse comments on the Charity Commission’s website.

#### **RESOLVED –**

(1) That the following street collections in Carlisle be approved:

- Royal British Legion Poppy Appeal
- Royal National Lifeboat Institution
- RAF Wings Appeal
- Christian Aid Group
- Cumbria Cerebral Palsy
- Childreach International

(2) That the following street collections in Brampton be approved:

- Cumbria Cerebral Palsy
- Royal British Legion Poppy Appeal.

## **RP.39/12 PUBLIC AND PRESS**

**RESOLVED** – That in accordance with Section 100A(4) of the Local Government Act 1972 the Public and Press were excluded from the meeting during consideration of the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in the paragraph number (as indicated in brackets against each minute) of Part 1 of Schedule 12A of the 1972 Local Government Act.

## **RP.40/12 HACKNEY CARRIAGE DRIVERS APPLICATION**

(Public and Press excluded by virtue of Paragraph 7)

*Having declared a registrable interest Councillor Mrs Warwick left the meeting for the consideration of the following item.*

The Licensing Officer submitted report GD.65/12 regarding a Hackney Carriage/Private Hire Driver who had allegedly carried out an offence.

The Hackney Carriage/Private Hire Driver (the Driver), was not in attendance at the meeting.

The Licensing Officer outlined the Driver's licensing history and reminded the Panel of the alleged offences. The Licensing Officer updated the Panel on the Police investigation.

The Licensing Officer reminded the Panel of the relevant Legislation and outlined the options open to the Panel.

**RESOLVED** – That, having given consideration to the matter and the update provided and taken into account the nature of the driver's alleged offence and public safety, the Panel agreed to continue the suspension of the driver's Hackney Carriage/Private Hire driver's licence until the meeting of the Regulatory Panel to be held on 6 February 2013, pending the investigation the Police, without prejudice to any further action the Panel may take following the outcome of the investigation.

If the charges were dropped prior to the Panel meeting in February then the Panel would hold a special meeting to consider whether it would be appropriate to reinstate the Drivers licences.

(The meeting ended at 2.20pm)