

REGULATORY PANEL

WEDNESDAY 10 AUGUST 2011 AT 2.00PM

PRESENT: Councillor Morton (Chairman), Councillors Bell, Cape, Ms Franklin, Nedved (as substitute for Cllr Layden), Mrs Parsons, Mrs Robson, Scarborough (as substitute for Cllr Mrs Warwick), Stothard (as substitute for Wilson) Cllr Tootle, Mrs Vasey and Whalen.

RP.55/11 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Layden, Mrs Warwick and Wilson.

RP.56/11 DECLARATIONS OF INTEREST

There were no declarations of interest submitted for this meeting.

RP.57/11 MINUTES OF PREVIOUS MEETINGS

RESOLVED – That the minutes of the meetings held on 20 April 2011 and 1 June 2011 be agreed as a correct record of the meetings and signed by the Chairman.

RP.58/11 TRANSPORT SELECT COMMITTEE; TAXIS AND PRIVATE HIRE VEHICLES – ROAD TO REFORM

The Licensing Manager submitted report GD.48/11 regarding a reform of the Hackney Carriage and Private Hire legislation by the Transport Select Committee.

The Licensing Manager reminded the Panel of the relevant legislation with regard to the licensing of Hackney Carriages and Private Hire Vehicles and of the role of the Transport Committee. He reported that a Transport Select Committee had been formed in December 2010 to look at the legislation for Taxis and Private Hire vehicles, specifically looking at the phenomenon known as 'cross-border hire' with the aim of bringing the two sets of legislation together.

The Transport Select Committee had issued a consultation document to understand the benefits of having one set of legislation and the Licensing Office had responded to the consultation on behalf of the Council. The conclusions and recommendations of the Committee had been circulated with the report.

The Licensing Manager informed the Panel that the Regulatory Support Unit of the Local Government Group (formerly LACORS) had published information on a Law Commission review of taxi and private hire regulation, independent of the Transport Select Committee recommendations and they had also been circulated with the report.

RESOLVED -That the update on the reform of Taxis and Private Hire Vehicles by the Transport Select Committee be noted.

RP.59/11 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 the minutes) of Part 1 of Schedule 12A of the 1972 Local Government Act.

RP.60/11 HACKNEY CARRIAGE DRIVER/PRIVATE HIRE DRIVER – ALLEGED OFFENCE

(Public and Press excluded by virtue of Paragraph 7)

The Licensing Manager presented Report GD.47/11 regarding a Hackney Carriage/Private Hire Driver who had been arrested and interviewed with regard to an alleged offence.

The Driver was not in attendance at the meeting.

The Licensing Manager reminded the Panel of the driver's licensing history, previous convictions and recent alleged offence. The Panel had, at their meeting on 6 July 2011, suspended the Driver's Hackney Carriage driver's licence until this meeting, pending the investigation by the Licensing Office in conjunction with the Police, without prejudice to any further action the Panel may take following the outcome of the investigation.

The Licensing Manager updated the Panel on the investigation. The Licensing Manager reported back that the driver had been charged and would appear at Carlisle Magistrates in due course.

The Licensing Manager 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 suspension of the driver's Hackney Carriage driver's licence until such time that the case is dealt with by the Court.

(The meeting ended at 2.08pm)