

## **REPORT OF THE REGULATORY COMMITTEE**

### **Meetings Held on 13th June, 2007; 3rd July and 11th July, 2007**

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**Membership:**

**Councillors:** P. Jones CBE (Chairman), J.W. Hope MBE (Vice-Chairman) C.M. Bartrum, D.J Benjamin, M.E. Cooper, P.G.H. Cutter, Mrs. S.P.A. Daniels, J.H.R. Goodwin, R. Mills, A. Seldon, D.C. Taylor.

#### **HIGHWAYS ACT 1980 SECTION 119 – APPLICATIONS FOR PUBLIC PATH DIVERSION ORDERS**

1. The Committee has determined applications for the following Public Path Diversion Orders for which there has been consultation with interested parties, the local parish councils and the local Ward Councillors where appropriate:-
  - (a) Bridleway MR22 (part) Marden – approved and;
  - (b) Footpath KB 48 (part) Kimbolton - approved.

#### **AMENDMENT OF HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE, AND OPERATOR CONDITION REGARDING:- SMOKE FREE ENGLAND LEGISLATION. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976, TOWN POLICE CLAUSES ACT 1847**

2. From 1st July 2007, regulations made under the Health Act 2006 came into effect to control smoking in public enclosed places. The Regulations also included all vehicles licensed to carry fare-paying passengers, including hackney carriages and private hire vehicles. Drivers or passengers may not smoke in the vehicle at any time and signage must be displayed on the vehicle to advise passengers of the new regulations. The Committee has authorised the alteration of the Council's standard conditions to comply with the new requirements and notices will be prominently displayed within vehicles to advise passengers.

#### **SETTING OF FEES IN RESPECT OF PREMISE LICENCES IN ACCORDANCE WITH SECTION 212 – GAMBLING ACT 2005.**

3. Section 212 of the Gambling Act 2005 makes provision for Licensing Authorities to set fees in respect of premise licences. On 25th May this function was delegated by Council to the Regulatory Committee which has recently decided upon what they should be. The fees have to be calculated on a cost recovery basis and must not exceed the maximums set out in the Gambling (Premises Licence Fees) (England and Wales) Regulations 2007, or make a profit. Those for premises licences must include an element for overheads and for dealing with illegal gambling in the area. The fees must not include start up costs and cannot be set on the basis of size, rateable value or any other basis. They must be based Licensing Authorities are required to be transparent about the assumptions they have made in setting their fees, which should be published and reviewed on an annual basis. The fees for permits are set centrally by the Department for Culture Media and Sport.

**APPLICATIONS FOR HACKNEY CARRIAGE AND PRIVATE HIRE LICENCES –  
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

4. Five applications for the reinstatement, renewal or grant of Hackney Carriage/Private Hire drivers licences were referred to the Committee in accordance with the Council's terms and conditions and the advice on the interpretation of spent convictions and medical requirements. The applicants and their representatives gave details of the grounds for their applications and they provided the Committee with the circumstances giving rise to their offences or health situations. The applications were dealt with as follows:
- (a) one licence licence was reinstated;
  - (b) consideration of one application was deferred until the next meeting;
  - (c) two applications were refused because the applicants were not considered to be fit and proper persons to be granted licences; and
  - (d) it was decided that the suspension of one licence should continue for the time being.

**P. JONES CBE  
CHAIRMAN  
REGULATORY COMMITTEE**

**BACKGROUND PAPERS**

- Agenda papers from the meetings of the Regulatory Committee held on 13th June, 2007; 3rd July, 2007 and 11th July, 2007.