

# Licensing Appeals and Complaints Committee

## Members of the Licensing, Appeals and Complaints Committee:

Mr D Goldson (Chairman)

Mrs V Bell

Mr C Gould

## Agenda

### Date

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Wednesday 11 April 2018

### Time

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11.00 am

### Place

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#### **Cavell Room**

South Norfolk House  
Cygnet Court  
Long Stratton Norwich  
NR15 2XE

### Contact

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**If you have any special requirements in order to attend this meeting,  
please let us know in advance**

**Large print version can be made available**

1. **To report apologies for absence and identify substitute voting members (if any);**
2. **To deal with any items of business the Chairman decides should be considered as matters of urgency pursuant to Section 100B (4) (b) of the Local Government Act, 1972.** [Urgent business may only be taken if, “by reason of special circumstances” (which will be recorded in the minutes), the Chairman of the meeting is of the opinion that the item should be considered as a matter of urgency.];
3. **To receive Declarations of Interest from Members;**  
(Please see guidance form and flow chart attached page 4)
4. **To confirm the minutes of the meeting of the Licensing Appeals and Complaints Committee, held on 1 November 2017;**  
(attached – page 6)
5. **Exclusion of Public and Press;**  
To exclude the public from the meeting under Section 100A of the Local Government Act 1972 for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A to the Act (as amended).
6. **Breach of conditions for a Combined Hackney Carriage/Private Hire Driver;**  
(attached – page 8)

[NOT FOR PUBLICATION by virtue of paragraph 1 of part 1 of Schedule 12A of the Local Government Act 1972 (as amended)]

## MEMBERSHIP OF THE LICENSING APPEALS AND COMPLAINTS COMMITTEE AND THE LICENSING AND GAMBLING ACTS COMMITTEE

The following members make up the Licensing Appeals and Complaints Committee and the  
Licensing and Gambling Acts Committee.

Sub Committees will be established to hear applications:

(Updated: 13/07/2017)

<b>Members of Licensing, Appeals &amp; Standards Committee</b>	<b>Expiry of training accreditation- Taxi</b>	<b>Expiry of training accreditation- Licensing Act 2003</b>	<b>Expiry of training accreditation - Homelessness</b>	<b>Expiry of training accreditation- Scrap Metal Act 2013</b>
Amis Cllr J	22/05/19	22/05/19	Expired	22/05/19
Bell Cllr V	22/05/19	22/05/19	05/06/19	22/05/19
Dewsbury Cllr M	22/05/19	22/05/19	05/06/19	22/05/19
Goldson Cllr D	22/05/19	22/05/19	05/06/19	22/05/19
Gould Cllr C	22/05/19	22/05/19	05/06/19	22/05/19
Kemp Cllr C	Expired	Expired	Expired	Expired
Kemp Cllr W	Expired	Expired	Expired	Expired
Hardy Cllr P	12/07/19	12/07/19	05/06/19	Expired
Hornby Cllr J	Expired	Expired	Not trained	Not trained
Mason Billig Cllr K	Expired	Not trained	Not trained	Not trained
Palmer Cllr T	12/07/19	12/07/19	Expired	Expired
Pond Cllr A	22/05/19	22/05/19	05/06/19	22/05/19
Savage Cllr J	12/07/19	12/07/19	05/06/19	Expired
Wilby Cllr J	12/07/19	12/07/19	05/06/19	Expired
Worsley Cllr K	22/05/19	22/05/19	05/06/19	22/05/19



## DECLARATIONS OF INTEREST AT MEETINGS

When declaring an interest at a meeting Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest. Members are required to identify the nature of the interest and the agenda item to which it relates. In the case of other interests, the member may speak and vote. If it is a pecuniary interest, the member must withdraw from the meeting when it is discussed. If it affects or relates to a pecuniary interest the member has, they have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting. Members are also requested when appropriate to make any declarations under the Code of Practice on Planning and Judicial matters.

Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed.

Does the interest directly:

1. affect yours, or your spouse / partner's financial position?
2. relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?
3. Relate to a contract you, or your spouse / partner have with the Council
4. Affect land you or your spouse / partner own
5. Affect a company that you or your partner own, or have a shareholding in

If the answer is "yes" to any of the above, it is likely to be pecuniary.

Please refer to the guidance given on declaring pecuniary interests in the register of interest forms. If you have a pecuniary interest, you will need to inform the meeting and then withdraw from the room when it is discussed. If it has not been previously declared, you will also need to notify the Monitoring Officer within 28 days.

Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?

If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.

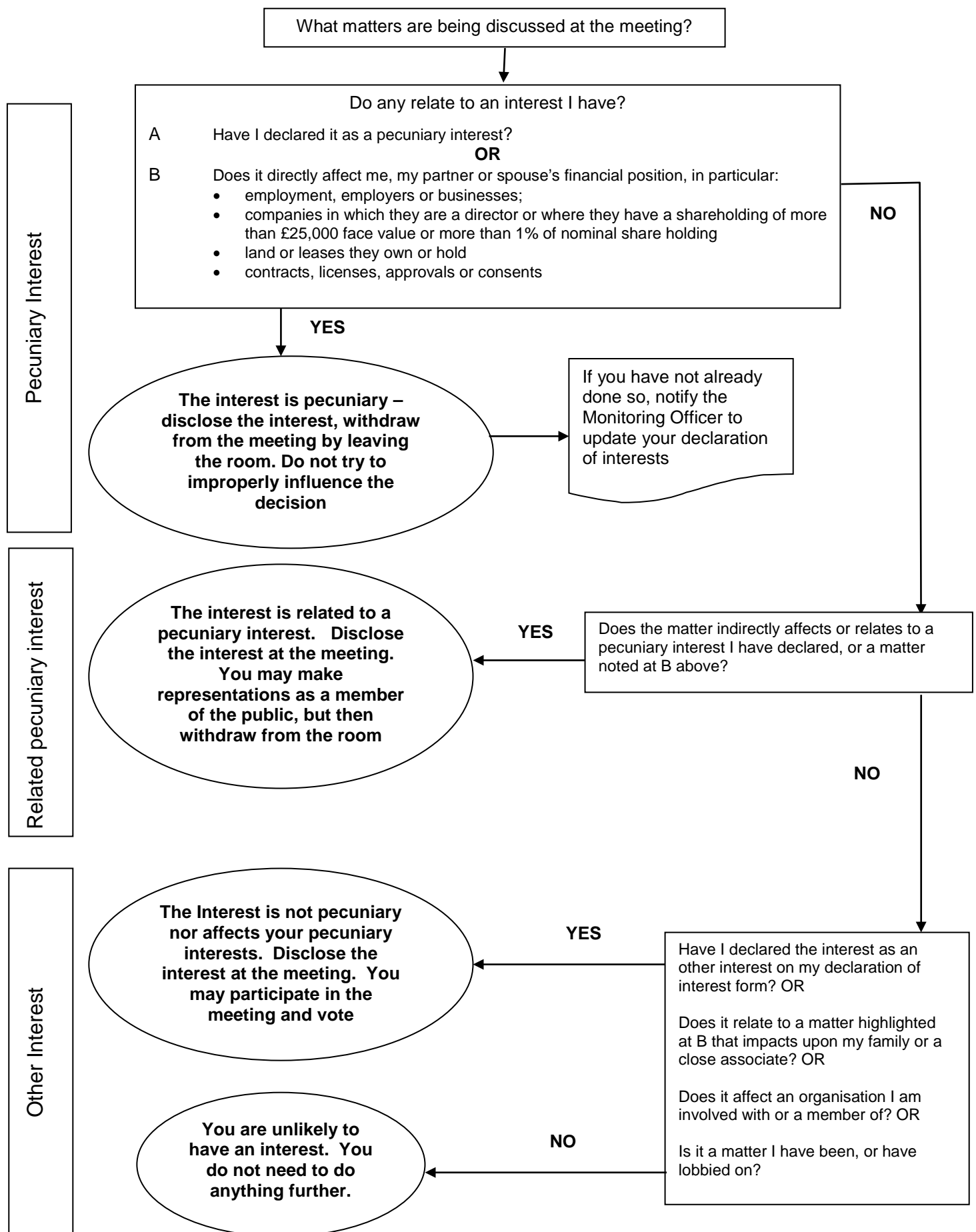
Is the interest not related to any of the above? If so, it is likely to be another interest. You will need to declare the interest, but may participate in discussion and voting on the item.

Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting, and when it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.

**FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF.**

**PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST INSTANCE**

# DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF





## LICENSING, APPEALS AND COMPLAINTS COMMITTEE

Minutes of a meeting of the Licensing, Appeals and Complaints Committee of South Norfolk Council held at South Norfolk House, Long Stratton on Wednesday 1 November 2017 at 2.30 pm.

**Committee Members Present:** Councillors D Goldson (Chairman), V Bell, M Dewsbury, P Hardy and A Pond

**Officers in Attendance:** Mr L Parker – Solicitor nplaw, the Housing Options Senior Case Advisor (D Neville) and the Housing Options Officer (M Walker)

### 642 EXCLUSION OF THE PUBLIC AND PRESS

**RESOLVED:** that under Section 100A (4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 1 of Part 1 Schedule 12A of the Act (as amended).

### 643 REVIEW OF HOUSING DECISION

(The appellant was not in attendance).

The Chairman welcomed the housing officers to the meeting. The Housing Options Senior Case Advisor advised the Panel that he had not heard from either the appellant or Shelter since papers had been dispatched so the reasons for neither attending the review were unknown. The Panel agreed that, because it had been made clear to all parties that the review would still proceed if the appellant did not attend, they would conduct the review in their absence.

The Housing Options Senior Case Adviser and the Housing Options Officer outlined the Council's case and advised the Panel of the events leading to their decision that the appellant had intentionally made herself homeless.

Members considered the written submission from Shelter and noted the two key points raised as the basis of the review, as follows:

1. *The support offered at the time by Solo was not sufficient for the appellant's needs;*  
*and*
2. *The decision failed to make adequate enquiries and failed to consider relevant factors, namely the extent of the appellant's diagnosis of borderline emotionally unstable personality disorder and the effect that the condition had on her ability to engage with the support offered by Solo.*

In response to the first point, the Housing Options Senior Case Adviser advised the Panel that he felt that the level of help offered by Solo was sufficient but that Solo had reported that the appellant had chosen only to engage in the support available "on and off". The appellant had reported that when she lived in Halesworth and then in Thetford, she had not been ready to engage with the support on offer to deal with her substance use issues. The appellant knew how to access support if she wanted to and she recognised that her use of drugs was what led to her eviction from her former address in Thetford.

In response to the second point, officers clarified that the written submission received from Shelter on 4 October 2017 had been sent before the Housing Options Senior Case Adviser's report had been prepared and therefore did not take into account all of the evidence contained therein relating to the extent of the enquiries made into the appellant's mental health issues and the impact of these on her ability to engage with the support offered by Solo. Officers stated that they were aware of the appellant's diagnosis and had taken this into account when determining that she had priority need. The Housing Options Senior Case Adviser advised the Panel that he did not agree that officers had failed to make adequate enquires and, if anything, he felt that they had gone beyond the levels of investigation required in such cases. In response to a question regarding whether the Council had paid for a report from the appellant's GP, officers stated that, as the appellant was not receiving any medication, they considered that the evidence obtained from the mental health team, as contained in the report, was more relevant in assessing the appellant's mental health issues.

After responding to a number of questions, officers left the meeting whilst the application was determined. They were then re-admitted and the Chairman announced the decision.

It was then:

**RESOLVED:** that, considering the written correspondence from the appellant and the written submission from Shelter, together with evidence from the Council's officers, the Panel concluded that the Council had reached the correct decision that the appellant had made herself intentionally homeless.

(The meeting closed at 3.10pm)

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Chairman