

# **Licensing, Appeals and Complaints Sub-Committee**

## **Agenda**

### **Members of the Licensing, Appeals and Complaints Sub-Committee:**

Cllr Yvonne Bendle (Chairman)  
Cllr James Easter  
Cllr Julian Halls

### **Date & Time:**

Tuesday 16 November 2021  
10.00am

### **Place:**

Council Chamber, South Norfolk House, Cygnet Court, Long Stratton, Norwich, NR15 2XE

### **Contact:**

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### **Large print version can be made available**

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

# AGENDA

1. **To report apologies for absence and to identify substitute members;**
2. **Any items of business which 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 3)
4. **To confirm the minutes of the meeting of the Licensing, Appeals and Complaints Committee held on 29 June 2021;**  
(attached – page 5)
5. **Exclusion of the 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. **Town and Police Clauses Act 1847 and Local Government (Miscellaneous Provisions) Act 1976 Combined Hackney Carriage / Private Hire Driver Licensing**  
  
[NOT FOR PUBLICATION by virtue of paragraph 1 of part 1 of Schedule 12A of the Local Government Act 1972 (as amended)]  
(report attached – page 7)
7. **Town and Police Clauses Act 1847 and Local Government (Miscellaneous Provisions) Act 1976 Combined Hackney Carriage / Private Hire Driver Licensing**  
  
[NOT FOR PUBLICATION by virtue of paragraph 1 of part 1 of Schedule 12A of the Local Government Act 1972 (as amended)]  
(report attached – page 21)

## DECLARATIONS OF INTEREST AT MEETINGS

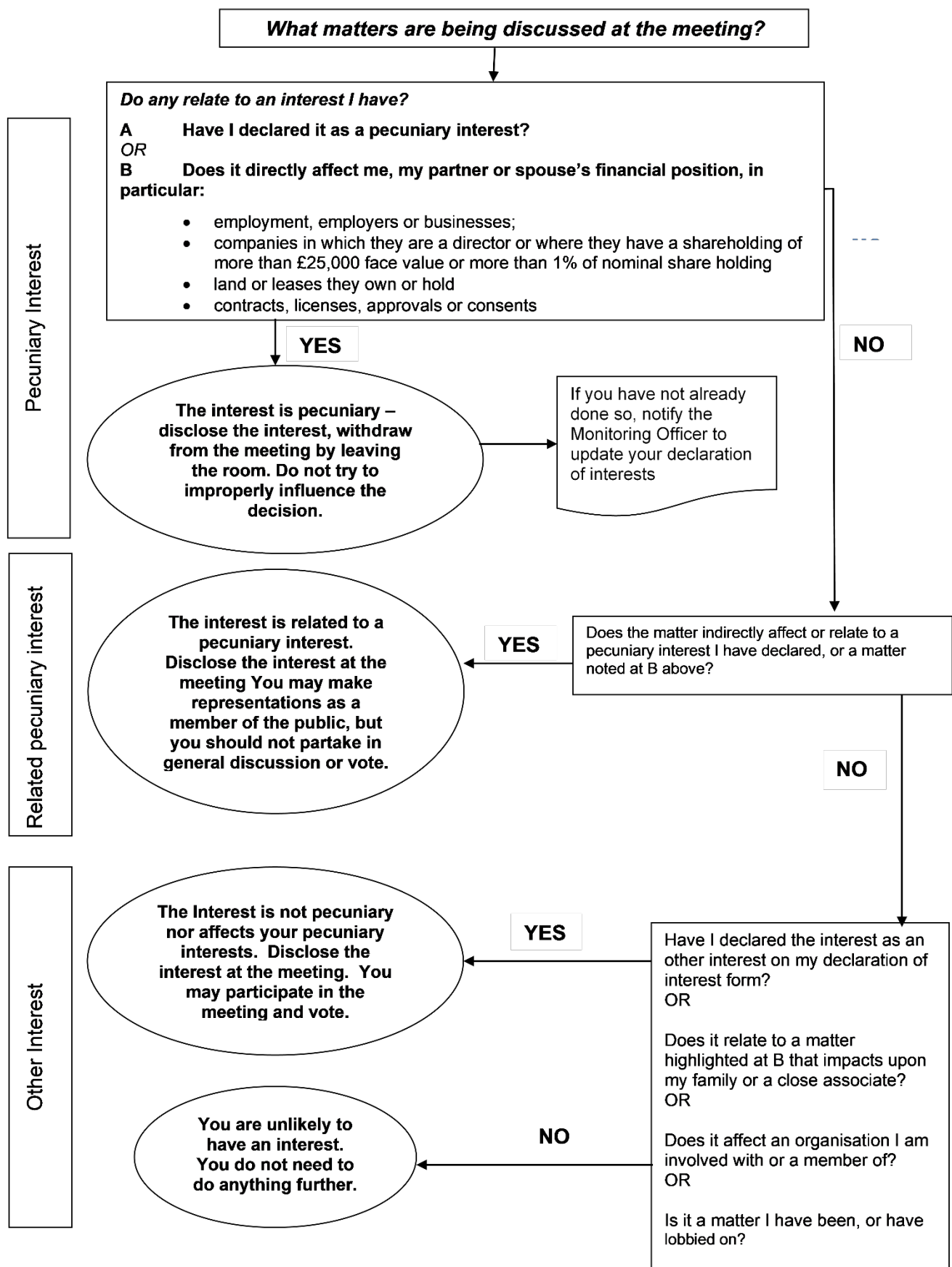
When declaring an interest at a meeting Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest. Members are required to identify the nature of the interest and the agenda 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.

<p>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.</p>
<p>Does the interest directly:</p> <ol style="list-style-type: none"> <li>1. affect yours, or your spouse / partner's financial position?</li> <li>2. relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?</li> <li>3. Relate to a contract you, or your spouse / partner have with the Council</li> <li>4. Affect land you or your spouse / partner own</li> <li>5. Affect a company that you or your partner own, or have a shareholding in</li> </ol> <p>If the answer is "yes" to any of the above, it is likely to be pecuniary.</p> <p>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.</p>
<p>Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?</p> <p>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 you should not partake in general discussion or vote.</p>
<p>Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.</p>
<p>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.</p>

**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**



**Agenda Item: 4**

## **LICENSING APPEALS AND COMPLAINTS SUB-COMMITTEE**

**Minutes of a meeting of the Licensing Appeals and Complaints Sub-Committee of South Norfolk District Council held at South Norfolk House, Long Stratton on 29 June 2021 at 10.00am.**

**Committee Members Present:** Councillors: Y Bendle (Chairman), J Easter and T Spruce

**Officers in Attendance:** The Legal Adviser to the Committee (Julie Gowland), the Licensing and Enforcement Officer (Rosie Setford), the Democratic Services Manager (Claire White) and the Democratic Services Officer (Jessica Hammond).

### **662 MINUTES**

The minutes of the meeting of the Licensing Appeals and Complaints Committee held on Friday 28 May 2021 were confirmed as a correct record.

### **663 EXCLUSION OF THE PUBLIC AND PRESS**

It was

#### **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).

### **664 TOWN AND POLICE CLAUSES ACT 1847 AND LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 PRIVATE HIRE OPERATOR LICENSING**

(The applicant was in attendance for consideration of this item)

The Chairman welcomed everyone to the meeting and explained the procedure for determining the application.

The Licensing and Enforcement Officer advised the meeting that the applicant had submitted some additional papers that morning, in support of his case. These papers were distributed to the Panel and the Chairman allowed time for all those present to read through them carefully.

The Licensing and Enforcement Officer then outlined her report and explained the reasons why a review of the licence was required.

The applicant explained his past actions to the Committee and responded to a number of questions from members. He apologised for the breach in licensing conditions.

The applicant and the Licensing and Enforcement Officer then left the meeting whilst members determined the application. They were then readmitted to the meeting and the Legal Advisor announced the decision.

The Committee unanimously

## **RESOLVED**

1. To suspend the applicant's licence for a period of 1 month in accordance with Section 61(1)(b) of the Local Government (Miscellaneous Provisions) Act 1976 due to the matters outlined in the report.
2. That the applicant attends a meeting at the Council Offices at a mutually convenient date and time within 21 days to meet with the Licensing and Enforcement Officer, Rosie Setford (or other nominated individual), to review the licensing conditions placed upon him.

The applicant was advised that should he be aggrieved by the decision or the imposition of any term or condition or restriction, he had a right of appeal to the Magistrates' Court within 21 days of the date on which he was notified of the decision in writing.

(The meeting concluded at 11.55am)

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Chairman