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Licensing Committee (Regulatory)



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Tuesday, 21 February 2023

A meeting of the Licensing Committee (Regulatory) of North Norfolk District Council will be held in the Council Chamber - Council Offices on Wednesday, 1 March 2023 at 10.00 am.

At the discretion of the Chairman, a short break will be taken after the meeting has been running for approximately one and a half hours

Members of the public who wish to ask a question or speak on an agenda item are requested to notify the committee clerk 24 hours in advance of the meeting and arrive at least 15 minutes before the start of the meeting. Further information on the procedure for public speaking can be obtained from Democratic Services, Tel: 01263 516108, Email: lauren.gregory@north-norfolk.gov.uk.

Anyone attending this meeting may take photographs, film or audio-record the proceedings and report on the meeting. Anyone wishing to do so must inform the Chairman. If you are a member of the public and you wish to speak on an item on the agenda, please be aware that you may be filmed or photographed.

Please note that Committee members will be given priority to speak during the debate of agenda items

Emma Denny Democratic Services Manager

To: Mr T Adams, Mr D Birch, Mr H Blathwayt, Dr P Bütikofer, Mr C Cushing, Mr P Fisher, Mrs P Grove-Jones, Mr N Housden, Mr N Lloyd, Mr G Mancini-Boyle, Mr N Pearce, Mr J Rest, Mrs E Spagnola, Mr E Vardy and Mr A Yiasimi

All other Members of the Council for information.

Members of the Management Team, appropriate Officers, Press and Public



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

If you would like any document in large print, audio, Braille, alternative format or in a different language please contact us

Chief Executive: Steve Blatch
Tel 01263 513811 Fax 01263 515042 Minicom 01263 516005
Email districtcouncil@north-norfolk.gov.uk Web site www.north-norfolk.gov.uk

AGENDA

1. TO RECEIVE APOLOGIES FOR ABSENCE

2. SUBSTITUTES

3. MINUTES (Pages 1 - 28)

To approve as a correct record the Minutes of the former Licensing & Appeals Committee meeting held 17th May 2022, the former Licensing Sub-Committee meeting held 26th May 2022, as well as the minutes of the Licensing Sub-Committee (Regulatory) held 27th June 2022, 18th July 2022, 27th September 2022 & 23rd November 2022.

4. ITEMS OF URGENT BUSINESS

To determine any other items of business which the Chairman decides should be considered as a matter of urgency pursuant to Section 100B(4)(b) of the Local Government Act 1972.

5. DECLARATIONS OF INTEREST

(Pages 29 - 30)

Members are asked at this stage to declare any interests that they may have with regard to any of the following items on the agenda. The Code of Conduct for Members requires that declarations include the nature of the interest and whether it is a disclosable pecuniary interest. Members are requested to refer to the attached guidance and flowchart.

6. PUBLIC PROTECTION - LICENSING UPDATE

(Pages 31 - 48)

Summary: The report highlights current licensing

matters and presents information to the Committee regarding all licensing matters except for those dealt with by the Licensing and Gambling Committee.

Conclusions: N.A

Recommendations: None

Cabinet Member(s)	Ward(s) affected - All
Councillor Nigel Lloyd -	
Portfolio Holder	
Councillor Dr Pierre	
Butikofer -	
Chair of the Licensing	
Committee	

Contact Officer, telephone number and email:

James Windsor 01263 516289

7. EXCLUSION OF THE PRESS AND PUBLIC

To pass the following resolution, if necessary:

"That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph _ of Part I of Schedule 12A (as amended) to the Act."

8. TO CONSIDER ANY EXEMPT MATTERS ARISING FROM THE PUBLIC BUSINESS OF THE AGENDA



LICENSING AND APPEALS COMMITTEE

Minutes of the meeting of the Licensing and Appeals Committee held on Tuesday, 17 May 2022 at the Council Chamber - Council Offices at 10.00 am

Committee Dr P Bütikofer (Chairman)

Members Present:

Mr H Blathwayt (Vice-Chairman)

Mr T Adams Mr C Cushing Mr P Fisher Mr J Rest Mrs E Spagnola Mr A Yiasimi

Mr G Mancini-Boyle

Officers in Assistant Director – Finance, Assets & Legal (AD)

Attendance: Democratic Services Manager (DSM)

Democratic Services Officer – Regulatory

10 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr P Grove-Jones, Cllr N Lloyd, Cllr N Pearce and Cllr E Vardy.

11 PUBLIC QUESTIONS

None.

12 MINUTES

The Minutes of the Licensing and Appeals Committee held on 27th September 2021 and of meetings of the Licensing Sub-Committee held on 20th September, 20th October, 15th November 2021 and 16th January, 16th March, 11th April 2022 were approved as a correct record and signed by the Chairman.

13 ITEMS OF URGENT BUSINESS

None.

14 DECLARATIONS OF INTEREST

None.

15 UPDATE ON GENERAL LICENSING ISSUES

No update received.

16 LICENSING COMMITTEES FROM MAY 2022

i. The AD introduced the Officers report and affirmed that on 9th February 2022, Full Council agreed to the creation of two distinct committees to deal with the different licensing obligations. The first of the committees will be a statutory

Licensing Committee under the Licensing Act 2003, to be known as 'The Licensing Committee (Premises and Gambling)' and the other is to deal with all other licensing matters and will be known as 'The Licensing Regulatory Committee'. Each Committee would then establish a sub-committee to carry out its functions. This change was recommended to ensure that there be a clear demarcation between the legal requirements, ensuring that the Council's customers were dealt with fairly and transparently whilst also protecting the Council from any challenge. The AD confirmed the appended procedure note would be beneficial for Members, Officer and the broader public, setting out the clear process for sub-committee meetings.

- ii. Cllr J Rest asked about the practicalities of the meeting, and whether the two different committees or sub-committees would meet on the same day.
- iii. The AD advised that the intention for two separate committees to be created with the same membership and to meet on the same day, in so far as was practicable. They must be separately constituted but could comprise the same individual members. There would be a clear distinction of which committee/sub-committee was meeting as each would have their own agenda.
- iv. Cllr G Mancini-Boyle expressed his support for meetings being held on the same day, as he considered this more practical for Members.
- v. In response to questions from Members, The DSM confirmed that when Committee Members were scheduled to attend Sub-Committee meetings, the same three Members would be scheduled to attend both meetings (should both be heard). It would be the same panel of members who would meet in a different capacity.
- vi. Cllr H Blathwayt asked how this change would offer greater protection from appeal.
- vii. The AD advised that it was best practice to establish two separate committees which were governed by different legislation. This change would offer the authority greater protection in offering a clear demarcation.
- viii. The DSM advised that the parent Committees would still consider overarching policy's (i.e Taxi handbook), with the sub-committees hosting hearings.

Members noted the Officers report and procedure notes.

17 ANY OTHER URGENT BUSINESS AT THE DISCRETION OF THE CHAIRMAN AND AS PREVIOUSLY DETERMINED UNDER ITEM 4 ABOVE

- i. Cllr H Blathwayt expressed his concern that Members were not being notified of licensing matters within their ward in a timely manner and noted this had been an ongoing issue. He reflected of instances in his own Ward where he and the Parish had not been aware of applications and asked that Members be notified of all licensing applications/ licensing matters in their Ward going forwards.
- ii. The DSM advised that she had discussed this matter with relevant Officers and that there had been a misunderstanding, with an assumption that

Members were regularly checking the Licensing Portal. She confirmed that she would take a formal request from the Committee to Officers, asking that ward Members be notified of matters in their Ward as established in the Member/Officer Protocol.

iii. The Chairman thanked the DSM and agreed it was a matter of common courtesy that Local members be kept informed.

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18	EXCLUSION OF PRESS AND PUBLIC	

None.

19 TO CONSIDER ANY EXEMPT MATTERS ARISING FROM THE PUBLIC BUSINESS OF THE AGENDA

None.

20 ANY OTHER URGENT EXEMPT BUSINESS AT THE DISCRETION OF THE CHAIRMAN AND AS PREVIOUSLY DETERMINED UNDER ITEM 4 ABOVE

None.

The meeting ended at 10.27 am.

Chairman



LICENSING SUB-COMMITTEE

Minutes of the meeting of the Licensing Sub-Committee held on Thursday, 26 May 2022 at the Council Chamber - Council Offices at 11.30 am

Committee Cllr H Blathwayt (Chairman)

Members Present: Cllr N Lloyd

Cllr E Spagnola

Officers in Legal Advisor (LA)

Attendance: Senior Public Protection Officer (SPPO)

Licensing Enforcement Officer (LEO)
Democratic Services Officer - Regulatory

1 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr N Pearce, with Cllr H Blathwayt (Chairman for the meeting) present as a substitute.

2 ITEMS OF URGENT BUSINESS

None.

3 DECLARATIONS OF INTEREST

None.

4 EXCLUSION OF PRESS AND PUBLIC

RESOLVED

That under Section 100A(4) of the Local Government Act 1972 the press and public 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 of Schedule 12A (as amended) to the Act.

5 (WK/220004481) - APPLICATION FOR A LICENCE TO DRIVE HACKNEY CARRIAGE OR PRIVATE HIRE VEHICLES IN NORTH NORFOLK

Present: Licence Applicant

The Chairman, Members of the Panel and Officers introduced themselves.

The LA outlined the purpose of the hearing and explained the procedure for the meeting.

The SPPO presented his report which related to an application for a 'Licence to Drive Hackney Carriage or Private Hire Vehicles in North Norfolk'. A Disclosure Barring Service report had subsequently been received in respect of the applicant, which contained details about the applicant which merited further consideration.

The Applicant put his case to the Sub-Committee and explained the circumstances concerning his convictions. He explained that he was in a toxic relationship with an

ex-partner which had steadily deteriorated. The Applicant explained that on the day of the incident he was attempting to enter his own property whilst in a heightened state of emotion and as a result damaged the door handle whilst the property was occupied by his ex-partner. He stated that he did not enter the property nor did he use violence towards anyone. The Applicant admitted full responsibility for his actions and affirmed that his behaviour that day does not reflect his character today.

In response to questions from Cllr N Lloyd. The Applicant further confirmed had subsequently had no contact with his ex-partner since his conviction, and was now in a stable relationship with someone else. The Applicant advised that he had no intention in engaging in any future dialogue with his ex-partner.

Cllr N Lloyd advised that one of the Sub-Committees primary considerations when determining whether an Applicant was suitable to hold a license to drive a hackney carriage was the safety of the public and of residents. Cllr N Lloyd asked the Applicant if they considered themselves to be an angry person.

The Applicant stressed that he was not an angry person, and he had a very sound temperament as demonstrated through his care of his stepson who has special education needs. He reflected that he had not been in any further trouble in any form since his conviction, which was indicative of his character.

The Chairman asked the Applicant about his current occupation and interest in becoming a taxi driver. The Applicant advised that he had been self-employed for many years as a tradesperson, but was seeking to move forward to a new profession.

Cllr E Spagnola noted the Applicants home situation, and reflected on the challenges which come with living with a child with special educational needs.

The LA reiterated their guidance to the panel and to the Applicant.

The Sub-Committee retired at 11.50am and returned at 12.27am.

The Chairman recited the decision notice and advised, in determining the application the Sub-Committee had considered the Licensing Officers Report, as well as the written and Oral evidence put before it at the hearing. The Sub-Committee placed weight on the Applicants clean record since conviction, and his remorseful stance towards his past offences and overall conduct.

The Sub-Committee determined the Applicant to be a fit and proper person to hold a taxi License.

RESOLVED

That the license be GRANTED.

The meeting ended at 12.31 pm.	
	Chairman

LICENSING SUB-COMMITTEE (REGULATORY)

Minutes of the meeting of the Licensing Sub-Committee (Regulatory) held on Monday, 27 June 2022 at the Council Chamber - Council Offices at 10.00 am

Committee Cllr H Blathwayt (Chairman)

Members Present: Cllr D Birch

Cllr C Cushing

Officers in Legal Advisor (LA)

Attendance: Senior Public Protection Officer (SPPO)

Licensing Enforcement Officer (LEO)
Democratic Services Officer - Regulatory

1 CHAIRMAN'S INTRODUCTION

The Chairman opened the meeting and invited all attendees to introduce themselves and explain their role at the meeting.

2 TO RECEIVE APOLOGIES FOR ABSENCE

None received.

3 ITEMS OF URGENT BUSINESS

None.

4 DECLARATIONS OF INTEREST

None.

5 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That under Section 100A(4) of the Local Government Act 1972 the press and public 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 of Schedule 12A (as amended) to the Act.

6 (WK/220004412) - APPLICATION FOR A LICENCE TO DRIVE HACKNEY CARRIAGE OR PRIVATE HIRE VEHICLES IN NORTH NORFOLK

Present: Licence Applicant

The Chairman, Members of the Panel and Officers introduced themselves.

The LA outlined the purpose of the hearing and explained the procedure for the meeting.

The SPPO presented his report, outlining the application to the Panel for a 'Licence to Drive Hackney Carriage or Private Hire Vehicles in North Norfolk'. He advised as part of the application process, the Applicant was required to make disclosure of

previous convictions, which subsequently had been received and which contained details about the applicant meriting further consideration.

The Chairman invited the Applicant to speak, who explained that the incident occurred during her previous employment in which she slapped a colleague due to his constant unpleasant and sexist behaviour towards her in the workplace. Although she disagreed with the conviction, she accepted the consequences of her actions.

Cllr C Cushing asked the Applicant if she had previously held a License to drive a Hackney Carriage or Private Hire Vehicle in North Norfolk. The Applicant had held a License under another authority. She explained that the business she was employed with held a contract with Norfolk County Council and had moved the registration of their operation more locally to NNDC.

Cllr H Blathwayt asked the Applicant about their experience working as a Taxi driver, if she had experienced any issues during her employment and if she was content with this work. The Applicant advised she worked transporting vulnerable special educational needs children to school and that she very much enjoyed her role even though it could be challenging at times.

The SPPO reflected that the role held by the Applicant could be stressful, and asked how the Applicant coped with challenging or difficult situations. The Applicant did not consider her job as stressful, though acknowledged it would be challenging. She reflected on her first-hand experiences and advised that many of the routes were supported with an assistant, and that when issues did arise she had worked through the company's procedure and reported daily to her employer updating them as to issues.

In response to further questions from the SPPO, the Applicant advised that not all routes were supported with an assistant, and this was determined by the employer based on need.

The SPPO enquired about the Applicants application form and their HGV experience. The Applicant apologised and stated she had incorrectly marked the wrong box on the form in error. The SPPO followed up, and asked if the Applicant was confident with the rest of the forms content, the Applicant affirmed that they were.

The Applicants employer was invited into the meeting as a witness. He affirmed that the Applicant had been employed with the business for three years during which time she had held a clear record. He stated he was happy to recommend the Applicant to hold a Taxi License. In response to Members questions, the Employer elaborated that the business worked exclusively with Norfolk County Council and held a contract to transport children to SEN schools with the majority of routes taking place within North Norfolk. He advised due to the nature of the work, any issues reported would be investigated even if considered relatively minor.

The SPPO asked if the Applicant had worked as a driver or as an assistant. The Employer affirmed the Applicant had performed both roles.

The SPPO enquired how often drivers would be left to operate journeys alone with children. The Employer advised this was around 50% of the time and that determination was made based on the child's needs.

When invited to do so, the Applicant gave no closing statement.

The Sub-Committee retired at 10.30am and returned at 11.18am

The Chairman recited the decision notice to the Applicant and explained that the Panel had taken into account the SPPO's report the Council's licensing policy, the 'fit and proper persons test' as well as the written and oral evidence put forward at the hearing including that of the Applicants employer. He stated that the Sub-Committee considered the demeanour and conduct of the Applicant at this hearing and determined that she approached this matter with the appropriate amount of tact and seriousness which underscored her suitability to hold a license. The Sub-Committee can reasonably conclude that the Applicant is currently a responsible driver.

RESOLVED

That the licence be granted

The meeting ended at 11.21 am.	
	Chairman



LICENSING SUB-COMMITTEE (REGULATORY)

Minutes of the meeting of the Licensing Sub-Committee (Regulatory) held on Monday, 18 July 2022 at the Council Chamber - Council Offices at 10.00 am

Committee Cllr P Fisher

Members Present:

Cllr N Lloyd

Cllr J Rest (Chairman)

Officers in Legal Advisor (LA)

Attendance: Senior Public Protection Officer (SPPO)

Licensing Enforcement Officer (LEO) Democratic Services Officer - Regulatory

Apologies for Absence:

Cllr P Butifoker

1 CHAIRMAN'S INTRODUCTION

The Chairman welcomed the applicant to the meeting, and outlined the process of the meeting.

2 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr P Butikofer, with Cllr P Fisher present as a substitute.

3 ITEMS OF URGENT BUSINESS

None.

4 DECLARATIONS OF INTEREST

None.

5 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That under Section 100A(4) of the Local Government Act 1972 the press and public 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 of Schedule 12A (as amended) to the Act.

6 (WK/220004944) - APPLICATION FOR A LICENCE TO DRIVE HACKNEY CARRIAGE OR PRIVATE HIRE VEHICLES IN NORTH NORFOLK

Present: Licence Applicant

The Chairman, Members of the Panel and Officers introduced themselves.

The LA outlined the purpose of the hearing and explained the procedure for the

meeting.

The SPPO presented their report which related to an application for a 'Licence to Drive Hackney Carriage or Private Hire Vehicles in North Norfolk'. A Disclosure Barring Service report had subsequently been received in respect of the applicant, which contained details about the applicant which merited further consideration.

The Applicant expressed regret for the event which took place over 20 years prior, and explained the circumstances in which he returned home to a domestic incident between his relatives. He advised that he was very tired and had acted negatively in attempting to physically separate and resolve the matter between his relatives. In doing so, he acknowledged that he had bruised one of his relatives by using too much force which subsequently resulted in the matter being reported to police. The Applicant advised he did not contest the conviction and accepted responsibility for his actions in the matter.

The Chairman asked why the Applicant had failed to declare his conviction on the application form. The Applicant advised that he had forgotten about the event as it took place over 20 years prior. The Chairman subsequently enquired as to the Applicants current relationship with the aforementioned relatives, the Applicant advised they had a good relationship and had spent time together very recently. He advised that as part of his conviction he was ordered to attend an anger management course, and whilst he was enrolled for 5 days he only needed to attend 1 day as the instructor did not consider the Applicant to have and anger problem. The Applicant reiterated his remorse and affirmed such events had not, and will not happen again.

The Chairman asked about the Applicants current occupation. The Applicant advised that they were self-employed and had not previously worked as a taxi driver, however considered the change in career as it would better suit their needs and would see them through to retirement. The Applicant considered the occupation would be less physically demanding, and would enable him to support children and the community.

The Chairman enquired if the Applicant was aware that any conviction must be declared and whether they had read through the Council's Hackney Carriage and Private Hire Policy and Handbook, specifically, the provisions concerning 'Offences involving Violence, Disorder and Damage to Property'. The Applicant advised that their employer had not provided this information to them, and they were unaware that they must declare everything.

Cllr N Lloyd affirmed that safety of the public was an important consideration when granting a taxi license and asked the Applicant if he had declared his conviction when volunteering with the Scouts. The Applicant advised that they had declared their conviction and that this had been picked up in the relevant checks. He recounted his experiences within the Scouts and challenging situations he had been through, and commented how he had he had formed good relationships with his explores.

Cllr P Fisher asked about the Applicants referees. The Applicant advised that one of the individuals worked alongside him in the Scouts.

In response to questions from the Chairman, the Applicant advised that their employer was contracted to transport children to SEN schools, the vehicle would be provided for him, and his route may be supported by an assistant.

The SPPO asked whether the Applicant, who was self-employed but as a franchisee, would be able to obtain a reference from their operator. The Applicant commented

that he would be happy to supply this.

The SPPO enquired whether the Applicant would be supported by an assistant during their probationary period, the Applicant advised he was uncertain of the on-boarding process and that the operator would be better placed to answer this question.

In the absence of further questions from the Sub-Committee and Officers, the Chairman invited the applicant to make their closing arguments. The Applicant apologised that they were unable to answer all of the panel's questions.

The Sub-Committee retired at 10.33am and returned at 11.18am

The Chairman recited the Decision Notice and advised that In deciding the application, the Sub-Committee considered the report from the SPPO, as well as the written and oral evidence put forward at the hearing, in considering the Applicants suitability to hold a taxi licence in North Norfolk.

The Sub-Committee considered the Applicant's previous conviction, reference was made to the Council's Hackney Carriage and Private Hire Policy and Handbook, namely, Annex B – Guidelines Relating to the Relevance of Convictions and specifically, the provisions concerning 'Offences involving Violence, Disorder and Damage to Property'. The Sub-Committee noted that the Applicant has been free of such convictions for a period of at least five years prior to today's hearing.

Although the Applicant did not disclose this conviction on the application form, the Sub-Committee determined that failure to disclose was not indicative of intentional dishonesty, rather just genuine error, and that there is no evidence that the Applicant is currently a violent person with anger issues.

The Sub-Committee placed weight on the Applicant's work with the Scouts and his unblemished record with that particular organization working with children.

In addition to the two emails providing a character reference, The Sub-Committee considered the demeanour and conduct of the Applicant at this hearing and determined that he approached this matter with the appropriate amount of tact, openness and clarity.

Having considered relevant written and oral evidence before it, the Sub-Committee deemed that the Applicant was a fit and proper person to hold a taxi licence as outlined above.

RESOLVED

That the licence be GRANTED.

The meeting ended at 11.23 am.	
	Chairman



LICENSING SUB-COMMITTEE (REGULATORY)

Minutes of the meeting of the Licensing Sub-Committee (Regulatory) held on Monday, 26 September 2022 at the Council Chamber - Council Offices at 10.00 am

Committee Cllr P Grove-Jones (Chairman)

Members Present: Cllr P Fisher

Cllr G Mancini-Boyle

Officers in Legal Advisor (LA)

Attendance: Licensing Enforcement Officer (LEO)

Democratic Services Officer - Regulatory

1 TO RECEIVE APOLOGIES FOR ABSENCE

None received.

2 ITEMS OF URGENT BUSINESS

None.

3 DECLARATIONS OF INTEREST

None.

4 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12A (as amended) to the Act.

5 (WK220009560) - APPLICATION FOR A LICENCE TO DRIVE HACKNEY CARRIAGE OR PRIVATE HIRE VEHICLES IN NORTH NORFOLK

Present: The Applicant

The Members of the Panel and Officers introduced themselves.

The Chairman apologies for the delay in starting the hearing, and thanked the Applicant for their patience.

The LA outlined the purpose of the hearing and explained the procedure for the meeting.

The LEO presented the Officers report which related to an application for a 'Licence to Drive Hackney Carriage or Private Hire Vehicles in North Norfolk'. A Disclosure Barring Service report had subsequently been received in respect of the applicant, which contained details about the applicant which merited further consideration.

The Sub-Committee asked for further details of the of the Applicants conviction detailed on the DBS report. The Applicant explained the circumstances surrounding their conviction and admitted that they had made a stupid one off mistake. The Applicant affirmed that they had served the unpaid work requirement of their Community Order.

The Chairman asked if the Applicant had completed the application form themselves, or if it had be completed by another person. The Applicant advised they had completed all aspects of the application themselves with the exception of the medical certificate which was supplied by a doctor. Members noted that the Applicant had failed to fully disclose their convictions on the Application form. The Applicant apologised and advised this was a genuine error.

The Chairman asked the Applicant about their desire to be a taxi driver, and if the Applicant considered that they would be able to manage this work. The Applicant advised that they were already a serving taxi driver, with relevant experience under a different licensing authority. The Applicant advised that he intended to work part-time and could more than manage the work.

In response to questions from the LEO, the Applicant advised that, if their application was granted, they would be operating a 5 seater vehicle largely working on school runs for special education needs children, they understood that they would be accompanied by an assistant. The exact route they would undertake was at the discretion of their employer, and was not yet known.

The Sub-Committee retired at 11.50am and returned at 12.25pm.

The Chairman read out the decision to the Applicant and explained that the Panel had taken into account the LEO report, the Council's Hackney Carriage and Private Hire Policy Handbook, as well as the written and oral evidence put forward at the hearing.

The Chairman advised that the panel noted that the Applicant had not received more than 2 motoring convictions within the last 2 years, not had he accumulated 9 or more penalty points. Whilst the Applicant had not fully disclosed his convictions, the Sub-Committee considered this was not indicative of intentional dishonesty and was a genuine error.

The Sub-Committee placed weight on the Applicants previous experience as a taxi driver, and his positive track record in transporting children with no issues or complaints. The Chairman concluded that the Sub-Committee, having considered relevant written and oral evidence before it deemed the Applicant a fit and proper person to hold a taxi license.

RESOLVED

That the licence be GRANTED.

12 (WK/220008909) - APPLICATION FOR A LICENCE TO DRIVE HACKNEY CARRIAGE OR PRIVATE HIRE VEHICLES IN NORTH NORFOLK

Present: The Applicant

The Members of the Panel and Officers introduced themselves.

The LA outlined the purpose of the hearing and explained the procedure for the meeting.

The LEO presented the report which related to an application for a 'Licence to Drive Hackney Carriage or Private Hire Vehicles in North Norfolk'. A Disclosure Barring Service report had subsequently been received in respect of the applicant, which contained details about the applicant which merited further consideration.

Cllr P Fisher asked the Applicant if they had completed the Application form themselves, or with the assistance of another, and noted that the Applicant had failed to record their conviction on the Application form. The Applicant advised that they had filled out the form with the assistance of a relative, and that they had genuinely forgotten about their conviction which occurred many years ago when he was nineteen years old. The Applicant continued to apologise to the Sub-Committee for this error and advised that he had not intended to intentionally deceive the panel.

Cllr P Fisher noted a discrepancy in signatures on the various forms, and asked the Applicant about this. The Applicant advised this was due to one of the signatures being done electronically.

The Chairman asked about the Applicants experience driving vehicles, and in being a taxi driver. The Applicant advised they had prior experience operating HGV vehicles but none as a taxi driver. He expressed an interest in the part-time nature of the job which he considered manageable, and reflected on his years as a road user.

In response to questions from the LEO, the Applicant advised that he was unsure of the exact route that he may undertake should his application be granted, as this was at the discretion of the operator, further he was uncertain if his route would be covered with an assistant.

The Sub-Committee retired at 12.50am and returned at 1.35pm.

The Chairman read out the decision to the Applicant and explained that the Panel had taken into account the Licensing Officers report, the Council's Hackney Carriage and Private Hire Policy Handbook, as well as the written and oral evidence put forward at the hearing.

The Sub-Committee noted that the applicant had been free of convictions for a period of at least five years prior to the hearing, and although the Applicant had not fully disclosed their conviction on the application form, the Sub-Committee considered this was not indicative of intentional dishonesty, rather just a genuine error. The Sub-Committee considered and placed weight on the Applicant spotless record and good conduct since his conviction, and that there was no evidence of the Applicant currently being a violent person.

The Sub-Committee, having considered the written and oral evidence before it, that the Applicant was a fit and proper person to hold a taxi license.

That the licence be GRANTED .	
The meeting ended at 1.27 pm.	
	Chairman

RESOLVED

LICENSING SUB-COMMITTEE (REGULATORY)

Minutes of the meeting of the Licensing Sub-Committee (Regulatory) held on Wednesday, 19 October 2022 at the Council Chamber - Council Offices at 12.30 pm

Committee Cllr E Spagnola (Chairman)

Members Present: Cllr T Adams

Cllr G Mancini-Boyle

Officers in Legal Advisor (LA)

Attendance: Licensing Enforcement Officer (LEO)

Democratic Services Officer - Regulatory

1 TO RECEIVE APOLOGIES FOR ABSENCE

None.

2 ITEMS OF URGENT BUSINESS

None.

3 DECLARATIONS OF INTEREST

None.

4 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That under Section 100A(4) of the Local Government Act 1972 the press and public 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 of Schedule 12A (as amended) to the Act.

5 (WK/220009552) - APPLICATION FOR A LICENCE TO DRIVE HACKNEY CARRIAGE OR PRIVATE HIRE VEHICLES IN NORTH NORFOLK

Present: Licence Applicant & Applicants Employer (Taxi Operator)

The Chairman, Members of the Panel and Officers introduced themselves.

The LA outlined the purpose of the hearing and explained the procedure for the meeting.

The LEO presented their report which related to an application for a 'Licence to Drive Hackney Carriage or Private Hire Vehicles in North Norfolk'. A Disclosure Barring Service (DBS) report had subsequently been received in respect of the applicant, which contained details about the applicant which merited further consideration.

The LEO confirmed that the Sub-Committee were in receipt of the two written character references attesting to the Applicants competency as an employee and to their good character.

The Sub-Committee queried the applicant on his convictions. The Applicant advised the circumstances around his convictions and acknowledged fault in his actions, one of which occurred when he was a minor. He affirmed that he had learnt from his mistakes and stressed that his previous conduct was not reflective of his current character.

The Applicants current employer provided a further employment and character reference on behalf of the Applicant, confirming his good demeanour in dealing with people, and positive feedback he had received from customers. He spoke favourably of the Applicants work ethic working as a repairman in his company. The Applicants employer advised that the Applicant was in receipt of a badge to operate school runs from Norfolk County Council and that as they considered the convictions to be minor, they approved his application without organising a hearing.

Cllr T Adams asked for details of the complaint received. The LEO advised that that whilst the Applicant had not been operating vehicles in the capacity of a taxi driver, as was working transporting vehicles as a mechanic, it was flagged up that he should not be operating a hackney carriage unless he held a valid license.

In response to questions from Cllr T Adams around the nature of the business, the Applicants employer advised that the company did not undertake local runs, rather they performed pre-booked lengthy journeys across the country, as such no cash was physically exchanged between client and driver, with this all being dealt with directly by the owner.

The LEO advised the Sub-Committee that if the Applicant were granted a license that they would be able to drive with an alternate operator, which could include school runs, or sitting on the rank. If the Applicant were to change operator, they would be compelled to inform NNDC accordingly.

The Sub-Committee retired at 12.52pm and returned at 1.45pm

The Chairman recited the decision notice and advised that the Sub-Committee considered the report from the LEO, as well as the written and oral evidence put before it at the hearing. The Sub-Committee noted that the Applicant had been free from convictions for a period of at least three years prior to hearing. The Sub-Committee placed weight on the Applicants record since his conviction and the oral submission from the Applicants Employer who provided an excellent reference.

The Sub-Committee considered the Applicant a fit and proper person to hold a taxi license.

RESOLVED

The license be GRANTED.

6 (WK/220010386) - APPLICATION FOR A LICENCE TO DRIVE HACKNEY CARRIAGE OR PRIVATE HIRE VEHICLES IN NORTH NORFOLK

Present: Licence Applicant

The Chairman, Members of the Panel and Officers introduced themselves.

The LA outlined the purpose of the hearing and explained the procedure for the meeting.

The LEO presented their report which related to an application for a 'Licence to Drive Hackney Carriage or Private Hire Vehicles in North Norfolk'. A Disclosure Barring Service report had subsequently been received in respect of the applicant, which contained details about the applicant which merited further consideration.

In response to questions from Cllr G Mancini-Boyle the LEO confirmed that the Applicant had signed the declaration on the application form attesting that all the information on form was accurate and true. She noted that some aspects of the form had not been ticked by the Applicant.

The Sub-Committee queried the Applicants conviction. The Applicant proceeded to explain the circumstances surrounding their conviction and admitted though he regretted his actions, offered mitigation in stating that he was provoked by the behaviour of other parties involved in the matter. He advised that he had complained about the other parties conduct to the reagent authority, and invited the Sub-Committee to contact said authority (should they be so minded). He recognised the error of his ways and emphasised that his conviction was the only blemish in an otherwise spotless record.

In respect of the Application form, the Applicant stated did not reflect his prior conviction because he was not aware that he had been convicted. He advised that he had been informed by his solicitor at the time that the case would not have a negative effect on his employment. Further, this had not been an issue with his prior employers when they conducted their own employment checks.

In response to questions from Cllr T Adams, The Applicant outlined his experience in transporting differently abled and special needs children for multiple years with different operators. The Applicant advised he was flexible with the type of work offered to him by his future employer, though noted this would be predominantly to assist the transportation of children with special education needs. His routes may or may not be accompanied by an assistant.

The LEO advised for clarity, although the Applicant had held a License with another operator, NNDC held its own policies and the disclosures contained on the Applicants DBS form warranted a Sub-committee convening.

The LEO noted the disclosures made on the applicants medical form, and asked the Applicant how they managed their health. The Applicant advised they were well in control of their illness and were able to spot the early warning signs. He felt he was able to manage his health and well-being in a positive manor.

The Applicant concluded that they had made a genuine mistake, and affirmed that they had learned from there conviction.

The Sub-Committee retired at 2.40pm and returned at 3.27pm

The Chairman recited the decision notice and advised that the Sub-Committee considered the report from the LEO, as well as the written and oral evidence put before it at the hearing. Whilst dissatisfied with the way in which the Applicant presented information to the panel, the Sub-Committee placed weight on the Applicants strong level of experience as a taxi driver, and his generally spotless record before and after his conviction.

The Sub-Committee considered the Applicant a fit and proper person to hold a taxi license.

RESOLVED

The license be GRANTED.

7 (WK/220008822) - APPLICATION FOR A LICENCE TO DRIVE HACKNEY CARRIAGE OR PRIVATE HIRE VEHICLES IN NORTH NORFOLK

Present: Licence Applicant

The Chairman, Members of the Panel and Officers introduced themselves.

The LA outlined the purpose of the hearing and explained the procedure for the meeting.

The LEO presented their report which related to an application for a 'Licence to Drive Hackney Carriage or Private Hire Vehicles in North Norfolk'. A Disclosure Barring Service report had subsequently been received in respect of the applicant. Further, as part of the application process a DVLA check had been carried out with respect of the Applicant, which warranted consideration by the Sub-Committee.

The Sub-Committee queried the traffic offences and asked the Applicant to provide additional information and context. The Applicant advised the circumstances surrounding his motoring offences, and admitted, with regards to his first offence, that he was following after the ambulance carrying his partner who he had been informed was close to passing. In his attempt to urgently reach the hospital, he was caught be speed cameras.

The Applicant further advised, in respect of his other offences offered mitigation that his partner was gravely ill in the hospital and that he was not thinking when he sped there to be there to support the. The Applicant advised this was an incredibly stressful situation for him and his family, which had been exacerbated by the lack of support from the relevant external agencies, describing the last year as a 'nightmare'. He advised that pending the outcome of the hearing, he had been unable to work for his employer in the capacity as a taxi driver, which adversely impacted both he and his partner.

The Applicant conceded that he should not have sped and that he had learnt from his mistakes, but reflected that it was a highly stressful and emotive time. He highlighted his spotless record as a taxi driver for over 10 years, transporting children with special educational needs to school, without issue. He advised that he enjoyed his work and took extra effort to interact positively with the children.

The Applicant affirmed that his speeding offenses were when he was driving his personal vehicle in a private capacity, and not whilst he was transporting passengers.

In response to questions from Cllr G Mancini-Boyle, the LA confirmed that the Sub-Committee were not obliged to consider convictions not contained in the DBS report.

Cllr T Adams asked if the Applicant had previously undertaken a speed awareness course, the Applicant advised that he had attended such courses remotely via Zoom.

The Applicant advised that his role within his company was subject to change, and rather than transport children on a set route, it was understood that he would provide background support getting the taxis transported in the background, including to the company garage, and providing sickness cover for drivers.

Cllr T Adams noted the Applicant medical records, and asked if they considered this would be an issue, should they be granted a license. The Applicant advised he was on top of his health and attended scheduled check-ups.

The LEO asked the Applicant what action there employer had undertaken with respect of his driving offenses. The Applicant advised that no action had been taken by his employer, and considered this may be as his license was due to expire anyway.

Cllr G Mancini-Boyle confirmed whether the Applicant was anticipated to work more hours. The Applicant stated that the nature of his work was flexible, with some days and weeks having more working hours depending on the nature of the work. He commented that he was happy with this arrangement and felt his employer had well accommodated his home-life situation.

The Sub-Committee retired at 4.28pm and returned at 6.05pm

The Chairman recited the decision notice and advised that the Sub-Committee considered the report from the LEO, as well as the written and oral evidence put before it at the hearing. The Sub-Committee made reference to the Department for Transport published guidance in respect of Statutory Taxi & Private Hire Vehicle Standards, which outlined that multiple motoring offences may indicate that an applicant does not exhibit the behaviours of a safe road user. The Sub-Committee reflected that the multiple speeding offences within the last two years were indicative of a wilful disregard of statutory speed limits.

The Sub-Committee considered the mitigation provided by the Applicant, but advised that the Applicants personal circumstances could not be considered in determining the Application.

However, the Sub-Committee placed great weight on the Applicants previous driving experience particularly in transporting special needs children in his dedicated role.

The panel concluded that the Applicant was a fit and proper person to hold a taxi license.

RESOLVED

The license be GRANTED.

The meeting ended at 6.15 pm.	
	Chairman



LICENSING SUB-COMMITTEE (REGULATORY)

Minutes of the meeting of the Licensing Sub-Committee (Regulatory) held on Wednesday, 23 November 2022 at the Council Chamber - Council Offices at 10.43 am

Committee Mr C Cushing

Members Present:

Mr P Fisher (Substitute for Cllr D Birch)

Mr N Housden (Chairman)

Officers in Attendance:

1 TO RECEIVE APOLOGIES FOR ABSENCE

Cllr D Birch was absent for the meeting, Cllr P Fisher was present as a substitute.

2 ITEMS OF URGENT BUSINESS

None.

3 DECLARATIONS OF INTEREST

None.

4 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12A (as amended) to the Act

5 (WK/220012604) - APPLICATION FOR A LICENCE TO DRIVE HACKNEY CARRIAGE OR PRIVATE HIRE VEHICLES IN NORTH NORFOLK

Present: Licence Applicant

The Chairman, Members of the Panel and Officers introduced themselves.

The LA outlined the purpose of the hearing and explained the procedure for the meeting.

The LEO presented her report which related to an application for a 'Licence to Drive Hackney Carriage or Private Hire Vehicles in North Norfolk'. A Disclosure Barring Service (DBS) report had subsequently been received in respect of the applicant, which contained details about the applicant which merited further consideration. It was noted that the applicant had failed to disclose their conviction on the application form, and that it was an offense to knowingly or recklessly make a false statement or to omit any particular material in giving information in the application form. The LEO informed the Sub-Committee that the Applicant had applied to mainly provide taxi services to assist with school and hospital runs.

The Chairman noted the references provided for the applicant were previous employers, and asked if there had been any further conversations with references. The LEO advised there had not been.

The Applicant presented his care and outlined his application to the panel. He explained that he had misread the application form and had assumed that the question was with relation to driving offenses only (which he had declared). The Applicant explained that he had recently become a foster carer with a foster child permanently in his care and that that he had received an enhanced DBS certificate where this disclosure was raised, but had not been an impediment for his fostering. He further advised that he a sports coach in his local community for a team of children where he was also subject to DBS checks.

Members had no questions for the applicant.

The Sub-Committee retired for deliberation and returned at 11.15am

The Chairman recited the decision notice and stated that deciding the application, the Sub-Committee considered the report from the Licensing Officer, as well as the written and oral evidence put forward at the hearing. The Sub-Committee noted that Applicant had been free from convictions for a period of at least 5 years prior to the date of the hearing.

The Sub-Committee concluded that although the Applicant did not disclose their convictions on the application form, Members considered this was a genuine error and was not indicative of intentional dishonesty. Further, there was no evidence that the Applicant was not a fit and proper person to hold a license.

The License was **GRANTED**.

6 (WK/220011634) - APPLICATION FOR A LICENCE TO DRIVE HACKNEY CARRIAGE OR PRIVATE HIRE VEHICLES IN NORTH NORFOLK

Present: Licence Applicant

The Chairman, Members of the Panel and Officers introduced themselves.

The LA outlined the purpose of the hearing and explained the procedure for the meeting.

The LEO presented her report which related to an application for a 'Licence to Drive Hackney Carriage or Private Hire Vehicles in North Norfolk'. A Disclosure Barring Service (DBS) report had subsequently been received in respect of the applicant, which contained details about the applicant which merited further consideration. It was noted that the applicant had failed to disclose their conviction on the application form, and that it was an offense to knowingly or recklessly make a false statement or to omit any particular material in giving information in the application form. The LEO informed the Sub-Committee that the Applicant had applied to mainly provide taxi services to assist with school and hospital runs.

The Chairman noted the applicant's medical history and heart attack and asked the LEO about relevant guidance. The LEO provided DVLA guidance and confirmed that group 2 of the DVLA guidance applies to vehicles up to 8 passengers. The LEO confirmed that drivers may be re-licenced after a period of at least six weeks, but initially drivers must stop driving and notify the DVLA immediately.

The applicant introduced himself and presented his case. He advised the panel that the omission of his conviction was an honest mistake and that he had not been informed by his solicitor of the time that he had a conviction.

In response to questions from Members, the LEO defined that an 'Absolute discharge' was where no further action is taken, since either the offence was very minor, or the court considers that the experience has been enough of a deterrent. The nature of the applicant's conviction had resulted in a misunderstanding for the applicant as to whether they held a conviction or not.

Cllr C Cushing questioned why there has been a 'yes' selected in the psycatric box on the application form, the applicant explained this was an error

Cllr Fisher asked how the applicant manages his tablets, the applicant explained that he is able to manage this as his wife sorts these and reminds him daily. The Chairman asked details of the medication and how long treatment would last. The applicant advised this would be subject to review but he would likely be on medication for the rest of his life.

In response from questions from Members, the applicant explained that he had worked with extra need children in the past, and in his previous occupation.

The Sub-Committee retired for deliberation and returned at 11.47am

The Chairman recited the decision notice and stated that in deciding the application, the Sub-Committee considered the report from the Licensing Officer, as well as the written and oral evidence put forward at the hearing. The Sub-Committee noted that Applicant had been free from convictions for a period of at least 5 years prior to the date of the hearing.

The Sub-Committee considered that the applicant had misinterpreted the decision of the Magistrate as he had been absolutely discharged and considered this to be a genuine error. There is no evidence that the Applicant is not a fit or proper person.

The License was **GRANTED** subject to the following condition:

i. The Applicant must write to the Licensing Officer every six months to confirm that the condition referred to in his DVLA medical assessment, namely the Applicants heart attack, has not deteriorated since the date of this hearing, or if it has, to provide further details of those changes.

The meeting ended at 12.00 pm.	
	Chairman



Agenda Item 5

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.

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 to 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

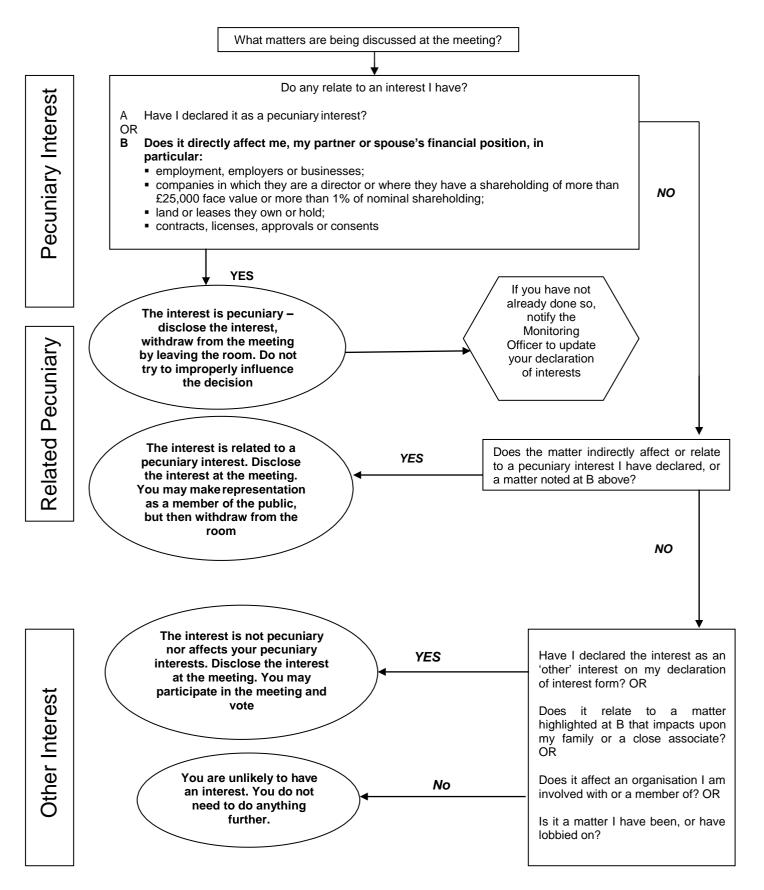
PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST INSTANCE

DEVELOPMENT COMMITTEE MEMBERS SHOULD ALSO REFER TO THE PLANNING PROTOCOL

Declarations of Interest at Meetings



DECLARING INTERESTS FLOWCHART - QUESTIONS TO ASK YOURSELF



Agenda Item 6

Authors Title	Publi	c Pro	tection Tear	n		
Which Committees is this report intended for? (Please state dates)		Regulatory Committee: 1 March 2023				
Is the report Exempt?		Ye	S	\boxtimes	No	
Why is it exempt?	N/A					
Does the report concern a Key Decision?		Ye	S		No	
If a Key Decision is it on the Forward Plan?		Ye	s		No	
Ward(s) affected	All					
Responsible Committee Member name	Cllr N	ligel I	Lloyd			
Contact Officer	Jame	es Wi	ndsor/Nicola	Daviso	n	
Email address						
Telephone number	•	james.windsor@north-norfolk.gov.uk 01263 516289				
Are there Non-electronic appendices?		Ye	S		No	
List of Background Papers, including committee papers, used in drafting this report.	N/A					
Implications/Risks						
Have you identified and explained within report the implications of the options available to Members?			Yes			
(Implications should include financial, le and links to the Council's existing policion and strategies)	_	\boxtimes	None			
Have you highlighted the risks to the Council? Financial Implications and Risks to the	ne		Yes			
Council Implications and Risks to the Council should have their own separate headings. It is not acceptable to simply state that financial implications or risks have been alluded to in the main body of the report.		\boxtimes	None			
Have you considered Sustainability issin relation to this report? Sustainability should have its own separate heading.	,		Yes			
not acceptable to simply state that Sustainability has been alluded to in the main body of the report)		None			

Have you considered Equality and Diversity issues in relation to this report? Equality and Diversity should have its own	☐ Yes			
separate heading. It is not acceptable to simply state that Equality and Diversity has been alluded to in the main body of the report.	None			
Have you considered S17 Crime and	Yes			
Disorder issues in relation to this report?				
Crime and Disorder should have its own				
separate heading. It is not acceptable to				
simply state that Crime and Disorder has				
been alluded to in the main body of the report.				
Have you considered Health and	Yes			
Wellbeing issues in relation to this report?				
Health and Wellbeing should have its own				
separate heading. It is not acceptable to				
simply state that Health and Wellbeing has				
been alluded to in the main body of the				
report.				
This report has been subject to the fol	lowing proces	ses:		
Consultations with: Committee Member	Vaa		If not place	200 04040
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			1000011 0	SIGW
Local Member	⊠ Yes		If not plea	ase state
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S151 Officer	⊠ Yes		If not plea	
			reason be	elow
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Public Protection - Licensing Update

Summary: The report highlights current licensing matters and

presents information to the Committee regarding all licensing matters except for those dealt with by the

Licensing and Gambling Committee.

Conclusions: N.A

Recommendations: None

Cabinet Member(s)	Ward(s) affected - All
Councillor Nigel Lloyd –	
Portfolio Holder	
Councillor Dr Pierre	
Butikofer -	
Chair of the Licensing	
Committee	
Contact Officer telephone	number and smails

Contact Officer, telephone number and email:

James Windsor 01263 516289

1. Introduction

- 1.1 This reports updates on work within the Public Protection Team in respect of the Licensing function. It concentrates on the Regulatory function and not on the matters covered by the Licensing and Gambling committee. It aims to update and inform members of relevant licensing matters.
- **1.2** The Licensing updates include;
 - 1.2.1 Update on current team structure
 - 1.2.2 Updates on each of the different areas of licencing work including Taxi Regulation, Animal Welfare, Scrap metal, Street Trading, Caravan sites, Skin Piercing and Sexual Entertainment Venues.

2. Licensing Updates

2.1 Team Structure

2.2

A wider restructure in the Environmental and Leisure Services Team has resulted in some changes to the team over the past year.

Licensing falls into the remit of the Public Protection Team. This team covers a wide range of responsibilities including food safety, health and safety, sampling and licensing. Two team leaders have been appointed to manage the functions of this team, reporting directly into the Assistant Director for Environmental and Leisure Services.

The Licensing Enforcement Officer left NNDC in 2022. This post has been replaced by promoting Nicola Davison internally to the post of Licensing Enforcement Officer. Nicola Davison previously held the position of Licensing Administration Officer within the team for the past eighteen years.

We currently have two part time Licensing Administration Officers who take all of the initial licensing enquiries and who process all of the licences granted by the Council.

The team also currently has a member of staff who is on a temporary contract. This post is a full time Public Protection Officer position. This member of staff has been heavily involved with caravan sites but also has a health and safety regulation, food safety and sampling function.

As demonstrated above there is a relatively small team of people delivering a critical regulatory function for the Council.

2.3 Animal Welfare

Animal Welfare now presents a significant amount of work within the Council.

All inspections have to be conducted using the DEFRA approved forms which are very comprehensive. Each form comprises around 50 pages of criteria that have to be assessed when issuing new, or renewing existing, licenses.

The Team deals with the licensing of pet shops, dog breeding establishments, dog boarding establishments, home boarding establishments, riding establishments, the keeping of animals for exhibition, zoos and dangerous wild animals.

At present the District has the following number of active animal licences in operation.

Type of Animal License	Number in Operation
Animal Boarding (home boarding,	22
day boarding, dog kennels and	
catteries)	
Riding Schools	6
Pet Shop	3
Exhibition	5
Dog Breeding	5
Dangerous Wild Animals	1
Zoos	2

In 2022 the Team were successful in obtaining a prosecution against a number of linked defendants for offences relating to the keeping of dangerous wild animals, and breeding and selling cats without a pet shop licence. This prosecution was obtained by working closely with partners at Norfolk Constabulary. Two dangerous wild animals (Servals- (big cats native to the plains of Africa)) were seized as part of this action and were rehomed. We are waiting for the sentencing hearing for this matter which is due to take place in March of this year. There is likely to be considerable press interest in the matter at this time.

The team has noted a significant increase all animal welfare applications.

The Team regularly has to undertake detailed investigations into reports of unlicensed animal related activities. Recently the Team investigated Page 34

allegations of an unlicensed dog breeder in the District which discovered a premises with in excess of 40 dogs that were being used for commercial purposes. This investigation highlighted the fact that large scale issues are still carrying on in the District. As a result of our intervention, the breeding has stopped, and the unlicensed breeder has moved to rehome the majority of dogs that were used in the illegal breeding activity.

The newly appointed Licensing Enforcement Officer is currently undertaking a Level 3 qualification to become qualified to undertake animal licensing inspections.

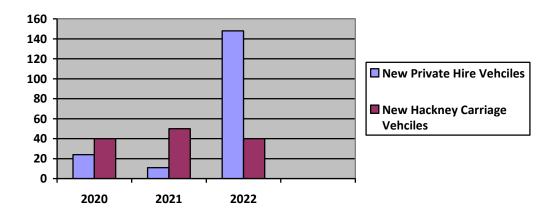
There is an Eastern Animal Welfare Licensing forum which NNDC attends. This forum enables all Local Authorities in Norfolk and Suffolk to meet to share good practice and to benchmark standards.

New legislation is imminent that will increase our involvement with primate keeping (marmosets and tamarin monkeys are not covered under the Dangerous Wild animal regime) to ensure welfare. Animal sanctuaries are also likely to be incorporated into the regulatory regime imminently and there is early discussion about regulating dog walking as a licensed activity.

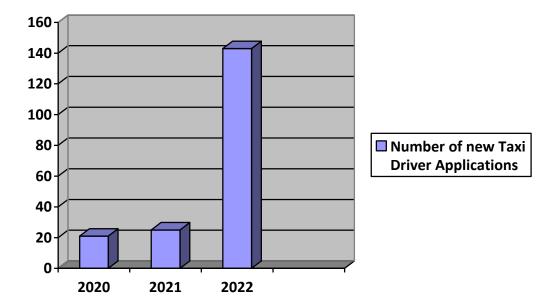
2.4 Taxi Licensing

It has been a very busy year for Taxi licensing. Details of the numbers of Taxi related interactions can be seen in the attached appendix.

The following graph shows how the number of applications has increased over the past three years. The most significant increase has been in respect of the number of new private hire vehicle applications that have been received.



The number of new Taxi Driver applications has also increased significantly over the past three years as can be seen in the following graph.



A new operator recently moved into North Norfolk who have been licensing a significant number of vehicles and drivers and this has caused a significant increase in Taxi related work for the Team (as can be seen from the graphs above). Processing this increased level of work with just two part time administration officers is becoming increasingly challenging and measures will need to be taken to ensure that the increase in work can be properly managed. It is anticipated that the number of new vehicles and drivers that need to be processed in 2023 will increase further as the new operator referenced above continues to expand their operations as well as new businesses moving into the market. In theory, an increase in applications will result in an increase in fees taken which must be used to support the work of the licensing function. Licensing income should be ring fenced and cannot be used to support functions elsewhere in the Council.

At present the District has the following number of active licences in operation relating to taxi and private hire.

Licence Type	Number
Drivers (dual licence)	329
Private Hire Vehicles	170
Hackney Carriage Vehicles	146
Private Hire Operators	27
Hackney Carriage Operators	52

The Team have started the process of reviewing the Taxi Testing Station contract which expires in June this year. We currently have four testing stations across the district and we are hoping to increase this number to increase choice for applicants and to better serve the west of the District.

The team work closely with the Local Authority Designated Officer (LADO) process and this resulted in one driver having their driver's badge removed in 2022 to ensure that the potential risk to the public was properly managed.

The Team are hoping to review the hackney carriage taxi fare table following a number of requests to do so from the trade. The last increase in fare prices was undertaken in 2018 and since that time fuel prices have increased significantly. Currently North Bigtrick Bigtrict Council are ranked 307th out of

344 Local Authorities for the level of fares as can be seen in the table below taken from Private Hire Taxi Magazine showing the national Hackney Carriage fare tables for a journey of 2 miles (standard day rate -tariff 1).

HACKNEY CARRIAGE FARE REVIEW				
Local Authority	2-mile	e fare £	Last Increase	Ranked out of 344
Great Yarmouth BC	£	8.50	2022	12
East Suffolk North	£	8.40	2022	13
Breckland DC	£	8.00	2022	36
West Suffolk	£	7.20	2022	120
Kings Lynn and WNBC	£	7.00	2022	144
East Cambs	£	6.80	2022	168
Norwich City	£	6.60	2018	212
Mid Suffolk	£	6.40	2020	239
East Suffolk South	£	6.20	2020	255
Fenland	£	6.20	2022	257
North Norfolk DC	£	5.80	2018	307

The team are currently working with East Law to move the position of the rank in Market Street, North Walsham following the start of the Heritage Action Zone project. .

The team are currently moving towards the introduction of knowledge tests for drivers. This will form a part of the revised application procedure for drivers and will ensure that they have sufficient understanding of the policy handbook, the geography of the area, the highway code and have a good understating of English to be a fit and proper driver. In addition, we will be requesting safeguarding training of all new driver applications to ensure that they know how to identify and report children, or vulnerable adults, who may appear to have safeguarding concerns.

The team undertakes a number of investigations relating to driver conduct, hire vehicle standards and fare disputes.

The team works closely with the local taxi and private hire association who represent a number of the licensed driver's operating within the District.

2.4 Scrap Metal Licensing

The table below shows the current number of scrap metal licenses

Sites	6
Collectors	9

The Team have recently undertaken a number of joint visits to the licensed scrap collectors in the district with Norfolk Police.

This was an opportunity to ensure that all licensed operators were complying with their licence conditions.

An unlicensed scrap metal operator working from a domestic premises was visited with Norfolk Police and this operation has now stopped as a result of our intervention. The premises will continue to be monitored to ensure maintained compliance.

2.5 Caravan Site Licensing

A temporary post was created in 2022 to allow work to be undertaken to visit caravan sites in the district. This post has recently been extended following a business case having been approved.

In the short time that the post holder has been undertaking the work, around 50 caravan sites have been visited. All of the visits have identified non-compliance with the conditions attached to licences and have identified significant health and safety issues.

The post holder has prioritised working with cliff side caravan site where there are concerns about cliff erosion. They have noted that, in a number of locations, caravans are situated in close proximity to the cliff edge and are at potential risk of falling over the edge when further erosion takes place.

Some caravans have already been moved back to a place of safety. On other sites we are moving towards taking formal action to ensure that we do not lose a caravan over the cliff edge.

The post holder has also identified issues with gas safety, electrical safety, fire safety, asbestos management that they have acted to resolve.

The post holder has also identified very vulnerable residents living in terrible conditions on caravan sites and has worked with others to ensure that they obtain the support that they require.

A number of unlicensed sites have been identified.

The requirement for all residential sites to have a nominated Fit and Proper Manager has created a significant amount of additional work.

The recent sale of Parklands by NNDC into the private sector has required significant amount of officer input to move the licensing of the site forward.

2.6 Sex Establishment Licensing

The issues that were being experienced in an unlicensed sexual entertainment venue that was under investigation within the district have been resolved as the owner has bought an additional premises in an adjacent Local Authority's area.

We do not currently have any premise licensed as sex establishments at the current time.

Page 38

The table below shows the current number of skin piercing registrations that are active within North Norfolk.

Type of Registration	Number of Active Registrations
Premises	65
Practitioners	142

The team have been busy with new registrations for tattooing, ear and body piercing, electrolysis and acupuncture.

We are receiving a significant number of complaints about people undertaking Botox and Dermal fillers. This area of work is currently unregulated, and we are waiting for new legislation to be enacted that will enable us to deal with this high-risk area of activity. The legislation was expected to be enacted in 2022 but has been unexplainedly delayed.

2.8 Street Trading

A new street trading policy has been drafted and started the journey through the approval process. This process will involve a period of public consultation for all interested parties to give their view on the proposed content. At present we continue to regulate street trading within the existing legal framework.

3 Implications and Recommendations

N/A

4 Financial Implications and Risks

4.1 Not Applicable to this report.

5 Sustainability

5.1 Not Applicable to this report.

6 Equality and Diversity

6.1 Not Applicable to this report.

7 Section 17 Crime and Disorder considerations

7.1 Not Applicable to this report.



2023					
Alcohol & En	tertainment				
Personal				2	
1	New Application		2		
Premise Lice				1	
1	New Application		1		
Taxi					
Hackney Carr			4	1	
1	New Application		1		
Private Hire C			1	1	
2 Drivete Hire V	Renewal (not vehicle)		1	9	
Private Hire V	New Application		4	9	
8A	Surrender		5		
Taxi Driver	Suiteridei		<u> </u>	4	
1	New Application		4	-	
'	New Application		7		
2022					
Alcohol & En					
Club Premise			_	30	
3N	Change		2		
6	Annual Fee		27		
8A	Surrender		1	22	
Personal	Name Angliantian		F7	93	
1 3N	New Application		57 20		
3N 8A	Change Surrender		29		
8A 8D			2		
CL	Lapse Copy of licence		1 4		
Premise Lice			4	563	
1	New Application		19	363	
3	Transfer		13		
3N	Change		39		
4	Variation		11		
4A	Variation Of DPS		44		
4D	Transfer including DPS Change		9		
4E	Removal of DPS Condition		1		
4G	Minor Variation		7		
4L	Error (internal)		1		
4P	Change of Premises Band		10		
5	Review		1		
6	Annual Fee		391		
8A	Surrender		12		
8D	Lapse		1		
9K	Request for copy licence		4		
TENS				396	
С	TEN Application		396		
Animals					
Lic Animal Ac				32	
1	New Application		8		
2	Renewal (not vehicle)		14		
3N	Change		2		
4	Variation		2		
8A	Surrender		1		
8D	Lapse		5		
Zoo	_			1	
9A	Returns		1		
Caravan/ Can	nping				
Caravan Site	N A P "			14	
1	New Application	Page 41	4		
3A	Owner Change	i ago Ti	1		

ZUZZ					
Caravan/ Ca					
Caravan Site			0	14	
3N	Change		9		
Charitable C	Collections				
	ouse Collection			21	
1G	New Application - Non Exempt		12		
9A	Returns		9		
Street Colle	ctions			49	
1	New Application		36		
9A	Returns		13		
Gambling					
Adult Gamir				1	
6	Annual Fee		1		
_	nises Non Track			6	
3N	Change		1		
6	Annual Fee		5		
	rtainment Centre		4	1	
6 Cambling C	Annual Fee		1	2	
6	lub Machine Permit Annual Fee		2	2	
	remises Notification		2	7	
1L	New Application > 2 Machines		2	,	
3	Transfer		1		
6	Annual Fee		3		
8A	Surrender		1		
Gaming Per				1	
1	New Application		1	•	
Lottery - Sm	all Premises			149	
1	New Application		12		
3C	Business Name/Address Change		1		
3N	Change		53		
6	Annual Fee		46		
8D	Lapse		5		
9A	Returns		32		
Scrap Metal					
	Dealer - Collector			13	
1	New Application		4	-	
2	Renewal (not vehicle)		4		
3N	Change		1		
4	Variation		2		
8D	Lapse		2		
Scrap Metal	Dealer - Site			4	
2	Renewal (not vehicle)		3		
3	Transfer		1		
Skin Piercin	q				
	g Practitioner			18	
1	New Application		14		
3N	Change		2		
8A	Surrender		2		
Skin Piercin				17	
1	New Application		13		
3N	Change		2		
8A	Surrender		2		
Taxi					
	rriage Operator			10	
1	New Application		4		
3C	Business Name/Address Change	_	2		
8A	Surrender	Page 42	4		
		- · - · -			

2022

Taxi					
Hackney Car	rriage Vehicle			235	
1	New Application		40		
2F	Renewal with plate		8		
2G	Renewal without plate		101		
3M	Replacement Plate		6		
3N	Change		21		
A8	Surrender		9		
8D	Lapse		24		
91	MOT Certificate		13		
9J	Insurance Certificate		13		
Private Hire	Operator			15	
1	New Application		3		
2	Renewal (not vehicle)		4		
3N	Change		3		
8A	Surrender		3		
8D	Lapse		2		
Private Hire				236	
1	New Application		148	200	
2G	Renewal without plate		41		
3M	Replacement Plate		3		
3N	Change		6		
SIN 8A	Surrender		24		
8D	Lapse		5		
91	MOT Certificate		3		
9J	Insurance Certificate		6		
Taxi Driver				347	
1	New Application		143		
2	Renewal (not vehicle)		71		
3N	Change		19		
4H	Licence Endorsement		12		
8A	Surrender		4		
8D	Lapse		41		
9E	Medical		14		
9F	DVLA Licence		8		
9G	DBS		32		
CL	Copy of licence		3		
OL	Copy of licerice		3		
Trading					
Pavement Li	cence			9	
1	New Application		9	•	
Street Tradir				32	
1	New Application		32	02	
•	Now Application		02		
2021					
2021					
Notification	Cooling Tower			1	
4	Variation		1		
Alachal 9 E	ntertainment				
Club Premis				31	
	Annual Fee		20	31	
6			30		
CL	Copy of licence		1		
Personal				105	
1	New Application		72		
3N	Change		30		
8A	Surrender		1		
CL	Copy of licence		2		
Premise Lice	ence			584	
1	New Application		33		
3	Transfer		5		
3N	Change	D = 10	18		
4	Variation	Page 43	5		
•		_	-		
					3

2021					
	ntertainment				
Premise Lic				584	
4A	Variation Of DPS		40		
4D	Transfer including DPS Change		14		
4E	Removal of DPS Condition		1		
4G	Minor Variation		6		
4L	Error (internal)		1		
4N	Non material amendment		2		
4P	Change of Premises Band		2		
6	Annual Fee		443		
8A	Surrender		2		
8D	Lapse		1		
9K	Request for copy licence		11		
TENS	· ·			260	
С	TEN Application		260		
Animals					
Dangerous \	Wild Animals			1	
2	Renewal (not vehicle)		1		
Lic Animal A				27	
1	New Application		11		
2	Renewal (not vehicle)		11		
4	Variation		5		
Zoo				1	
2	Renewal (not vehicle)		1		
Caravan/ Ca	ımping				
Camping Si	te			1	
1	New Application		1		
Caravan Res	sidential Site			2	
1	New Application		1		
3	Transfer		1		
Caravan Site				4	
1	New Application		2	•	
3N	Change		_ 1		
4	Variation		1		
Charitable C	Collections				
				24	
1G	Now Application Non Example		13	31	
9A	New Application - Non Exempt		18		
	Returns		18	0.4	
Street Colle			00	34	
1	New Application		23		
9A	Returns		11		
Gambling	Out to				
Adult Gamir				1	
6	Annual Fee		1	-	
	mises Non Track			6	
6	Annual Fee		6		
	rtainment Centre			1	
6	Annual Fee		1		
Gambling C	lub Machine Permit			2	
1	New Application		1		
8A	Surrender		1		
Gambling P	remises Notification			8	
1L	New Application > 2 Machines		1		
1N	Notification <2 Machines		4		
6	Annual Fee		2		
8A	Surrender		1		
	nall Premises			53	
1	New Application		11		
3C	Business Name/Address Change	Page 44	2		
		i aye 44			

2021					
Gambling					
	nall Premises		4	53	
3N 6	Change Annual Fee		4 18		
8D	Lapse		10		
9A	Returns		17		
ЭA	Returns		17		
Skin Piercin	ng				
Skin Piercin	ng Practitioner			19	
1	New Application		18		
8A	Surrender		1		
Skin Piercin				11	
1	New Application		8		
3N	Change		1		
8A	Surrender		2		
Taxi					
	arriage Operator			7	
1	New Application		2		
3C	Business Name/Address Change		2		
3F	Business Applicant Change		2		
8A	Surrender		1		
Hackney Ca	arriage Vehicle			352	
1	New Application		50		
2F	Renewal with plate		4		
2G	Renewal without plate		103		
3M	Replacement Plate		3		
3N	Change		19		
41	Vehicle Accident		2		
8A	Surrender		17		
8C	Revoke		1		
8D	Lapse		131		
91	MOT Certificate		9		
9J Private Hire	Insurance Certificate		13	31	
1	New Application		4	31	
2	Renewal (not vehicle)		3		
3N	Change		2		
8A	Surrender		1		
8D	Lapse		21		
Private Hire	•			141	
1	New Application		11		
2F	Renewal with plate		1		
2G	Renewal without plate		40		
3N	Change		1		
41	Vehicle Accident		1		
8A	Surrender		3		
8D	Lapse		72		
91	MOT Certificate		10		
9J	Insurance Certificate		2		
Taxi Driver				389	
1	New Application		25		
2	Renewal (not vehicle)		53		
3E	DONOTUSE Home Address Change		1		
3L	Replacement Badge		4		
3N	Change		21		
4H	Licence Endorsement		6		
8A	Surrender		9		
8C	Revoke		1		
8D 9E	Lapse Medical		92 28		
9E 9F	медісаі DVLA Licence		28 12		
9F 9G	DBS	Page 45	137		
30	550	i aye 40	101		

Fue disco					
<mark>Trading</mark> Pavement Lice	200			13	
1	New Application		13	13	
·	New Application		13	0.5	
Street Trading	Name Americanting		0.5	95	
1	New Application		95		
020					
Icohol & Ente	rtainment				
lub Premises				38	
3N	Change		1		
6	Annual Fee		37		
ersonal				87	
1	New Application		57	.	
3N	Change		29		
8A	Surrender		1		
remise Licence			'	473	
			40	4/3	
1	New Application		18		
3	Transfer		4		
3N	Change		22		
4	Variation		11		
4A	Variation Of DPS		23		
4D	Transfer including DPS Change		13		
4E	Removal of DPS Condition		1		
4G	Minor Variation		2		
4N	Non material amendment		1		
6	Annual Fee		369		
8A	Surrender		1		
9C	Withdrawal of DPS		1		
9K	Request for copy licence		7		
ENS				96	
С	TEN Application		96		
Animals					
ic Animal Acti	vities			4	
1	New Application		3		
3N	Change		1		
00	Chango		'	2	
9A	Returns		2	2	
aravan/ Camp	sing .				
amping Site	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			1	
1	New Application		1		
·			ı	4	
aravan Resido			4	1	
1	New Application		1		
aravan Site	Change		4	1	
3N	Change		1		
haritable Coll					
louse to Hous	e Collection			24	
1G	New Application - Non Exempt		14		
9A	Returns		10		
treet Collection				18	
1	New Application		13	10	
3N	Change		1		
9A	Returns		4		
ambling	2				
dult Gaming (9	
3U	Gambling Notifcation of Change		1		
6	Annual Fee		8		
Betting Premis	es Non Track	D 46		8	
6	Annual Fee	Page 46	8		
		J			

2020					
Gambling					
Betting Pren				3	
6	Annual Fee		3		
_	rtainment Centre			2	
6	Annual Fee		2		
	lub Gaming Permit			6	
6	Annual Fee		6		
	lub Machine Permit			15	
1	New Application		1		
2	Renewal (not vehicle)		1		
6	Annual Fee		13		
	remises Notification		_	11	
1N	Notification <2 Machines		2		
6	Annual Fee		5		
8A	Surrender		4		
Gaming Per			_	4	
1	New Application		3		
2	Renewal (not vehicle)		1		
_	nall Premises		_	92	
1	New Application		6		
3N	Change		4		
6	Annual Fee		51		
8D	Lapse		16		
9A	Returns		15		
Canan Matal					
Scrap Metal				_	
Scrap Metai	Dealer - Collector New Application		1	3	
2	Renewal (not vehicle)		1 1		
3N	Change		1		
	Dealer - Site		'	3	
1	New Application		3	3	
'	New Application		3		
Skin Piercin	na				
	ng Practitioner			7	
1	New Application		6		
3N	Change		1		
Skin Piercin	-			6	
	New Application		3		
3N	Change		2		
8A	Surrender		1		
Taxi					
	rriage Operator			8	
1	New Application		7		
3F	Business Applicant Change		1		
Hackney Ca	rriage Vehicle			238	
1	New Application		40		
1E	Change Lic Type (Vehicles)		4		
2F	Renewal with plate		7		
2G	Renewal without plate		110		
3M	Replacement Plate		3		
3N	Change		22		
41	Vehicle Accident		12		
8A	Surrender		17		
8D	Lapse		1		
91	MOT Certificate		1		
9J	Insurance Certificate		21		
Private Hire				9	
1	New Application		1		
2	Renewal (not vehicle)		4		
3N	Change		1		
8A	Surrender	Page 47	1		
		. 490 17			

Taxi				
Private Hire Operator			9	
8D	Lapse	2		
Private Hire Vehicle			107	
1	New Application	24		
2F	Renewal with plate	1		
2G	Renewal without plate	39		
3N	Change	5		
41	Vehicle Accident	7		
8A	Surrender	14		
8C	Revoke	1		
8D	Lapse	2		
91	MOT Certificate	5		
9J	Insurance Certificate	9		
Taxi Driver			185	
1	New Application	21		
2	Renewal (not vehicle)	28		
3L	Replacement Badge	1		
3N	Change	17		
4H	Licence Endorsement	5		
8A	Surrender	7		
8C	Revoke	1		
8D	Lapse	9		
9E	Medical	26		
9F	DVLA Licence	5		
9G	DBS	64		
CL	Copy of licence	1		