

Licensing Sub-Committee



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17 September 2019

A meeting of the **Licensing Sub-Committee** of North Norfolk District Council will be held in the Council Chamber - Council Offices, Holt Road, Cromer, NR27 9EN on **Wednesday, 2 October 2019 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 arrive at least 15 minutes before the start of the meeting. It will not always be possible to accommodate requests after that time. This is to allow time for the Committee Chair to rearrange the order of items on the agenda for the convenience of members of the public. Further information on the procedure for public speaking can be obtained from Democratic Services, Tel:01263 516019, Email:linda.yarham@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 should 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.

Emma Denny
Democratic Services Manager

To: Mr N Housden, Mr P Fisher and Mrs E Spagnola

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

Heads of Paid Service: Nick Baker and Steve Blatch

Tel 01263 513811 **Fax** 01263 515042 **Minicom** 01263 516005

Email districtcouncil@north-norfolk.gov.uk **Web site** www.north-norfolk.gov.uk

A G E N D A

1. TO RECEIVE APOLOGIES FOR ABSENCE

2. 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.

3. DECLARATIONS OF INTEREST

Members are asked at this stage to declare any interests that they may have in 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.

4. EXCLUSION OF PRESS AND PUBLIC

To pass the following resolution:

“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/190010577) - APPLICATION FOR A LICENCE TO DRIVE HACKNEY CARRIAGE OR PRIVATE HIRE VEHICLES IN NORTH NORFOLK (10.00 AM) (Pages 3 - 32)

Summary: This report relates to an application for a taxi drivers licence where a Disclosure and Barring Service Report has been received which merits further consideration.

Conclusions: Members may wish to go into Private session to hear fully from the applicant and consider this matter in confidence.

Recommendations: That Members consider and determine this application.

Chairman of the Licensing Committee

Councillor P Butikofer

Ward(s) affected:

All

Contact Officer, telephone number, and e-mail:

Lara Clare
lara.clare@north-norfolk.gov.uk
01263 516252

6. **(WK/190013601) - APPLICATION FOR A LICENCE TO DRIVE HACKNEY CARRIAGE OR PRIVATE HIRE VEHICLES IN NORTH NORFOLK (11.00 AM)** (Pages 33 - 64)

Summary: This report relates to an application for a taxi drivers licence where a Disclosure and Barring Service Report has been received which merits further consideration.

Conclusions: Members may wish to go into Private session to hear fully from the applicant and consider this matter in confidence.

Recommendations: That Members consider and determine this application.

Chairman of the Licensing Committee Councillor P Butikofer	Ward(s) affected: All
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Contact Officer, telephone number, and e-mail: Lara Clare
lara.clare@north-norfolk.gov.uk
01263 516252

7. **(WK/190004776) - REVIEW OF A LICENCE TO DRIVE HACKNEY CARRIAGE OR PRIVATE HIRE VEHICLES IN NORTH NORFOLK (12 NOON)** (Pages 65 - 90)

Summary: This report relates to a licensed taxi driver where DVLA points have been awarded and a suspected offence under the Road Traffic Act 1988 has been pursued which merits further consideration.

Conclusions: Members may wish to go into Private session to hear fully from the applicant and consider this matter in confidence.

Recommendations: That Members consider and determine this application.

Chairman of the Licensing Committee Councillor P Butikofer	Ward(s) affected: All
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Contact Officer, telephone number, and e-mail: Lara Clare
lara.clare@north-norfolk.gov.uk
01263 516252

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NORTH NORFOLK DISTRICT COUNCIL

Licensing Sub-Committee Hearings

Information to Accompany Notice of Hearing



1. Consequences if the Party does not attend Hearing

- 1) If a party has informed the Authority that he does not intend to attend or be represented at a Hearing, the Hearing may proceed in his absence.
- 2) If a party who has not so indicated fails to attend or be represented at a Hearing the Authority may –
 - a) Where it considers it to be necessary in the public interest, adjourn the Hearing to a specified date, or
 - b) **Hold the Hearing in the party's absence.**
- 3) Where the Authority holds the Hearing in the absence of a party, the Authority shall consider at the Hearing the application, representations or notice made by that party.
- 4) Where the Authority adjourns the Hearing to a specified date it must forthwith notify the parties of the date, time and place to which the Hearing has been adjourned.

2. Procedure to be followed at the Hearing

Please note: before the Hearing begins the Licensing Representative will take the names of everyone attending and find out if they want to speak.

1. The **Chairman** introduces

- a) Himself or herself and the Members of the Committee
- b) The Legal Advisor
- c) The Licensing Representative
- d) The Committee Administrator.

2. The **Legal Advisor**

- a) Introduces the subject of the Hearing
- b) Notes attendances
- c) Outlines the procedure and explains her part in it.
- d) Asks if there are any preliminary matters, such as requests for adjournment.

3. The **Chairman** asks the Licensing Representative to explain the application.

4. The **Licensing Representative** refers the Sub Committee to the report, which they have read beforehand, and updates them on any new information. S/he may call witnesses.

5. The **Licensing Representative** invites questions on the report from all parties (The Applicant, the Objectors, the Board Members and the Legal Advisor)

6. The **Chairman** asks the **Applicant** (or his/her representative) to put forward their case. The Applicant may also call witnesses.

7. The **Chairman** invites questions to the **Applicant** from the Objectors, the Board Members and the Legal Advisor.

8. The **Chairman** invites the **Objectors** to put forward their case.
9. The **Chairman** invites questions to the **Objectors** from the Applicant, the Board Members and the Legal Advisor. Any party may call witnesses or ask questions of the witnesses.

10. Closing Statements

The **Chairman** invites closing statements:

FIRST: Objectors (or Objectors Spokesman)
LAST: Applicant (or his/her representative)

The **Chairman** will ask the Legal Advisor if there is any advice before the Sub-Committee retires.

11. The **Chairman** thanks all those who have spoken and invites the Sub Committee to retire to the Members' Room to make a decision.
12. The **Legal Advisor** accompanies the Sub Committee to provide legal advice and to assist them to formulate their reasons (but does not take part in the making of the decision).
13. The **Sub Committee** makes the decision.
14. The **Sub Committee** returns. The **Chairman** reads out the decision and the reasons for the decision.

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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