Licensing Appeals and Complaints Committee

Members of the Licensing, Appeals and Complaints Committee:

Mr D Goldson (Chairman)
Mr W Kemp
Mrs J Wilby

Agenda

Date
Thursday 4 August 2016

Time
10.00 am

Place
Colman Room
South Norfolk House
Swan Lane
Long Stratton Norwich
NR15 2XE

Contact
Democratic Services Team Leader:
Claire White (01508) 533685

Licensing and Enforcement Officer:
Rosemary Setford (01508) 533602

South Norfolk District Council
Swan Lane
Long Stratton Norwich
NR15 2XE

Email: democracy@s-norfolk.gov.uk
Website: www.south-norfolk.gov.uk

If you have any special requirements in order to attend this meeting, please let us know in advance
Large print version can be made available
1. To report apologies for absence and identify substitute voting members (if any);

2. To deal with any items of business the Chairman decides should be considered as matters of urgency pursuant to Section 100B (4) (b) of the Local Government Act, 1972. [Urgent business may only be taken if, “by reason of special circumstances” (which will be recorded in the minutes), the Chairman of the meeting is of the opinion that the item should be considered as a matter of urgency.];

3. To receive Declarations of Interest from Members;
   (Please see guidance form and flow chart attached page 4)

4. To confirm the minutes of the meeting of the Licensing Appeals and Complaints Committee, held on 12 August 2015;  
   (attached – page 6)

5. Exclusion of Public and Press;

   To exclude the public from the meeting under Section 100A of the Local Government Act 1972 for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A to the Act (as amended).

6. To consider the application for a private hire vehicle licence;
   (report attached – page 8)
   (appendix A - page 14)
   (appendix B - page 22)

   [Confidential papers not for publication by virtue of paragraph 1 of part 1 of Schedule 12A of the Local Government Act 1972 (as amended)]
MEMBERSHIP OF THE LICENSING APPEALS AND COMPLAINTS COMMITTEE AND THE LICENSING AND GAMBLING ACTS COMMITTEE

The following members make up the Licensing Appeals and Complaints Committee and the Licensing and Gambling Acts Committee.
Sub Committees will be established to hear applications:

<table>
<thead>
<tr>
<th>Members of Licensing, Appeals &amp; Standards Committee</th>
<th>Expiry of training accreditation - Taxi</th>
<th>Expiry of training accreditation - Licensing Act 2003</th>
<th>Expiry of training accreditation - Homelessness</th>
<th>Expiry of training accreditation - Scrap Metal Act 2013</th>
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</thead>
<tbody>
<tr>
<td>Amis Cllr J</td>
<td>09/06/17</td>
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<td>24/06/17</td>
<td>09/06/17</td>
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<tr>
<td>Bell Cllr V</td>
<td>09/06/17</td>
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<tr>
<td>Dewsbury Cllr M</td>
<td>09/06/17</td>
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<td>Not trained</td>
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<tr>
<td>Goldson Cllr D</td>
<td>09/06/17</td>
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<td>Gould Cllr C</td>
<td>09/06/17</td>
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<td>Kemp Cllr C</td>
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<td>Kemp Cllr W</td>
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<td>Hardy Cllr P</td>
<td>09/06/17</td>
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<tr>
<td>Hornby Cllr J</td>
<td>12/08/17</td>
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<td>Not trained</td>
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<tr>
<td>Mason Billig Cllr K</td>
<td>Expired</td>
<td>Not trained</td>
<td>Not trained</td>
<td>Not trained</td>
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<tr>
<td>Palmer Cllr T</td>
<td>09/06/17</td>
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<td>Pond Cllr A</td>
<td>09/06/17</td>
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<tr>
<td>Savage Cllr J</td>
<td>Expired</td>
<td>25/03/16</td>
<td>24/06/17</td>
<td>06/10/15</td>
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<td>Wilby Cllr J</td>
<td>09/06/17</td>
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<tr>
<td>Worsley Cllr K</td>
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DECLARATIONS OF INTEREST AT MEETINGS

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

<table>
<thead>
<tr>
<th>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.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Does the interest directly:</td>
</tr>
<tr>
<td>1. affect yours, or your spouse / partner’s financial position?</td>
</tr>
<tr>
<td>2. relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?</td>
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<tr>
<td>3. Relate to a contract you, or your spouse / partner have with the Council</td>
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<tr>
<td>4. Affect land you or your spouse / partner own</td>
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<tr>
<td>5. Affect a company that you or your partner own, or have a shareholding in</td>
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<tr>
<td>If the answer is “yes” to any of the above, it is likely to be pecuniary.</td>
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</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?</th>
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</thead>
<tbody>
<tr>
<td>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.</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.</th>
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</thead>
<tbody>
<tr>
<td>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.</td>
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</tbody>
</table>

FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF.
Pleased refer any queries to the Monitoring Officer in the first instance.
DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

What matters are being discussed at the meeting?

Do any relate to an interest I have?

A Have I declared it as a pecuniary interest?

OR

B Does it directly affect me, my partner or spouse’s financial position, in particular:
- employment, employers or businesses;
- companies in which they are a director or where they have a shareholding of more than £25,000 face value or more than 1% of nominal share holding
- land or leases they own or hold
- contracts, licenses, approvals or consents

The interest is pecuniary – disclose the interest, withdraw from the meeting by leaving the room. Do not try to improperly influence the decision

If you have not already done so, notify the Monitoring Officer to update your declaration of interests

The interest is related to a pecuniary interest. Disclose the interest at the meeting. You may make representations as a member of the public, but then withdraw from the room

Does the matter indirectly affects or relates to a pecuniary interest I have declared, or a matter noted at B above?

The Interest is not pecuniary nor affects your pecuniary interests. Disclose the interest at the meeting. You may participate in the meeting and vote

Have I declared the interest as another interest on my declaration of interest form? OR

Does it relate to a matter highlighted at B that impacts upon my family or a close associate? OR

Does it affect an organisation I am involved with or a member of? OR

Is it a matter I have been, or have lobbied on?

You are unlikely to have an interest. You do not need to do anything further.
625 EXCLUSION OF THE PUBLIC AND PRESS

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

626 REVIEW OF HOUSING DECISION

The Chairman welcomed the appellant, his father and the homelessness officers to the meeting and outlined the process to be followed for the appeal. Members noted that a submission had been received from Shelter the previous afternoon and confirmed that they had all read through the information contained therein.

The Housing Options Senior Case Advisor outlined the Council’s case and advised the Panel of the events leading to their decision that the appellant had intentionally made himself homeless.

The appellant’s father addressed the Panel, on behalf of the appellant, and outlined the case, stating that at the relevant time, the appellant had not been able to make sound decisions due to a series of unfortunate incidents leading to a decline in his mental health.
After officers, the appellant and the appellant’s father had responded to a number of questions, the Panel:

**RESOLVED:** that, taking into account the presentations made by the appellant’s father and the Council’s officers together with the submission received from Shelter, the Panel concluded that the appellant was capable of making decisions relating to his tenancy, and that the Council had reached the correct decision that the appellant had made himself intentionally homeless.

The appeal was therefore dismissed.

(The meeting closed at 1.40 pm)

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Chairman