

### Licensing committee

**Date:** Thursday, 04 June 2015  
**Time:** 16:30  
**Venue:** Mancroft room

**City Hall, St Peters Street, Norwich, NR2 1NH**

**Please note:** A training session for all licensing committee members will be held at 3pm, prior to the meeting, in the Mancroft Room

**Committee members:**

**For further information please contact:**

**Councillors:**

Button (chair)  
Boswell  
Bradford  
Coleshill  
Henderson  
Jones  
Maxwell  
Price  
Ryan  
Schmierer  
Thomas (Vivien)  
Woollard  
1 Liberal Democrat vacancy

**Committee officer:** Lucy Green

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## Agenda

- 1 Appointment of vice chair**  
To appoint the vice chair for the upcoming civic year
- 2 Apologies**  
To receive apologies for absence
- 3 Public questions/petitions**  
To receive questions / petitions from the public (notice to be given to committee officer in advance of the meeting in accordance with appendix 1 of the council's constitution)
- 4 Declarations of interest**  
(Please note that it is the responsibility of individual members to declare an interest prior to the item if they arrive late for the meeting)
- 5 Minutes** **5 - 6**  
**Purpose** - To approve the minutes of the meeting held on 23 March 2015
- 6 Deregulation Act 2015 and the Legislative Reform (Entertainment Licensing) Order 2014** **7 - 12**  
**Purpose** - To inform members of amendments to the Licensing Act 2003
- 7 Deregulation Act 2015 - amendments to the Local Government (Miscellaneous Provisions) Act 1976** **13 - 20**  
**Purpose** - To inform members of amendments to the Local Government (Miscellaneous Provisions) Act 1976 concerning hackney carriage and private hire drivers and private hire vehicle operators.
- 8 Standing item - Regulatory subcommittee minutes** **21 - 26**  
**Purpose** – To receive the minutes of the regulatory subcommittee meetings held on 13 April 2015 and 11 May 2015

Date of publication: **Wednesday, 27 May 2015**

**LICENSING COMMITTEE****14:00 – 15:15****23 March 2015**

Present: Councillors Button (chair), Gayton (vice chair) Ackroyd, Barker, Bogelein, Brociek-Coulton, Gihawi, Jones, Maxwell, Price, Stammers and Woollard.

Apologies: Councillor Henderson

**1. Declarations of interest**

No declarations of interest were received.

**2. Minutes**

**RESOLVED** to approve the minutes of the meetings held on 5 December and 11 December 2014.

**3. Abolition of Driver and Vehicle Licensing Agency license paper counterpart**

The licensing manager presented the report.

A presentation was then given by Jon Zoltie, Business Development Manager at Intelligent Data Systems UK Ltd.

In response to a member's question, the licensing manager explained that a £5.75 increase would be applicable on all new Hackney carriage and private hire licensing applications.

Mr Zoltie explained that the most efficient way to know if a license is held by an applicant and whether or not points had been endorsed on the license would be via a company such as his. He added that it is possible for applicants to complete an extensive, time-consuming form, receive a code which is valid for only 48 hours, pass this code to the licensing department and allow the licensing department to make the check.

In response to a members question the licensing manager confirmed that the cost would increase but that cost would be passed on to applicants.

**RESOLVED**, to delegate authority to the head of citywide services to implement an alternative method of checking the information held by the DVLA for hackney

carriage and private hire driver licence applicants and existing hackney carriage and private hire driver licence holders, as detailed in paragraph 9 of the report.

#### **4. Cumulative impact policy**

The licensing manager presented the report, also circulating a plan of the enlarged area along with details proposed by the council's planning service. He explained that Princes Street should be included as per the request within the consultation, adding that the castle would not be included despite it being on the original proposal. He said that the new area provided a clear outline for all involved to follow.

Following a question from a councillor, the licensing manager explained that any request to move the line from the centre of a road (to include both sides of the road) would need to be discussed with the planning department.

Discussion ensued during which it was agreed that since the road in question (regarding including both sides of the road within the plan) had offices on the non-included side of the road, the line had in fact been well-drawn and was acceptable.

**RESOLVED** to recommend council to adopt the special cumulative impact policy as part of the council's statement of licensing policy.

#### **5. License and registration fees**

The licensing manager introduced the report. In response to a members question he confirmed that the rise of 2.5% came from the fees having been reviewed and financial services providing relevant information regarding the correct percentage to apply. He confirmed that the table on page 67 of the report gave a more detailed breakdown, adding that to the rise was mainly around inflation (pension costs, legal services, IT etc.)

**RESOLVED** to approve the fees detailed within appendix A of the report.

#### **6. Safeguarding and licensing**

The licensing manager introduced the report.

**RESOLVED** to approve the recommendations from the task and finish group as endorsed by cabinet.

#### **7. Standing item – regulatory subcommittee minutes**

**RESOLVED** to receive the minutes of the regulatory subcommittee meetings held on held on 15 December 2014, 9 February 2015 and 9 March 2015.

CHAIR

**Report to** Licensing committee  
4 June 2015  
**Report of** Head of citywide services  
**Subject** Licensing Act 2003: Deregulation Act 2015 and the  
Legislative Reform (Entertainment Licensing) Order 2014.

**Item**

**6**

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### **Purpose**

To inform members of amendments to the Licensing Act 2003.

### **Recommendation**

That members note the legislative changes.

### **Corporate and service priorities**

The report helps to meet the corporate priority of a safe and clean city and the service plan priority of protecting the interests of the public through the administration of the licensing function.

### **Financial implications**

Deregulation of regulated entertainment under the Licensing Act 2003 may result in a very limited reduction in the number of licensed premises. It is estimated that there would be an annual reduction of approximately fifty Temporary Event Notices authorising regulated entertainment only. This would equate to a reduction in income of £1050

**Ward/s:** All wards

**Cabinet member:** Councillor Driver – Neighbourhoods and community safety

### **Contact officers**

Ian Streeter, licensing manager

01603 212761

### **Background documents**

Revised guidance issued under section 182 of the Licensing Act 2003

<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

## **Background**

1. Schedule 1 to the Licensing Act 2003 (The Act) sets out what activities are regarded as the provision of regulated entertainment and when they are licensable and those activities which are not and therefore exempt from the regulated entertainment regime.

2. The descriptions of entertainment activities licensable under the 2003 Act are:

- a performance of a play;
- an exhibition of a film;
- an indoor sporting event;
- a boxing or wrestling entertainment;
- a performance of live music;
- any playing of recorded music;
- a performance of dance; and
- entertainment of a similar description to a performance of live music, any playing of recorded music or a performance of dance.

3. To be licensable, one or more of these activities needs to be provided for the purpose (at least partly) of entertaining an audience; has to be held on premises made available for the purpose of enabling that activity; and must also either:

take place in the presence of a public audience, or

where that activity takes place in private, be the subject of a charge made with a view to profit.

## **Examples of non-licensable entertainment activities**

4. There are a number of exemptions that mean that a licence or other authorisation under the 2003 Act is not required. Although it is not possible to give examples of every eventuality or possible entertainment activity that is not licensable, the following activities are examples of entertainment which are not licensable:

- activities which involve participation as acts of worship in a religious context;
- activities in places of public religious worship;
- education – teaching students to perform music or to dance;
- the demonstration of a product – for example, a guitar – in a music shop;
- the rehearsal of a play or performance of music for a private audience where no charge is made with a view to making a profit;
- Morris dancing;



- Incidental music – the performance of live music or the playing of recorded music if it is incidental to some other activity;
- Incidental film – an exhibition of moving pictures if it is incidental to some other activity;
- A spontaneous performance of music, singing or dancing;
- Garden fetes – or similar if not being promoted or held for purposes of private gain;
- Films for advertisement, information, education or in museums or art galleries;
- Television or radio broadcasts – as long as the programme is live and simultaneous;
- Vehicles in motion – at a time when the vehicle is not permanently or temporarily parked;
- Games played in pubs, youth clubs etc. (e.g. pool, darts and table tennis);
- Stand-up comedy; and
- Provision of entertainment facilities (e.g. dance floors).

### **Deregulation of the Licensing Act 203**

5. As a result of deregulatory changes to The Act (including the Deregulation Act 2015 and the Legislative Reform (Entertainment Licensing) Order 2014) , no premises licence is required for the following activities:

- Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for an event between 08.00 and 23.00 on any day, provided that those present do not exceed 1000.
- Boxing or wrestling entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Live music: no licence permission is required for:
  - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.

- a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
- a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

6. In addition to deregulating regulated entertainment , the Deregulation Act 2015 amends The Act as follows:

- The requirement to renew personal licences has been abolished with effect from 1 April 2015.
- The offence of selling liqueur confectionery to children under 16 will be repealed with effect from 26 May 2015. After that date a person of any age can buy liqueur confectionery in England and Wales.
- The limit on the number of temporary events that can be held at single premises will increase from 12 to 15 per calendar year from 1 January 2016.
- The requirement to report lost or stolen licences to the police before applying for duplicates will be abolished with effect from 26 May 2015.

## **Summary**

7. The circumstances under which premises licences for regulated entertainment under The Act are required have been considerably amended. A number of the deregulatory measures relate to 'community' type premises that will benefit financially from not having to apply for an authorisation.

8. The terminal hour for the exemptions is set at 23:00. In terms of potential noise nuisance measurement, 'night time' (where noise issues are more sensitive) is considered to be between the hours of 23:00 and 07:00. However, premises that, for example, provide amplified live music between 08:00 and 23:00 may still cause noise nuisance issues which could require investigation by the council's environmental protection team.



**Report to** Licensing committee  
4 June 2015  
**Report of** Head of citywide services  
**Subject** Deregulation Act 2015 - amendments to the Local Government (Miscellaneous Provisions) Act 1976

**Item**

**7**

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### **Purpose**

To inform members of amendments to the Local Government (Miscellaneous Provisions) Act 1976 concerning hackney carriage and private hire drivers and private hire vehicle operators.

### **Recommendation**

That members resolve to:

1. note the legislative changes.
2. extend the current term for the grant or renewal of a hackney carriage drivers licence from one year to three years.
3. extend the current term for the grant or renewal of a private hire drivers licence from one year to three years.
4. delete the three month private hire driver's licence from the council's licensing portfolio.
5. require applicants seeking to renew their licence to only produce a medical certificate and a Disclosure and Barring Service enhanced certificate on a three yearly basis in line with the expiry date of their licence.
6. delegate to officers authorisation to set a revised licence fee for the grant and renewal of a hackney carriage and private hire drivers licence .

### **Corporate and service priorities**

The report helps to meet the corporate priority of a safe and clean city and the service plan priority of protecting the interests of the public through the administration of the licensing function.

### **Financial implications**

If members are minded to extend the duration of hackney carriage and private hire drivers licences then the current licence fee will need to be reviewed to ensure that the costs of administering the licensing system is met.

**Ward/s:** All wards

**Cabinet member:** Councillor Driver – Neighbourhoods and community safety

**Contact officers**

Ian Streeter, licensing manager

01603 212761

**Background documents**

Deregulation Act 2015

## **Background**

1. The Deregulation Act 2015 (The 2015 Act) will amend from the 1 October 2015 sections 53 and 55 of the Local Government (Miscellaneous) Provisions Act 1976 (The 1976 Act), which relate to hackney carriage and private hire drivers and private hire vehicle operators.

2. Attached at appendix A to the report are the existing sections 53 and 55 of The 1976 Act, which are immediately followed by the amendments / additions set out in The 2015 Act.

### **Hackney carriage and private hire drivers and private hire operators: duration of licence**

3. The 2015 Act changes the law in such a way as to establish a standard duration of three years for a hackney carriage and private hire vehicle driver's licence and five years for a private hire vehicle operator's licence. The amendments specify that a licence may be granted for a period of less than three / five years but only in the circumstances of an individual case, not because of a blanket policy.

### **Private hire operators: sub-contracting**

4. In the new section 55A, subsection (1) allows an operator who accepts a booking for a private hire vehicle to sub-contract it to four types of operator - (a) an operator licensed and located in the same district as the initial operator; (b) an operator licensed and located in a different district from the initial operator (a different district but one which is still governed by the same legislation – in practice this means a district in England or Wales but outside London or Plymouth); (c) an operator licensed and located in London; or (d) a person located in Scotland. Scenario (a) constitutes a re-statement of existing law – it is already lawful for a private hire vehicle operator to sub-contract a booking to another operator licensed in the same licensing district. Scenario (a) has been included because it is not currently expressly stated on the face of the Act and stating all four scenarios where an operator can sub-contract a booking in this amendment makes the law clearer and easier to follow.

5. Subsection (2) of new section 55A clarifies that the new provision affects the legal position in respect of PHV operation under the 1976 Act; it is immaterial if the agreement between the passenger making the booking and the initial operator permits sub-contracting.

6. Subsection (3) covers the scenario where an operator holds licences under section 55 of the 1976 Act for more than one licensing district. Subsection (4) covers the scenario where an operator holds a licence under section 55 of the 1976 Act and also holds a private hire vehicle operator licence issued by Transport for London in respect of London. Subsection (5) covers the scenario where an operator holds a licence under section 55 of the 1976 Act and also operates private hire cars or taxis in Scotland. Together, these subsections clarify that operators may sub-contract bookings effectively to themselves in the other districts or areas in exactly the same way that an operator can sub-contract to different operators by virtue of subsection (1).

7. The new section 55B deals with operator liability in connection with sub-contracting. Subsection (1) simply draws a distinction between the operator who accepts the original

booking and the operator who accepts the sub-contract (labelling them the first operator and the second operator respectively).

8. Subsection (2) of new section 55B establishes that an initial operator who sub-contracts a booking to an operator based in a different district or area in accordance with section 55A (1) does not breach the requirement in section 46(1)(e) of the 1976 Act (the requirement being that the driver and vehicle used to fulfil the booking must be licensed by the same licensing authority as granted the operator's licence).

9. Subsection (3) applies to an operator licensed under section 55 of the 1976 Act who sub-contracts to an operator also licensed under section 55 of the 1976 Act (whether in the same or a different district). The subsection introduces criminal liability for the first operator if the second operator breaches the requirement in section 46(1)(e) in relation to the booking and the first operator knew the second operator would do so (i.e. knew the second operator would use a driver or vehicle that was not licensed in the same district as the second operator).

## **Summary**

10. The council's current licensing arrangements provide for the renewal of hackney carriage and private hire drivers licences to be for a period of twelve months. The grant of a hackney carriage driver licence is also for a twelve month period and the grant of a private hire drivers licence can be for either three or twelve months. Private hire operator's licences are granted and renewed on a twelve month basis.

11. From the 1 October 2015 legislation will prescribe that the standard duration of a hackney carriage or private hire driver's licence (grant or renewal) will be for three years and a private hire operator's licence for five years. A licence may be granted for a shorter period but this will only be in individual circumstances and not as a matter of policy. Accordingly, the council's existing policy of granting driver's licences for either a twelve or three month period and private hire operator's licence for twelve months must change and licences should only be issued for a standard period of three years for drivers and five years for operators. In effect, this will remove the current three month private hire driver's licence offered by the council. From the 1 October all driver's licence grant applications will be for a period of three years and the criteria for existing grant applications will apply. In other words, applicants will have to pass a knowledge test before being granted a private hire driver's licence, which is currently not the case in respect of three month applications.

12. Existing holders of drivers licence are required to produce on a three yearly basis at renewal a medical certificate and an enhanced certificate from the Disclosure and Barring Service (DBS). Where an existing licence holder has recently produced medical and DBS certificates, after 1 October 2015 when their licence will be renewed for three years the period in which further certification will be required will extend beyond the current three year period.

13. The fees for the grant and renewal of hackney carriage and private hire driver's licence and private hire vehicle operator's licence are based on a twelve month period. These will need to be reviewed in light of the extended duration of the licence to take account of any additional administrative or enforcement costs that may be incurred over the additional two years of the licence.



14. Currently, it is lawful for a private hire vehicle operator to sub-contract a booking to another operator licensed in the same licensing district. From 1 October 2015 operators will be able to sub-contract bookings to operators licensed outside their licensing district.

# APPENDIX A

## **Section 53 Local Government (Miscellaneous) Provisions Act 1976: Drivers' licences for hackney carriages and private hire vehicles.**

(1) (a) Every licence granted by a district council under the provisions of this Part of this Act to any person to drive a private hire vehicle shall remain in force for three years from the date of such licence or for such lesser period as the district council may specify in such licence.

(b) Notwithstanding the provisions of the Public Health Act 1875 and the Town Police Clauses Act 1889, every licence granted by a district council under the provisions of the Act of 1847 to any person to drive a hackney carriage shall remain in force for three years from the date of such licence or for such lesser period as they may specify in such licence.

## **Section 10 Deregulation Act 2015 Taxis and private hire vehicles: duration of licences**

(1) The Local Government (Miscellaneous Provisions) Act 1976 is amended as follows.

(2) In section 53 (drivers' licences for hackney carriages and private hire vehicles)—

(a) in subsection (1)(a), for "for such lesser period as the district council may specify in such licence" substitute "for such lesser period, specified in the licence, as the district council think appropriate in the circumstances of the case";

(b) in subsection (1)(b), for "for such lesser period as they may specify in such licence" substitute "for such lesser period, specified in the licence, as the district council think appropriate in the circumstances of the case".

## **Section 55 Local Government (Miscellaneous) Provisions Act 1976: Licensing of operators of private hire vehicles.**

(2) Every licence granted under this section shall remain in force for such period, not being longer than five years, as a district council may specify in the licence.

## **Section 10 Deregulation Act 2015 Taxis and private hire vehicles: duration of licences**

(3) In section 55 (licensing of operators of private hire vehicles), for subsection (2) substitute—

“(2) Every licence granted under this section shall remain in force for five years or for such lesser period, specified in the licence, as the district council think appropriate in the circumstances of the case.”

## **Section 11 Deregulation Act 2015**

### **Private hire vehicles: sub-contracting**

In the Local Government (Miscellaneous Provisions) Act 1976, after section 55 insert—

#### **“55A Sub-contracting by operators**

(1) A person licensed under section 55 who has in a controlled district accepted a booking for a private hire vehicle may arrange for another person to provide a vehicle to carry out the booking if—

(a) the other person is licensed under section 55 in respect of the same controlled district and the sub-contracted booking is accepted in that district;

(b) the other person is licensed under section 55 in respect of another controlled district and the sub-contracted booking is accepted in that district;

(c) the other person is a London PHV operator and the sub-contracted booking is accepted at an operating centre in London; or

(d) the other person accepts the sub-contracted booking in Scotland.

(2) It is immaterial for the purposes of subsection (1) whether or not sub-contracting is permitted by the contract between the person licensed under section 55 who accepted the booking and the person who made the booking.

(3) Where a person licensed under section 55 in respect of a controlled district is also licensed under that section in respect of another controlled district, subsection (1) (so far as relating to paragraph (b) of that subsection) and section 55B(1) and (2) apply as if each licence were held by a separate person.

(4) Where a person licensed under section 55 in respect of a controlled district is also a London PHV operator, subsection (1) (so far as relating to paragraph (c) of that subsection) and section 55B(1) and (2) apply as if the person holding the licence under section 55 and the London PHV operator were separate persons.

(5) Where a person licensed under section 55 in respect of a controlled district also makes provision in the course of a business for the invitation or acceptance of bookings for a private hire car or taxi in Scotland, subsection (1) (so far as relating to paragraph (d) of that subsection) and section 55B(1) and (2) apply as if the person holding the licence under section 55 and the person making the provision in Scotland were separate persons.

In this subsection, “private hire car” and “taxi” have the same meaning as in sections 10 to 22 of the Civic Government (Scotland) Act 1982.

(6) In this section, “London PHV operator” and “operating centre” have the same meaning as in the Private Hire Vehicles (London) Act 1998.

### **55B Sub-contracting by operators: criminal liability**

(1) In this section—

“the first operator” means a person licensed under section 55 who has in a controlled district accepted a booking for a private hire vehicle and then made arrangements for another person to provide a vehicle to carry out the booking in accordance with section 55A(1);

“the second operator” means the person with whom the first operator made the arrangements (and, accordingly, the person who accepted the sub-contracted booking).

(2) The first operator is not to be treated for the purposes of section 46(1)(e) as operating a private hire vehicle by virtue of having invited or accepted the booking.

(3) The first operator is guilty of an offence if—

(a) the second operator is a person mentioned in section 55A(1)(a) or (b),

(b) the second operator contravenes section 46(1)(e) in respect of the sub-contracted booking, and

(c) the first operator knew that the second operator would contravene section 46(1)(e) in respect of the booking.”



## REGULATORY SUB COMMITTEE

14:30 to 15:30

13 April 2015

Present: Councillors Button (chair), Maxwell, Jones and Stammers

Apologies: Councillor Brociek-Coulton

### 1. Declarations of interest

There were no declarations of interest.

### 2. Exclusion of public

**RESOLVED** to exclude the public from the meeting during consideration of items 3 to 5 below on the grounds contained in paragraphs 1 and 3 of Part 1 of Schedule 12(A) of the Local Government Act 1972, as amended.

### \*3. Application for grant of 3 month private hire drivers licence application reference 14/02761/PHD3 (paras 1 & 3)

(The applicant attended the meeting for this item. He confirmed that he had been informed of his right to be legally represented at the meeting but had chosen not to be. He produced his DVLA licence for inspection by the committee. He also confirmed that since the application form was completed, he had received no further convictions or cautions and that he had no matters pending.)

The licensing manager presented the report. The applicant explained the circumstances surrounding his convictions for battery on 13 December 2006, 18 March 2007 and 1 April 2007 and answered member's questions.

(The applicant and the licensing manager left the meeting at this point).

Following discussion it was:-

**RESOLVED**, unanimously, to grant the private hire driver's licence in accordance with Section 51 of the Local Government (Miscellaneous Provisions) Act, 1976, in respect of this application.

(The applicant and the licensing manager were admitted to the meeting and informed of the decision minuted above. The applicant then left the meeting)

**\*4. Application for grant of a private hire drivers licence application reference 14/00336/PHD3 (paras 1 & 3)**

(The applicant attended the meeting for this item. He confirmed that he had been informed of his right to be legally represented at the meeting but had chosen not to be. He produced his DVLA licence for inspection by the committee. He also confirmed that since the application form was completed, he had received no further convictions or cautions and that he had no matters pending.)

The licensing manager presented the report.

The applicant explained the circumstances surrounding his convictions on 19 January 2009 for driving a motor vehicle with excess alcohol and 29 January for using a vehicle uninsured against third party risks.

(The applicant and the licensing manager left the meeting at this point).

Following discussion it was:-

**RESOLVED**, unanimously, to grant the private hire driver's licence in accordance with Section 51 of the Local Government (Miscellaneous Provisions) Act, 1976, in respect of this application.

(The applicant and the licensing manager were admitted to the meeting and informed of the decision minuted above. The applicant then left the meeting)

**\*5. Application for grant of 3 month private hire drivers licence application reference 14/PHD3 (paras 1 & 3)**

(The applicant attended the meeting for this item along with his partner. He confirmed that he had been informed of his right to be legally represented at the meeting but had chosen not to be. He produced his DVLA licence for inspection by the committee. He also confirmed that since the application form was completed, he had received no further convictions or cautions and that he had no matters pending.)

The licensing manager presented the report. He explained that two certificates had been received from the Disclosure and Barring service, each showing The applicant had made a written statement explaining the circumstances surrounding his formal caution for battery on 22 September 2014. He went on to answer members questions.

(The applicant, his partner and the licensing manager left the meeting at this point).

Following discussion it was:-

**RESOLVED**, unanimously, to renew the Hackney carriage driver's licence in accordance with Section 51 of the Local Government (Miscellaneous Provisions) Act, 1976, in respect of this application.

(The applicant, his partner and the licensing manager were admitted to the meeting and informed of the decision minuted above. The applicant and his partner left the meeting.)

CHAIR



## REGULATORY SUB COMMITTEE

14:35 to 15:30

11 May 2015

Present: Councillors Button (chair), Gayton, Price and Woollard

Apologies: Councillor Ackroyd

### 1. Declarations of interest

There were no declarations of interest.

### 2. Exclusion of public

**RESOLVED** to exclude the public from the meeting during consideration of items 3 to 6 below on the grounds contained in paragraphs 1 and 3 of Part 1 of Schedule 12(A) of the Local Government Act 1972, as amended.

### \*3. Application for grant of 3 month private hire drivers licence application reference 15/00287/PHD3 (paras 1 & 3)

(The applicant attended the meeting for this item. He confirmed that he had been informed of his right to be legally represented at the meeting but had chosen not to be. He produced his DVLA licence for inspection by the committee. He explained that since the application form was completed, he had been involved in an incident which would require him to attend Norwich Magistrates Court on 18 May 2015.)

The licensing manager explained that the best course of action would be to defer the hearing until the next available date following the court appearance. Members agreed with this and following discussion it was:-

**RESOLVED**, unanimously, to defer the hearing of the application for grant of a 3 month private hire drivers licence application reference 15/00287/PHD3 until after the applicant's court appearance on 18 May 2015.

(The applicant then left the meeting)



**\*4. Application for grant of a private hire drivers licence application reference 15/00491/PHDRIV (paras 1 & 3)**

(The applicant attended the meeting for this item along with his wife. He confirmed that he had been informed of his right to be legally represented at the meeting but had chosen not to be. He produced his DVLA licence for inspection by the committee. He also confirmed that since the application form was completed, he had received no further convictions or cautions and that he had no matters pending.)

The licensing manager presented the report.

The applicant and his wife explained the circumstances surrounding the applicant's 24 month conditional discharge on 28 October 2014 for battery.

(The applicant, his wife and the licensing manager left the meeting at this point).

Following discussion it was:-

**RESOLVED**, unanimously, to grant the private hire driver's licence in accordance with Section 51 of the Local Government (Miscellaneous Provisions) Act, 1976, in respect of this application.

(The applicant, his wife and the licensing manager were admitted to the meeting and informed of the decision minuted above. The applicant and his wife then left the meeting)

**\*5. Suspension / revocation of Norwich City Council private hire drivers licence 14/01346/PHDRIV (paras 1 & 3)**

(The applicant attended the meeting for this item. He confirmed that he had been informed of his right to be legally represented at the meeting but had chosen not to be. He produced a copy of his DVLA licence for inspection by the committee. He also confirmed that since the application form was completed, he had received no further convictions or cautions and that he had no matters pending.)

The licensing manager presented the report. The applicant explained the circumstances surrounding his convictions on 7 April 2014 and 11 July 2014, both for exceeding the speed limit on a public road.

(The applicant, and the licensing manager left the meeting at this point).

Following discussion it was:-

**RESOLVED**, unanimously, to take no further action

(The applicant and the licensing manager were admitted to the meeting and informed of the decision minuted above. The applicant and his partner left the meeting.)

**\*6. Renewal of Hackney carriage drivers licence 13/02259/HACKD and 14/02048/HACKD (paras 1 & 3)**

(The applicant attended the meeting for this item – he was accompanied by his manager. He confirmed that he had been informed of his right to be legally represented at the meeting but had chosen not to be. The licencing manager produced a copy of the applicant's DVLA licence for inspection by the committee. He also confirmed that since the application form was completed, he had received no further convictions or cautions and that he had no matters pending.)

The licensing manager presented the report. The applicant explained the circumstances surrounding his convictions on 29 July 2011 and 18 August 2012, both for exceeding the speed limit on a public road.

(The applicant, his partner and the licensing manager left the meeting at this point).

Following discussion it was:-

**RESOLVED**, unanimously, to ask the applicant produce a medical certificate to the licencing within 21 working days – no later than 10 June 2015 - in order to renew the Hackney carriage driver's licence in accordance with Section 51 of the Local Government (Miscellaneous Provisions) Act, 1976, in respect of this application.

(The applicant, his manager and the licensing manager were admitted to the meeting and informed of the decision minuted above. The applicant and his partner left the meeting.)

CHAIR