



## REGULATORY SUB COMMITTEE

2.00pm to 4.05pm

18 November 2013

Present: Councillors Gayton (chair), Stephenson and Wright

Apologies: Councillors Haynes and Thomas

### 1. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 2. APPLICATION FOR LICENCE TO PLACE TABLES AND CHAIRS ON THE HIGHWAY – PRET A MANGER, 11 HAYMARKET, NORWICH NR2 1QD

Leigh Thomas, representative for Pret a Manger attended the meeting. The Licensing manager circulated two additional documents to members; a management plan for outdoor seating areas and a response from the applicant's representative to the objections received from Shoezone and The Lamb Inn.

The licensing manager presented the report.

Leigh Thomas said that the times asked for under this licence were accepted previously by the council and that no objections from the Police or Fire services had been received. He confirmed that staff checked for litter regularly and the management plan for outdoor seating areas had been run successfully in other locations. He said that having an outdoor seating area added to the vibrancy and the café culture of the city centre.

The representative and the licensing manager left the room at this point

**RESOLVED**, unanimously, to grant the licence for tables and chairs on the highway for one year, with clause 11 of the table and chairs licence amended to read:

"The licensee undertakes to ensure that the licensed area is closely monitored, kept clean and tidy at all times and that all litter be immediately removed."

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

## 2. EXCLUSION OF PUBLIC

**RESOLVED** to exclude the public from the meeting during consideration of items 3 to 7 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: CASE NO 13/01278/PHD3 (PARAGRAPHS 1 AND 3)**

(The applicant attended the meeting for this item. He was accompanied by a member of his family and his potential employer. 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 was completed, he had no further convictions or cautions).

The licensing manager presented the report.

The applicant explained that he did not know he had to disclose his convictions as they were non motoring convictions. He said that he found English difficult and did not have any help to complete the application form. He confirmed that he would seek assistance in the future when completing any official forms.

The applicant explained the circumstances surrounding his convictions in January 2012.

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

Following discussion it was:-

**RESOLVED**, unanimously, to grant the renewal of the private hire driver's licence in respect of this application;

(The applicant, his representatives and the licensing manager were admitted to the meeting and informed of the decision minuted above. The applicant was reminded of the need to ask for help when completing official forms in the future. The applicant and his representatives then left the meeting.)

### **\*4. APPLICATION FOR GRANT OF HACKNEY CARRIAGE DRIVER'S LICENCE: CASE NO 13/01203/HACKD (PARAGRAPHS 1 AND 3)**

(The applicant attended the meeting for this item. He was accompanied by his potential employer. 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 was completed, he had no further convictions or cautions).

The licensing manager presented the report.

The applicant explained the circumstances surrounding his convictions and that he had previously been licensed by South Norfolk District Council. The applicant's potential employer explained that none of his employees were allowed to use mobile telephones, all were contacted by radio.

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

Following discussion it was:-

**RESOLVED**, unanimously, to grant the licence in respect of this application.

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

**\*5. SUSPENSION / REVOCATION OF NORWICH CITY COUNCIL PRIVATE HIRE DRIVER'S LICENCE: CASE NO 13/01881/PHDRIV (PARAGRAPHS 1 AND 3)**

The licensing manager told the committee that he had been unable to contact the applicant and asked that the hearing be deferred until the next meeting of the regulatory sub committee.

**RESOLVED**, unanimously, to defer consideration of the application until the regulatory subcommittee meeting on 16 December 2013.

**\*6. APPLICATION FOR GRANT OF A 3 MONTH PRIVATE HIRE DRIVER'S LICENCE: CASE NO 13/01756/PHD3 (PARAGRAPHS 1 AND 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 was completed, he had no further convictions or cautions).

The licensing manager presented the report. A copy of the applicant's application form was shown to the committee. He said that the applicant was aware of the procedures in respect of the admission of "spent" convictions. The applicant confirmed that he did not object to the spent convictions being discussed.

During discussion, the applicant informed the committee of the circumstances surrounding each of his convictions and confirmed that he was currently on a four month suspension from Broadland District Council. In response to a question, the applicant stated that he had made a mistake on his application form and was not aware that he needed to disclose his convictions despite having completed a similar form for Broadland District Council.

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

Following discussion it was:-

**RESOLVED**, unanimously, to refuse the application for a 3 month private hire drivers' licence due to the applicant's history of repeated speeding offences and suspensions.

(The applicant, his representative and the licensing manager were admitted to the meeting and informed of the decision minuted above. The legal advisor informed the applicant that he would receive written notification of the committee's decision and that he had the right to appeal against the decision at the Magistrates' Court within twenty-one days of the date of this meeting.)

**\*7. SUSPENSION / REVOCATION OF NORWICH CITY COUNCIL PRIVATE HIRE DRIVER'S LICENCE: CASE NO 12/02392/PHDRIV (PARAGRAPHS 1 AND 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 also confirmed that since the application was completed, he had no further convictions or cautions).

The licensing manager presented the report.

The applicant informed the committee of the circumstances surrounding his conviction. He confirmed that he was not operating as a taxi at the time of the conviction.

Following discussion it was:-

**RESOLVED** to take no further action.

(The applicant and the licensing manager were admitted to the meeting and informed of the decision minuted above. The chair reminded the applicant that the council had a duty to protect the travelling public and to take care with his speed in the future. The applicant and then left the meeting.)

CHAIR