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13 February 2020

To: Chairman – Councillor Anna Bradnam
Councillors Jose Hales and Deborah Roberts

Dear Councillor

You are invited to attend the next meeting of **LICENSING APPEALS SUB-COMMITTEE**, which will be held in **SWANSLEY ROOM B, GROUND FLOOR** at South Cambridgeshire Hall on **FRIDAY, 21 FEBRUARY 2020** at **10.00 a.m.** **The papers are confidential and not for publication.**

Members are respectfully reminded that when substituting on committees, subcommittees, and outside or joint bodies, Democratic Services must be advised of the substitution ***in advance of*** the meeting. It is not possible to accept a substitute once the meeting has started. Council Standing Order 4.3 refers.

Yours faithfully
Liz Watts
Chief Executive

Requests for a large print agenda must be received at least 48 hours before the meeting.

AGENDA

1. INTRODUCTIONS / PROCEDURE

The Chairman of the Sub-Committee will welcome those present and introduce him/herself; the remaining members of the Sub-Committee and the officers will then introduce themselves.

A copy of the Sub-Committee appeals procedure is attached.

2. DECLARATIONS OF INTEREST

CONFIDENTIAL ITEM

PAGES

1 - 2

The Chairman will read the following statement:

The report contains information which the officer recommends should be exempt from publication and also that the press and public should be excluded from the meeting during consideration of the appeal, in accordance with the provisions of Section 100(A)(4) of the Local Government Act 1972 (exempt information as defined in paragraph 1 of Schedule 12A of the Act).

The Chairman will ask the Sub-Committee the following:

Does the Licensing Appeals Sub-Committee agree that the public interest is outweighed by the recommendation to exclude the press and public for this agenda item?

**3. APPEAL AGAINST THE REFUSAL TO GRANT A PRIVATE HIRE
LICENSE**

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GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL

Notes to help those people visiting the South Cambridgeshire District Council offices

While we try to make sure that you stay safe when visiting South Cambridgeshire Hall, you also have a responsibility for your own safety, and that of others.

Security

When attending meetings in non-public areas of the Council offices you must report to Reception, sign in, and at all times wear the Visitor badge issued. Before leaving the building, please sign out and return the Visitor badge to Reception.

Public seating in meeting rooms is limited. For further details contact Democratic Services on 03450 450 500 or e-mail democratic.services@scambs.gov.uk

Emergency and Evacuation

In the event of a fire, a continuous alarm will sound. Leave the building using the nearest escape route; from the Council Chamber or Mezzanine viewing gallery this would be via the staircase just outside the door. Go to the assembly point at the far side of the staff car park opposite the staff entrance

- **Do not** use the lifts to leave the building. If you are unable to use stairs by yourself, the emergency staircase landings have fire refuge areas, which give protection for a minimum of 1.5 hours. Press the alarm button and wait for help from Council fire wardens or the fire brigade.
- **Do not** re-enter the building until the officer in charge or the fire brigade confirms that it is safe to do so.

First Aid

If you feel unwell or need first aid, please alert a member of staff.

Access for People with Disabilities

We are committed to improving, for all members of the community, access to our agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you. All meeting rooms are accessible to wheelchair users. There are disabled toilet facilities on each floor of the building. Infra-red hearing assistance systems are available in the Council Chamber and viewing gallery. To use these, you must sit in sight of the infra-red transmitter and wear a 'neck loop', which can be used with a hearing aid switched to the 'T' position. If your hearing aid does not have the 'T' position facility then earphones are also available and can be used independently. You can get both neck loops and earphones from Reception.

Toilets

Public toilets are available on each floor of the building next to the lifts.

Recording of Business and Use of Mobile Phones

We are open and transparent about how we make decisions. We allow recording, filming and photography at Council, Cabinet and other meetings, which members of the public can attend, so long as proceedings at the meeting are not disrupted. We also allow the use of social media during meetings to bring Council issues to the attention of a wider audience. To minimise disturbance to others attending the meeting, please switch your phone or other mobile device to silent / vibrate mode.

Banners, Placards and similar items

You are not allowed to bring into, or display at, any public meeting any banner, placard, poster or other similar item. Failure to do so, will result in the Chairman suspending the meeting until such items are removed.

Disturbance by Public

If a member of the public interrupts proceedings at a meeting, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room. If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared. The meeting will be suspended until order has been restored.

Smoking

Since 1 July 2008, South Cambridgeshire District Council has operated a Smoke Free Policy. No one is allowed to smoke at any time within the Council offices, or in the car park or other grounds forming part of those offices.

Food and Drink

Vending machines and a water dispenser are available on the ground floor near the lifts at the front of the building. You are not allowed to bring food or drink into the meeting room.

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Agenda Item 1

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL LICENSING APPEALS SUB-COMMITTEE

Hackney Carriage and Private Hire Drivers / Vehicles / Operators

Procedure to be followed when dealing with appeals to the Sub-Committee

NB: At any point in this procedure the Sub-Committee may pass a resolution excluding the press and public from the meeting on the basis that, if they were to remain, there may be disclosure of exempt information (information relating to the private or business affairs of a particular person)

1. The Chairman of the Sub-Committee will welcome those present and introduce himself/herself and the members of the Sub-Committee, the Council's Legal Officer, Democratic Services Officer and any other officer present. The licence holder should be asked to confirm his/her name and address and if they have a representative, they should also introduce themselves.
2. The Council's Licensing Officer will open proceedings by outlining the nature of the matter which is to be considered and whether the proceedings concern a vehicle, drivers' or operators' licence. If the hearing concerns the granting of a licence to a driver (either hackney carriage or private hire) or a private hire operator, the grounds for objecting to the application should be made clear.
3. If the grounds for objection concern previous convictions which may prevent the licence holder being considered a "fit and proper person", the Chairman should ask the licence holder if he/she agrees with the list of previous convictions and if the answer is in the negative, the matter should be adjourned to clarify the position. If the licence holder agrees that the list is accurate the Licensing Officer should explain why these convictions have led to the refusal of the application under delegated powers. The Sub-Committee may ask the officer for clarification of any points.
4. The Chairman will then give the licence holder the opportunity to make representations to the Sub-Committee and where relevant explain the circumstances surrounding any previous convictions. The licence holder or licence holder may make his/her representations personally or through a representative. Representations should not generally exceed 10 minutes
5. The Chairman and other members of the Sub-Committee may ask the licence holder or licence holder questions and points of clarification. The Chairman will then ask the licence holder if there is anything else he/she wishes to add.
6. The Sub-Committee will remain in the room to consider its decision in private. The legal officer will remain with the Panel to advise them on any legal issues but will not take part in the decision The Democratic Services Officer will also remain with the Panel to minute the decision. All other persons will be asked to leave the room. If any further clarification or information is required from the licence holder or any officer, all parties will be recalled.
7. All parties will be recalled for the announcement by the Chairman of the Sub-Committee's decision or they can request that they are notified of the decision by telephone or e-mail as soon as practicable if they do not wish to stay.
8. The Sub-Committee's decision will be formally confirmed in writing by the Licensing Officer. The time frame for appealing to the Magistrates Court will be suspended pending the outcome of the appeal to the Sub-Committee.

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