

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

LICENSING AND APPEALS BOARD

**Minutes from the Meeting of the Licensing and Appeals Board held on
Wednesday, 12th July, 2023 at 10.00 am in the Kempe Room - Town Hall,
Saturday Market Place, King's Lynn PE30 5DQ**

PRESENT: Councillors C J Crofts (Chair), T Bubb and S Nash.

OFFICERS:

James Arrandale – Legal Advisor
Craig Pease – Licensing Officer
Rebecca Parker – Democratic Services Officer

OBSERVING:

Councillor Jones – Chair of the Licensing and Appeals Board
Councillor Rose – Vice Chair of the Licensing and Appeals Board

1 **APPOINTMENT OF CHAIR FOR THE MEETING**

Councillor Crofts was appointed Chair for the Hearing.

2 **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

3 **ITEMS OF URGENT BUSINESS**

There were no items of urgent business.

4 **DECLARATIONS OF INTEREST**

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Councillor Nash explained that Mr Paisley had been a customer of his approximately seven years ago. He commented that there was no financial interest and did not consider there to be a conflict of interest.

5 **APPLICATION FOR A PRIVATE HIRE VEHICLE LICENCE IN
RESPECT OF A VEHICLE REGISTERED AS A CATEGORY N1**

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The Chair welcomed everyone to the Hearing and stated that the purpose of the Hearing was to consider an application for a Private Hire Vehicle Licence in respect of a vehicle registered as a Category

N1. The Chair introduced the Panel Members, Officers and Legal Advisor. The Applicant introduced himself.

6 **PROCEDURE FOR DETERMINING HACKNEY CARRIAGE/PRIVATE HIRE LICENCE APPLICATIONS AND DISCIPLINARY HEARINGS**

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The Legal Advisor outlined the procedure which would be followed at the Hearing.

7 **REPORT OF THE LICENSING OFFICER**

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At the request of the Chair, the Licensing Officer presented his report as included in the Agenda. He requested that the Panel consider the application, including any submissions put forward by the Applicant, and dispose of the matter using one of the options as set out in the report.

There were no questions.

8 **APPLICANT'S CASE**

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The Panel adjourned the meeting to carry out an inspection of the vehicle.

At the request of the Chair, the Applicant presented his case and provided the Panel with documentation showing that the DVLA had recognised the vehicle as a minibus on the V5 certificate, but that the category of the vehicle could not be changed on registration documents. The Applicant also provided the Panel with a letter from GM which indicated that the vehicle would be treated as category M1 for taxation purposes.

In response to questions from the Panel, the Applicant explained that if the vehicle had been converted pre-registration, then the category would have been changed. He also stated that the vehicle had previously been panelled in the rear, but now side windows had been added. There were two fire extinguishers in the vehicle.

9 **SUMMING UP - LICENSING OFFICER**

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The Licensing Officer reminded the Panel to consider the Licensing conditions relating to vehicle category and the documentation presented to the Panel by the Applicant.

10 **SUMMING UP - APPLICANT**

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The Applicant reminded the Panel that the documentation provided to them proved that the DVLA did consider the vehicle to be a minibus and that it was up to standard and safety requirements.

11 **LEGAL ADVICE**

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The Legal Advisor addressed any outstanding matters referring the Panel to the relevant Licensing Conditions.

12 **DETERMINATION**

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The Chair advised that the Panel would retire to consider their decision in private, accompanied by the Legal Advisor and Democratic Services Officer.

All parties agreed to Councillors Jones and Rose remaining in the room during deliberations for training purposes only. They took no part in the decision making process.

All parties were then called back into the room and the Chair read out the Panel's decision.

The meeting closed at 11.00am