



13 April 2018

Dear Sir/Madam

A meeting of the Licensing and Appeals Committee will be held on Tuesday 24 April 2018 in the New Council Chamber, Town Hall, Beeston at 10.00am.

Should you require advice on declaring an interest in any item on the agenda, please contact the Monitoring Officer at your earliest convenience.

Yours faithfully

Chief Executive

To: Members of the Licensing and Appeals Committee:

E H Atherton	R D MacRae
D Bagshaw	J C Patrick
D A Burnett (Chair) BEM	M E Plackett
M J Crow	K E Rigby
T A Cullen	P D Simpson
W J Longdon (Vice Chair)	A W G A Stockwell

## AGENDA

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members are requested to declare the existence and nature of any disclosable pecuniary interest and/or other interest in any item on the agenda.

3. MINUTES

PAGES 1 - 2

The Committee is asked to confirm as a correct record the minutes of the meeting held on 22 March 2018.

4. EXCLUSION OF PUBLIC AND PRESS

**The Committee is asked to RESOLVE that, under Section 100A 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 paragraphs 1 and 2 of Schedule 12A of the Act.**

5. APPEAL AGAINST STAGE 3 DECISION  
UNDER THE COUNCIL'S GRIEVANCE POLICY

PAGES 3 - 4  
BUNDLE A  
BUNDLE B

## LICENSING AND APPEALS COMMITTEE

22 MARCH 2018

Present: Councillor D A Burnett BEM, Chair

Councillors:	E H Atherton	J C Patrick
	D Bagshaw	M E Plackett
	M J Crow	P D Simpson
	T A Cullen	A W G A Stockwell

Apologies for absence were received from Councillors W J Longdon, R D MacRae, M Radulovic and K E Rigby.

### 31. DECLARATIONS OF INTEREST

Councillor D A Burnett (BEM) declared a non-pecuniary interest in item 5, Appeal against Stage Three Grievance, as he was acquainted with the wife of the appellant, minute number 34 refers.

### 32. MINUTES

The minutes of the meeting held on 16 January 2018 were confirmed as a correct record and signed.

### 33. DELEGATION OF ENFORCEMENT POWERS FOR HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES

The Committee considered the delegation of enforcement powers relating to hackney carriage and private hire vehicles and drivers to officers of other licensing authorities.

#### **RESOLVED that:**

- 1. The delegation of taxi licensing enforcement functions under the Local Government (Miscellaneous Provisions) Act 1976 as set out in appendix 2 of the protocol at appendix B of this report, to the licensing authorities contained in appendix 1 of the protocol, subject to those authorities accepting the delegation be approved.**
- 2. The Head of Public Protection to be authorised to appoint authorised officers to carry out enforcement functions under the Local Government (Miscellaneous Provisions) Act 1976 as set out in appendix 2 of the protocol transferred to this authority by the licensing authorities contained in appendix 1 of the protocol, subject to those authorities delegating those functions to Broxtowe Borough Council.**

**3. That the Head of Public Protection be authorised to sign the agreement contained within the protocol attached as appendix B to this report on behalf of Broxtowe Borough Council.**

34. EXCLUSION OF PUBLIC AND PRESS

**RESOLVED** that, under Section 100A 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 paragraphs 1 and 2 of Schedule 12A of the Act.

35. APPEAL AGAINST STAGE THREE GREIVANCE

The Committee agreed to adopt the suggested procedure for hearing with Grievance hearings.

Members considered the representations made by the appellant through his union representative and the representations made by the Investigating Officer. The appellant attended the hearing.

It was clarified for the benefit of the appellant and councillors that the Committee does not have the jurisdiction to decide on the pension rules and are unable to declare on the early release of a pension. The Committee is only able to decide whether to uphold or amend the stage 2 grievance decision.

**RESOLVED** unanimously on hearing representations from both the appellant and the Council's representative that the stage 2 decision be upheld.