

Minutes

Licensing Committee
Tuesday, 30 September 2025



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Committee members present

Councillor Paul Fellows (Chairman)
Councillor Robert Leadenham (Vice-Chairman)
Councillor Harrish Bisnauthsing
Councillor Pam Bosworth
Councillor Helen Crawford
Councillor Philip Knowles
Councillor Rhea Rayside

Officers

Chris Clarke, Licensing Officer
Heather Green, Licensing Manager
Mark Brooke, Legal Advisor (LSL)
Lucy Bonshor, Democratic Officer

23. Apologies for absence

Apologies for absence were received from Councillor Patsy Ellis, Councillor Jane Kingman, Councillor Susan Sandall and Councillor Elvis Stooke.

24. Disclosure of interests

None disclosed.

25. Minutes of the meeting held on 2 September 2025

The minutes of the meeting held on 2 September 2025 were proposed, seconded and agreed.

26. Exclusion of the Press and Public

It was proposed, seconded and agreed to exclude the press and public during consideration of the following items of business in accordance with Section 100A(4) of the Local Government Act 1972 because of the likelihood that

otherwise exempt information, as described in Part 1 paragraphs 1 and 2 of the Act (as amended) would be disclosed to them.

27. Local Government (Miscellaneous Provisions) Act 1976

Decision

The Committee determined that the applicant was not a fit and proper person as they had not met the requirement of South Kesteven's District Council's Hackney Carriage and Private Hire Licensing Policy as they had shown dishonesty in their application and they had a history of driving offences which did not meet the standard of South Kesteven District Council.

The Chairman introduced those present and confirmed the name of the applicant before the Committee.

The Licensing Officer presented exempt report ENV913 which concerned whether an applicant was a fit and proper person to hold a hackney carriage drivers licence after having their hackney carriage licence revoked by South Kesteven District Council and also being banned from driving.

The Licensing Officer gave the background to the report and the key considerations which the Committee should focus on.

The Applicant then gave their representation and answered Members questions which sought to clarify what the Applicant had stated in respect of how communications from the Council had been handled and the applicants understanding of the processes involved.

The Licensing Officer then gave their closing statement. Members were reminded that each application should be determined on its own merits. The Licensing Officer highlighted the relevant sections from South Kesteven's Hackney Carriage and Private Hire Licensing Policy which were contained within the report.

The Applicant stated that they were committed to working hard and professionally in their job as a hackney carriage driver.

(10:19 the Licensing Officers and Applicant left the meeting)

Members discussed the application before them having regard to all relevant guidance and the representations made. Concern was expressed in respect of the Applicants understanding of the processes involved with regard to holding a Hackney Carriage Drivers Licence and the communication aspect especially as they had held a licence since 2016. This concern was echoed by other Members present and it was proposed, seconded and agreed that the Applicant was not a fit and proper person to hold a Hackney Carriage licence as they had not met the

standards required by the Council's Hackney Carriage and Private Hire Licensing Policy and had been dishonest when completing their application form and their application for a Hackney Carriage licence be refused.

(10:29 the Licensing Officers and Applicant returned to the meeting)

The Chairman asked the Legal Advisor to read out the Committee's decision. The Licensing Committee considered the report provided by the Licensing Officer and the representations made.

The Committee determined that the applicant was not a fit and proper person as they had not met the requirement of South Kesteven's District Council's Hackney Carriage and Private Hire Licensing Policy as they had shown dishonesty in their application and they had a history of driving offences which did not meet the standard of South Kesteven District Council.

The Committee had therefore decided that the applicant's Hackney Carriage Drivers Licence should be refused.

There is a right of appeal of this decision to the Magistrates' Court within 21 days of receipt of written notice.

28. Local Government (Miscellaneous Provisions) Act 1976

Decision

The Committee decided that the Applicant was a fit and proper person to hold a licence and that their Dual Hackney Carriage and Private Hire driving licence should be granted.

The Chairman introduced those present and confirmed the name of the applicant present who was in attendance with a friend.

The Licensing Officer presented exempt report ENV914 which concerned whether a driver remained a fit and proper person to hold a Dual Hackney Carriage and Private Hire Drivers Licence after having a licence revoked by another local authority.

Members were given the background to the report which concerned a renewal application in which the driver had disclosed that he had previously held a driver's badge with another local authority which had been revoked. Subsequent checks were carried out with the National Register of Revocations, Refusals and Suspensions (NR3) and the reason for the revocation was as highlighted within the report.

It was noted that there was not an automatic or legitimate expectation that licences would be renewed, especially when matters had arisen that may call into

question whether a driver was a fit and proper person to hold such a licence. Reference was made to Section 3.12.2 of South Kesteven's Hackney Carriage and Private Hire Licensing Policy as highlighted within the report in relation to failure to notify South Kesteven following the revocation.

Clarity was sought in relation to the reason for the revocation but the Licensing Officer stated that he had no further details other than those shown in the report.

The Applicant offered to show the Licensing Officer and Committee the email that he had received from the Local Authority and the reason why their badge had been revoked.

The Licensing Officer then explained the process in respect of what was required of the applicant to extend the badge that he had with the other Local Authority which had not been undertaken correctly and therefore the badge had been revoked.

The Applicants representative then spoke on the Applicants behalf and gave the background to why the badge had been revoked. It was felt that due to communication issues information was "lost in translation".

The Committee asked the Applicant direct questions and the applicant indicated that he had difficulty reading and writing in English.

The Licensing Officer then gave his closing statement reminding the Committee to have regard to the representations made, the Council's Hackney Carriage and Private Hire Licensing Policy together with the Department of Transport Standards and relevant guidance.

The Applicant indicated that copies of the English test that he had undertaken could be provided.

(10:50 the Licensing Officers and Applicant and the Applicants representative left the meeting)

Members considered the issue before them having regard to all relevant guidance and the representations made. Concern was expressed about what had led to the revocation of the licence which suggested a lack of understanding and the Committee were concerned about communication by the applicant in an emergency. It was also noted that the other local authority had not been helpful to the Licensing Team when contacted. Questions were asked in relation to the English test undertaken as part of the test and the Licensing Officer was requested to return to the meeting to answer Members questions. The Licensing Officer stated that if the applicant could provide evidence that an English test had already been completed then they would not need to undertake a further test.

The Committee requested that the Applicant be returned to the meeting to answer further questions.

(11:05 the Licensing Officer and Applicant returned to the meeting)

The Applicant stated that they had taken the English test which had been carried out on a computer with an actual person. A questions was asked about where they worked to which the Applicant stated they mostly worked in the Stamford area and a bit in the Peterborough area.

Reference to the English test undertaken followed and the Applicant was happy to provide the link to the Licensing Officer to access the certificate given.

(11:12 the Applicant left the meeting)

The Licensing Officer accessed the link and showed the certificate received to the Committee in relation to the English test undertaken by the Applicant.

(11:14 the Licensing Officer left the meeting)

Members further discussed the issue and following the Applicant returning to the meeting to discuss the English test, the Committee felt that their spoken English was good and the situation may have played a part in the Applicant's demeanour at the start. It was felt that the local authority had been obstructive and after listening to the Applicant speak conversationally Members felt that their licence should be granted but that it needed to be clear that if at any time, they did not understand anything they needed to ask. It was proposed and seconded that the Applicant was a fit and proper person and that the licence should be granted. On being put to the vote this was agreed.

(11:17 the Licensing Officers, Applicant and Applicants representative returned to the meeting)

The Chairman asked the Legal Advisor to read out the Committee's decision.

The Licensing Committee considered the report provided by the Licensing Officer and representations provided by the Applicant.

The Committee was initially concerned that the Applicant may have difficulties communication if there was an emergency with passengers, however they had provided proof of spoken English which met the standard expected of South Kesteven District Council.

The Committee therefore decided that the Applicant was a fit and proper person to hold a licence and that their Dual Hackney Carriage and Private Hire driving licence should be granted.

The Applicant was reminded of the importance of understanding the paperwork to ensure they were fully compliant with South Kesteven District Council's Hackney Carriage and Private Hire Licensing policy.

There is a right of appeal of this decision to the Magistrates' Court within 21 days of receipt of written notice.

(11:19 – 11:25 the meeting was adjourned for a short period of time)

29. Local Government (Miscellaneous Provisions) Act 1976

Decision

The Committee determined that the Applicant's application for a Dual Hackney Carriage and Private Hire Drivers Licence should be refused and that the Applicant should not expect to be considered for a licence until the seven years from the date of their conviction had elapsed.

The Chairman introduced those present and confirmed the name of the Applicant.

The Licensing Officer presented exempt report ENV915 which concerned whether an applicant was a fit and proper person to hold a Dual Hackney Carriage and Private Hire Drivers Licence having failed to meet the requirements of the Council's Hackney Carriage and Private Hire Licensing Policy.

An application for a Dual driving licence had been received from the Applicant in February 2024 which had three convictions for driving offences declared. One of the offences had been for six penalty points but not explanation. Following a telephone call with a member of the Licensing Team the Applicant had withdrawn the application.

The Applicant had reapplied in May 2025 and the three driving convictions were still declared. Upon receipt of the DBS certificate it confirmed two convictions which had occurred in March 2019 one for using a vehicle without insurance and other for driving a motor vehicle whilst over the limit for a controlled drug. No further details regarding the convictions had been received.

In accordance with the Council's Hackney Carriage and Private Hire Licensing Policy, convictions for drug driving or major traffic offences require a period of seven years to have elapsed before an applicant can be granted a licence without referral to the Licensing Committee. The time period for the offences were as shown in paragraph 3.3 of the report.

Clarity was asked in relation to the seven year time period to which the Licensing Officer responded.

The Applicant then made their representation and detailed the background to receiving the convictions for the driving offences and answered Members questions thereon.

The Licensing Officer gave their closing statement reminding the Committee to have regard to the representations made, the Council's Hackney Carriage and Private Hire Licensing Policy together with the Department of Transport Standards and relevant guidance.

(11:40 the Licensing Officers and Applicant left the meeting)

Members discussed the application before them having regard to all relevant policies and guidance and the representations made. Members noted that no mitigation was given by the Applicant and there were no exceptional circumstances for the Committee to deviate from the Council's Policy in relation to the convictions which the Applicant had. The Legal Advisor stated that Licensing Officers had no delegation to refuse an application which was why it had come before the Committee. It was noted that the policy stated that seven years needed to have elapsed following certain convictions and the completion of the sentence and it was therefore, proposed, seconded and agreed to refuse to grant a Dual Hackney Carriage and Private Hire Drivers licence.

(11:48 the Licensing Officers and Applicant returned to the meeting)

The Legal Advisor read out the Committee's decision.

The Committee had considered the report provided by the Licensing Officer and representations provided by the Applicant and all other relevant guidance.

The Committee noted that South Kesteven District Council's Hackney Carriage and Private Hire Licensing Policy states that following a driving offence related to driving under the influence of controlled drugs, there is a minimum time period of 7 years following the conviction before a licence should be granted.

The Applicant had not presented any exceptional circumstances that would justify a departure from the Council's adopted policy.

The Committee therefore determined that the Applicant's application for a Dual Hackney Carriage and Private Hire Drivers Licence should be refused and that the Applicant should not expect to be considered for a licence until the seven years from the date of their conviction had elapsed.

There was a right of appeal of this decision to the Magistrates' Court within 21 days of receipt of written notice.

30. Any other business which the Chairman, by reason of special circumstances, decides is urgent.

None.

31. Close of meeting

The meeting was closed at 11:50am.