

Minutes

Licensing Committee
Tuesday, 4 August 2026



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Committee members present

Councillor Robert Leadenham (Vice-Chairman)
Councillor Harrish Bisnauthsing
Councillor Helen Crawford
Councillor Jane Kingman
Councillor Philip Knowles
Councillor Rhea Rayside
Councillor Susan Sandall
Councillor Elvis Stooke

Officers

Elizabeth Reeve, Licensing Officer
Carrie Polzin, Licensing Support Officer
Christian Polzin, Environmental Health Manager, Commercial
Kim Robertson, Legal Advisor (LSL)
Lucy Bonshor, Democratic Officer

9. Apologies for absence

Apologies for absence were received from Councillor Pam Bosworth and Councillor Paul Fellows.

10. Disclosure of interests

None disclosed.

11. Minutes of the meeting held on 6 July 2026

Minutes of the meeting held on 6 July 2026 were proposed, seconded and agreed.

12. Exclusion of the Press and Public

It was proposed, seconded and agreed to exclude the press and public during consideration of the following item 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 paragraphs 1 and 2 of the Act (as amended) would be disclosed to them.

13. Local Government (Miscellaneous Provisions) Act 1976

Decision

That the applicant was a fit and proper person to hold a Dual Hackney Carriage and Private Hire Drivers Licence with South Kesteven District Council.

The Vice-Chairman introduced those present and confirmed that the applicant was in attendance.

The Licensing Officer presented exempt report ENV942 which concerned whether an applicant was a fit and proper person to be granted a Dual Hackney Carriage and Private Hire Drivers Licence.

An application form was received in May from the applicant for a Dual Hackney Carriage and Private Hire Drivers Licence. On the form the applicant had signed the declaration stating, "I have never been – charged or summoned to appear before a Court, either in this country or abroad". Upon receipt of the DBS Certificate it was confirmed that the applicant had one conviction recorded for an offence in 2016. The conviction was in March 2016 for the offence "Breach of non-molestation order" which had occurred in February 2026. The offence was contained within the Family Law Act 1996 S42A – community order September 2017. Activity required was contained at 2.4 of the report. No other convictions or driving offences were declared or shown on the DVLA check. The applicant had submitted an email outlining the circumstances that led to the conviction which was appended to the report.

The Licensing Officer then referred to the key considerations that the Committee must take into account when determining whether a person was fit and proper to hold a driving licence and these were shown at paragraphs 3.1 – 3.3 of the report.

There were no questions for the Licensing Officer and the applicant was asked to make their representation to the Committee. The applicant informed the Committee of the circumstances of the conviction and their understanding that after five years it would be spent and they hadn't appreciated that even though it was spent it should have been included on the application. Both Members and the Legal Advisor asked questions of the applicant in relation to the conviction and the circumstances to which the applicant replied.

The Licensing Officer gave their closing statement reminding the Committee that they must be satisfied that the holder of a Hackney Carriage or Private Hire Driver's licence is a fit and proper person to hold that licence pursuant to Section 59 of the Local Government (Miscellaneous Provisions) Act 1976 (in case of Hackney Carriage Drivers) and Section 51 of the Local Government (Miscellaneous Provisions) Act 1976 (in the case of Private Hire Drivers). The Committee must also have regard to all relevant policies including the Council's Hackney Carriage and Private Hire Licensing Policy, Department of Transport Standards and relevant guidance together with any representation made at Committee.

The applicant stated that he had no other convictions since the one in 2016, he appreciated that not declaring it was serious but it was a mistake and he asked to be given a chance.

(10:20 Licensing Officers and the Applicant left the meeting)

Members of the Committee discussed the applications before them having regard to all relevant guidance, policies and the representations made. Some concern was expressed about the conviction to which the Legal Advisor read out what a Non-Molestation Order could cover. Further discussion followed and it was proposed and seconded to grant the licence as applied for. On being put to the vote this was agreed.

(10:34 Licensing Officers and the Applicant returned to the meeting)

The Licensing Committee considered the report provided by the Licensing Officer and heard from the applicant.

The applicant advised the Committee that the Non-Molestation Order had been granted in family proceedings whilst he was divorcing his wife. The applicant advised it may have been because he was talking and messaging her and saying some things. The applicant advised the Committee that he had breached the Order by going to the house because he wanted to see his children. The applicant understood that the details of the conviction would only stay on his licence for 5 years which was why he had not disclosed it. The applicant had learnt from his mistakes and had since remarried. He had contact with his children from his previous marriage and had no further incidents.

The Committee considered the circumstances of the offence, considered the timeline of it and also considered the non-declaration of the conviction. They noted that the applicant believed the conviction to have been passed and did not understand it should have been declared. Having considered everything before them and the representations made, the Committee determined that the applicant was a fit and proper person and granted the Dual Hackney Carriage and Private Hire Licence.

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

Back in public session

14. Primate Animal Licensing fees

The Cabinet Member Corporate Governance and Licensing introduced the report which concerned a proposal for new fees to be charged following the introduction of legislation requiring the licensing of primates. As the Councillor was also a member of the Licensing Committee, he stated that he would take no part in the discussion or voting on the issue.

The Environmental Health Manager, Commercial presented the report to Committee. In 2024 through Regulations made under the Animal Welfare Act 2006, the Department for Environment, Food and Rural Affairs (DEFRA) introduced the Animal Welfare (Primate Licenses) (England) Regulations 2024. For the purposes of the Regulations the Licensing Authority is the local authority in whose area the premises at which a primate is kept or is to be kept are situated. There were currently two premises that would require a primate license within South Kesteven.

The Regulations introduced a licensing scheme which set strict rules to ensure that only private keepers, who could provide zoo-level welfare standards would be able to keep primates.

Primates included:

- Marmosets
- Tamarins
- Squirrel Monkeys
- Spider Monkeys
- Capuchin Monkeys
- Lemurs
- Lorisidae (also known as bush babies)

From 6 April 2026 it became an offence to keep a primate in England without a licence. The only exemptions to the requirement to hold a licence would be where the primates concerned are being kept in a licensed zoo or a place specified in a licence under section 2C of the Animal (Scientific Procedures) Act 1986.

The Regulations set out the application process and the conditions that must be placed on the licence if granted. Further conditions may be stipulated in the Statutory Guidance.

Inspections must be carried out prior to an application being determined and a further inspection was required on at least one occasion during the duration of the licence. These inspections must be conducted by a “suitable person” which is defined by the regulations as being:

- a) A veterinarian (Vet); or

- b) Any other person who, in the view of the local authority, is suitably qualified and competent to carry out the inspection.

A licence must be granted for a period of three years or where the applicant has requested a licence for a period of less than three years, for such shorter period that the applicant has requested.

Provisions within the Regulations allowed for the holder of a primate licence to request to vary or surrender the licence as well as provisions for the licensing authority to revoke or vary the primate licence.

An application fee may be charged, and a fee can be charged in respect of any inspections. The proposed fees contained within the report estimated the cost recovery of undertaking the licensing function – as this legislation was new, the fees were the “best” consideration of the time requirement and input.

It was noted that Vet fees that were incurred would be recharged to the applicant.

Members questioned Officers in respect of monitoring, visits to premises and vets following which it was proposed, seconded and agreed to recommend the fees to Cabinet for adoption.

Decision

The Licensing Committee recommended to Cabinet the proposed fees in respect of primate licensing:

Application for the grant and renewal of a licence (as the same process is followed) <i>*this calculation includes processing application, inspection visit & admin, mid-term visit and admin, travel costs</i>	£350.00
Application for variation of a licence (with inspection)	£230.75
Application for variation of licence (without inspection)	£66.00
Inspection Fees	Vet fees that are incurred will be recharged to the applicant

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

None.

16. Close of meeting

The Vice-Chairman reminded Members that the next scheduled meeting of the Licensing Committee was Tuesday 1 September 2026 and closed the meeting at 10:50am.