



Monday, 19 January 2026

Dear Sir/Madam

A meeting of the Licensing and Appeals Committee will be held on Tuesday, 27 January 2026 in the Council Chamber, Council Offices, Foster Avenue, Beeston, Nottingham, NG9 1AB, commencing at 10.00 am.

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

Zulfiqar Darr
Interim Chief Executive

To Councillors:	S Webb (Chair)	H Land
	R Bullock (Vice-Chair)	D D Pringle
	B C Carr	C M Tideswell
	A Cooper	K Woodhead
	S P Jeremiah	E Williamson
	S Kerry	E Winfield

A G E N D A

1. Apologies

To receive apologies and to be notified of the attendance of substitutes.

2. Declarations of Interest

(Pages 3 - 10)

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 11 - 12)

The Committee is asked to confirm as a correct record the minutes of the meeting held on Tuesday, 11 November 2025.

4. Primate Licensing (Pages 13 - 16)

To advise members of the new duty imposed on the Council to licence private primate keepers, ensuring new minimum animal welfare standards are achieved.

5. 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 items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1, 2, and 3 of Schedule 12A of the Act.

6. Local Government (Miscellaneous Provisions) Act 1976 (Pages 17 - 44)
Hackney Carriage/Private Hire Driver's Licence

7. Local Government (Miscellaneous Provisions) Act 1976 (Pages 45 - 72)
Hackney Carriage/Private Hire Driver's Licence

8. Local Government (Miscellaneous Provisions) Act 1976 (Pages 73 - 100)
Hackney Carriage/Private Hire Driver's Licence

9. Appeal Against Disciplinary Action

9.1 Appeal Against Disciplinary Action Bundle A & B (Pages 101 - 422)

Report of the Monitoring Officer

DECLARATIONS OF INTEREST

1. Purpose of Report

Members are requested to declare the existence and nature of any disclosable pecuniary interest and/or other interest in any item on the agenda. The following information is extracted from the Code of Conduct, in addition to advice from the Monitoring Officer which will assist Members to consider any declarations of interest.

Part 2 – Member Code of Conduct

General Obligations:

10. Interest

10.1 You will register and disclose your interests in accordance with the provisions set out in Appendix A.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of Members of the Council. The register is publically available and protects you by demonstrating openness and willingness to be held accountable.

You are personally responsible for deciding whether or not you should disclose an interest in a meeting which allows the public, Council employees and fellow Councillors know which of your interests gives rise to a conflict of interest. If in doubt you should always seek advice from your Monitoring Officer.

You should note that failure to register or disclose a disclosable pecuniary interest as defined in Appendix A of the Code of Conduct, is a criminal offence under the Localism Act 2011.

Advice from the Monitoring Officer:

On reading the agenda it is advised that you:

1. Consider whether you have any form of interest to declare as set out in the Code of Conduct.
2. Consider whether you have a declaration of any bias or predetermination to make as set out at the end of this document
3. Update Democratic Services and the Monitoring Officer and or Deputy Monitoring Officers of any declarations you have to make ahead of the meeting and take advice as required.
4. Use the Member Interest flowchart to consider whether you have an interest to declare and what action to take.
5. Update the Chair at the meeting of any interest declarations as follows:

‘I have an interest in Item xx of the agenda’

'The nature of my interest is therefore the type of interest is
DPI/ORI/NRI/BIAS/PREDETERMINATION
'The action I will take is...'

This will help Officer record a more accurate record of the interest being declared and the actions taken. You will also be able to consider whether it is necessary to send a substitute Members in your place and to provide Democratic Services with notice of your substitute Members name.

Note: If at the meeting you recognise one of the speakers and only then become aware of an interest you should declare your interest and take any necessary action

6. Update your Member Interest Register of any registerable interests within 28days of becoming aware of the Interest.

Ask yourself do you have any of the following interest to declare?

1. DISCLOSABLE PECUNIARY INTERESTS (DPIs)

A "Disclosable Pecuniary Interest" is any interest described as such in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 and includes an interest of yourself, or of your Spouse/Partner (if you are aware of your Partner's interest) that falls within the following categories: Employment, Trade, Profession, Sponsorship, Contracts, Land, Licences, Tenancies and Securities.

2. OTHER REGISTERABLE INTERESTS (ORIs)

An "Other Registerable Interest" is a personal interest in any business of your authority which relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority; or
- b) any body
 - (i) exercising functions of a public nature
 - (ii) anybody directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a Member or in a position of general control or management.

3. NON-REGISTRABLE INTERESTS (NRIs)

"Non-Registrable Interests" are those that you are not required to register but need to be disclosed when a matter arises at a meeting which directly relates to your financial interest or wellbeing or a financial interest or wellbeing of a relative or close associate that is not a DPI.

A matter "directly relates" to one of your interests where the matter is directly about that interest. For example, the matter being discussed is an application about a particular property in which you or somebody associated with you has a financial interest.

A matter “affects” your interest where the matter is not directly about that interest but would still have clear implications for the interest. For example, the matter concerns a neighbouring property.

Declarations and Participation in Meetings

1. DISCLOSABLE PECUNIARY INTERESTS (DPIs)

- 1.1 Where a matter arises at a meeting which **directly relates** to one of your Disclosable Pecuniary Interests which include both the interests of yourself and your partner then:

Action to be taken

- **you must disclose the nature of the interest** at the commencement of that consideration, or when the interest becomes apparent, whether or not such interest is registered in the Council's register of interests of Member and Co-opted Members or for which you have made a pending notification. If it is a sensitive interest you do not have to disclose the nature of the interest, just that you have an interest
- **you must not participate in any discussion** of that particular business at the meeting, or if you become aware of a disclosable pecuniary interest during the meeting you must not participate further in any discussion of the business, including by speaking as a member of the public
- **you must not participate in any vote** or further vote taken on the matter at the meeting and
- **you must withdraw from the room** at this point to make clear to the public that you are not influencing the meeting in anyway and to protect you from the criminal sanctions that apply should you take part, unless you have been granted a Dispensation.

2. OTHER REGISTERABLE INTERESTS (ORIs)

- 2.1 Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests i.e. relating to a body you may be involved in:

- **you must disclose** the interest at the commencement of that consideration, or when the interest becomes apparent, whether or not such interest is registered in the Council's register of interests of Member and Co-opted Members or for which you have made a pending notification. If it is a sensitive interest you do not have to disclose the nature of the interest, just that you have an interest
- **you must not take part in any discussion or vote** on the matter, but may speak on the matter only if members of the public are also allowed to speak at the meeting
- **you must withdraw from the room** unless you have been granted a Dispensation.

3. NON-REGISTRABLE INTERESTS (NRIs)

3.1 Where a matter arises at a meeting, which is not registrable but may become relevant when a particular item arises i.e. interests which relate to you and /or other people you are connected with (e.g. friends, relative or close associates) then:

- **you must** disclose the interest; if it is a sensitive interest you do not have to disclose the nature of the interest, just that you have an interest
 - **you must not take part in any discussion or vote**, but may speak on the matter only if members of the public are also allowed to speak at the meeting; and
 - **you must withdraw** from the room unless you have been granted a Dispensation.
-

Dispensation and Sensitive Interests

A “Dispensation” is agreement that you may continue to participate in the decision-making process notwithstanding your interest as detailed at section 12 of the Code of the Conduct and the Appendix.

A “Sensitive Interest” is as an interest which, if disclosed, could lead to the Member, or a person connected with the Member, being subject to violence or intimidation. In any case where this Code of Conduct requires to you to disclose an interest (subject to the agreement of the Monitoring Officer in accordance with paragraph 2.4 of this Appendix regarding registration of interests), you do not have to disclose the nature of the interest, if it is a Sensitive Interest in such circumstances you just have to disclose that you have a Sensitive Interest under S32(2) of the Localism Act 2011. You must update the Monitoring Officer when the interest is no longer sensitive, so that the interest can be recorded, made available for inspection and published.

BIAS and PREDETERMINATION

The following are not explicitly covered in the code of conduct but are important legal concepts to ensure that decisions are taken solely in the public interest and not to further any private interests.

The risk in both cases is that the decision maker does not approach the decision with an objective, open mind.

This makes the local authority’s decision challengeable (and may also be a breach of the Code of Conduct by the Councillor).

Please seek advice from the Monitoring Officer or Deputy Monitoring Officers, if you need assistance ahead of the meeting.

BIAS

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias. If you have been involved in an issue in such a manner or to such an extent that the public are likely to perceive you to be biased in your judgement of the public interest:

- a) you should not take part in the decision-making process
- b) you should state that your position in this matter prohibits you from taking part
- c) you should leave the room.

PREDETERMINATION

Where a decision maker has completely made up his/her mind before the decision is taken or that the public are likely to perceive you to be predetermined due to comments or statements you have made:

- a) you should not take part in the decision-making process
- b) you should state that your position in this matter prohibits you from taking part
- c) you should leave the room.

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Registerable Interests

These are interests that you are required to register in accordance with the Code of Conduct. They are interests that you would know about in advance of an item coming up (e.g. land you own) and you should have included them when filling in your register of interests.

What type of Registerable Interest do you have in this matter?

Disclosable Pecuniary Interests

These are any interests that are described as DPIs under the Code of Conduct and include both the interests of yourself and of your partner.

Other Registerable Interests

These are personal interests that relate to certain types of bodies that you may be involved in as set out in the Code of Conduct.

Does the matter directly relate to one of your Disclosable Pecuniary Interests?

No

Does the matter directly relate to the financial interest or wellbeing of one of your Other Registerable Interests?

No

Does the matter affect a financial interest or the wellbeing of yourself or of a friend, relative or close associate?

No

Is the financial interest or wellbeing affected to a greater extent than the financial interests or wellbeing of the majority of inhabitants?

No

Would a reasonable member of the public knowing all the facts believe that it would affect your view of the wider public interest?

No

You must:

- Disclose the interest;
- Not speak on the matter;
- Not participate in any discussion or vote; and
- Not remain in the room unless you have a Dispensation

You must:

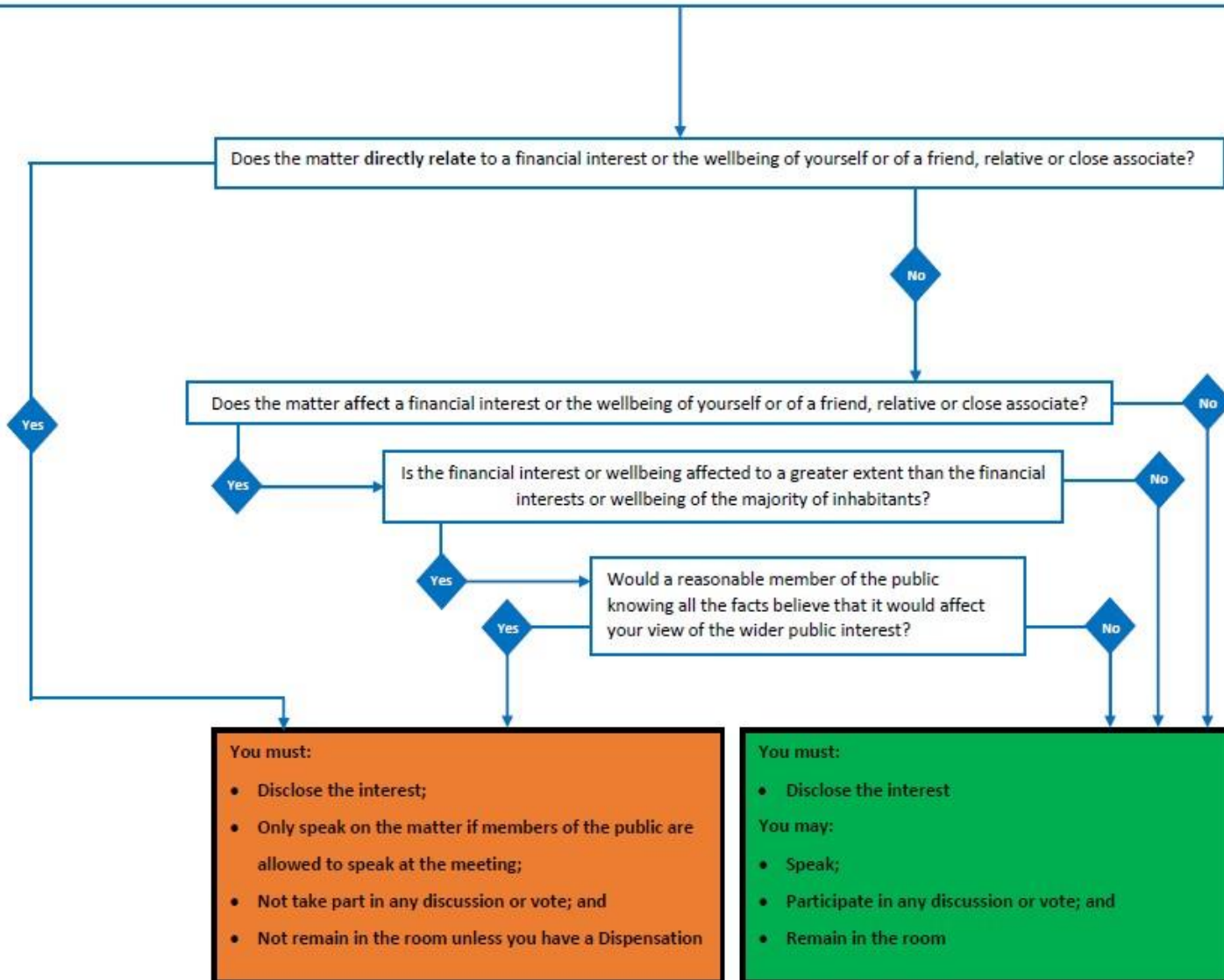
- Disclose the interest;
- Only speak on the matter if members of the public are allowed to speak at the meeting;
- Not take part in any discussion or vote; and
- Not remain in the room unless you have a Dispensation

You must:

- Disclose the interest
- You may:
- Speak;
 - Participate in any discussion or vote; and
 - Remain in the room

Non-Registerable Interests

These are interests that you are not required to register but may become relevant when a particular item arises. These are usually interests that relate to other people you are connected with (e.g. friends, relatives or close associates) but can include your own interests where you would not have been expected to register them.



LICENSING AND APPEALS COMMITTEE

TUESDAY, 11 NOVEMBER 2025

Present: Councillor S Webb, Chair

Councillors: A Cooper
S P Jeremiah
H Land
D D Pringle
C M Tideswell
E Winfield

Apologies for absence were received from Councillors R Bullock, B C Carr, J Couch, S Kerry, K Woodhead and E Williamson.

23. Declarations of Interest

There were no declarations of interest.

24. Minutes

The minutes of the meeting held on 14 January 2025 were confirmed and signed as a correct record.

25. 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 items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Schedule 12A of the Act.

26. Local Government (Miscellaneous Provisions) Act 1976 Hackney Carriage/Private Hire Driver's License

RESOLVED that the application be granted.

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Report of the Interim Chief Executive

The Animal Welfare (Primate Licensing)(England) Regulations 2024

1. **Purpose of Report**

To advise Members of the new duty imposed on the Council to licence private primate keepers and to ensure that new minimum animal welfare standards are achieved.

2. **Recommendation**

The Committee is asked to NOTE the report.

3. **Detail**

In accordance with the Animal Welfare Act 2006, Broxtowe Borough Council, in its role as Licensing Authority, is responsible for licensing operators of businesses carrying out prescribed activities involving animals. In addition, the Council is responsible for licensing keepers of animals that are defined as dangerous wild animals ("DWA") and for the licensing of zoos.

The introduction of The Animal Welfare (Primate Licences) (England) Regulations 2024 ("Primate Licence Regulations") places an additional responsibility on the Council to licence private primate keepers. This new licensing regime sets out minimum welfare standards that keepers of primates will be required to meet.

The Primate Licence Regulations state that it will be a legal requirement for all private primate keepers to hold a primate licence by 6 April 2026.

It should be noted that these Regulations do not apply to primate keepers operating under a zoo licence. However, those individuals who currently keep primates under a Dangerous Wild Animals Licence, and/or a licence under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018, will be required to hold a primate licence in addition to any other licence. The Council currently licence one keeper of primates under the Dangerous Wild Animals Act 1976, which relates to the keeping of lemurs. This licence holder also keeps species of primates not requiring a dangerous wild animal act licence, namely squirrel monkeys, which will come in scope of the new requirements.

It will be challenging to assess how many of these animals are being kept within Broxtowe. This information is not currently held by the Council, with many private primate keepers not having previously required a licence of any kind. Local vets will be asked to signpost any clients they know to keep primates to the Council and additional communications will be undertaken to further promote this new requirement.

DEFRA statutory guidance issued under Regulation 20 of the Primate Licence Regulations was not published until July 2025. Local authorities must have regard to this guidance which comprises three documents, namely one covering application and inspection procedures and two providing guidance on licence conditions to assist both inspectors and applicants.

Primate licences will be issued for a period of three years or a shorter period if requested by the applicant. Licences will be subject to an extensive list of statutory conditions which are set out in Schedule 1 of the Primate Licence Regulations. The Regulations state that before determining whether to grant a licence, an inspection must be carried out of the premises to determine whether licence conditions will be met. This must be carried out by a vet or a “suitably qualified person”.

The statutory guidance sets out that a suitably qualified person can include an experienced zookeeper or recognised primate expert, or a trained primate or animal licensing officer. It is planned that all initial and most renewal inspections will be carried out with assistance from a specialist vet or other third-party expert. However, once suitably trained, animal licensing officers will carry out some inspections, with the requirement to use a vet or other expert being determined on a case-by-case basis, considering complexity and compliance history. Where a primate keeper also holds a DWA licence requiring a vet inspection, attempts will be made to carry out both inspections at the same time, where feasible, to reduce the costs to the applicant.

The statutory guidance sets out that inspectors will also be required to complete a comprehensive inspection report which includes their assessment of the applicant’s likely compliance with each of the 48 licence conditions.

Local authorities are required to ensure that inspectors are provided with appropriate administrative support to produce their report and having considered the report, will have to be satisfied that all conditions are likely to be met before granting a licence. Under the current scheme of delegation, the Head of Environmental Health, Licensing and Private Sector Housing can determine licences relating to animal activities.

In relation to fees, Regulation 13 of the Primate Licence Regulations sets out that a local authority may: (a) Charge a fee in respect of any application relating to a primate licence and (b) Charge a fee in respect of any inspection which it must or may arrange. In anticipation of the new requirements, fees were set in 2025. The fees are set on a cost recovery basis and applied officer experience of the lengthy and complex inspections likely to be required to calculate the amount. There is no requirement for a consultation to be conducted, or for new fees to be advertised prior to them being implemented.

Specialist veterinary advisor fees will be recharged on an actual cost basis in addition to the application fee. This is consistent with how charges are made for third party inspections in other areas of animal licensing such as hiring out of

horses, dog breeding, the keeping of dangerous wild animals and for zoo licensing.

The fee includes all costs of determining the application and a grant fee covering a contribution to the cost of the required interim inspection. If an application is withdrawn prior to grant, the grant fee of 20% will be refunded to the applicant. It should be noted that Regulation 16(2)(c) provides powers for the Council to suspend or revoke a primate licence for non-payment of any fees due. It is recommended that 28 days is a reasonable time limit to make this payment before the process to suspend or revoke a licence is instigated.

Further training will be required for Officers who are currently authorised to carry out inspections relating to animal licences who are also authorised as Inspectors under Section 51 of the Animal Welfare Act 2006.

Work is currently being undertaken to update the web pages and develop the application form. This will be undertaken within existing resources.

In relation to private primate keepers, the option of issuing fixed penalty notices under the Animals (Penalty Notices) Act will apply for keepers found not to be licensed after 6th April 2026 (an offence under section 13 of the Animal Welfare Act 2006 "AWA"), or for those who have committed an offence under section 9 of the AWA "Duty of person responsible for animal to ensure welfare".

4. Financial Implications

The comments from the Interim Deputy Chief Executive and Section 151 Officer were as follows:

There will only be limited financial implications for the Council. The cost of administering the new primate licensing process will be covered by the appropriate licence fee as outlined above.

5. Legal Implications

The comments from the Head of Legal Services were as follows:

The Animal Welfare (Primate Licences) (England) Regulations 2024 have been made under section 13 of the Animal Welfare Act 2006 and place powers and responsibilities on the Council in respect of licensing of those that keep primates in their area. The relevant provisions are contained within the report

6. Human Resources Implications

There are no comments from the Human Resources Manager.

7. Union Comments

There are no Union comments.

8. Climate Change Implications

There are no climate change implications contained within the report.

9. Data Protection Compliance Implications

This report does not contain any OFFICIAL(SENSITIVE) information and there are no Data Protection issues in relation to this report.

10. Equality Impact Assessment

As this is not a new policy an equality impact assessment is not included in the appendix to this report.

11. Background Papers

Nil.

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