

South Cambridgeshire District Council

Minutes of a meeting of the Licensing Appeals Sub-Committee held on
Wednesday, 8 February 2023 at 9.30 a.m.

PRESENT: Councillor Mark Howell – Chair

Councillors: Dr. Shrobona Bhattacharya Corinne Garvie

Officers: John Goodwin Regulatory Support Officer
Paul Weller Legal Adviser
Jonathan Malton Cabinet Support Officer
Natasha Wade-Guest Licensing Technical Support Officer
(Observer)

1. Declarations of Interest

There were no declarations of interest.

2. Exclusion of Press and Public

The press and public were excluded from the meeting during consideration of the following item of business in accordance with the provisions of Section 100(A)(4) of the Local Government Act 1972 (exempt information as defined in paragraph 1 of Schedule 12A (as amended) of the Act).

3. Introductions / Procedure

Introductions / Procedure The Chair of the Sub-Committee welcomed those present and introduced him/herself; the remaining members of the Sub-Committee and the officers then introduced themselves.

4. Fit and proper status to hold a Private Hire Driver licence

The Sub-Committee heard representations from the Licensing Officer based on the written report, and then from appellant.

The Sub-Committee decided on the balance of probabilities it was approved the **refusal** of the Private Hire Driver Licence to the appellant.

Reasons

In making its decision the sub-committee considered the following:

- Statutory provisions: S51, 61 & 77 Local Government (Miscellaneous Provisions Act) 1976
- Statutory taxi and private hire vehicle standards issued by the Department of Transport in July 2020
- South Cambridgeshire District Council Private Hire and Taxi Policy
- Report of the Licensing Officer
- Advice from the Council's legal adviser

- Evidence as referred to above.

The sub-committee made its decision for the following reasons:

The sub-committee adhered to the Previous Convictions Policy and decided not to deviate from it.

- Paragraph 12 – Drink Driving - Where an applicant has a conviction for drink driving or driving under the influence of drugs, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence or driving ban imposed. In these circumstances, any applicant will also have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs.
- Paragraph 13 – Other Motoring Offences – A minor traffic or vehicle related offence is one which does not involve loss of life, driving under the influence of drink or drugs, driving whilst using a mobile phone, and has not resulted in injury to any person or damage to any property (including vehicles). Where an applicant has 7 or more points on their DVLA licence for minor traffic or similar offences, a licence will not be granted until at least 5 years have elapsed since the completion of any sentence imposed.