

South Cambridgeshire District Council

Minutes of a meeting of the Licensing Appeals Sub-Committee held on
Thursday, 14 October 2021 at 2.00 p.m.

PRESENT: Councillor Eileen Wilson – Chair

Councillors: Jose Hales Fiona Whelan

Officers: Aaron Clarke Democratic Services Officer
John Goodwin Regulatory Support Officer
Paul Weller Legal Adviser

1. **Declarations of Interest**

There were no declarations of interest.

2. **Exclusion of Press and Public**

The press and public are likely to be 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**

4. **Referral to the Licensing Appeals Sub-Committee to consider the fit and proper status to continue as a Private Hire Driver**

The sub-committee heard representations from the licence holder and Licensing Enforcement Officer.

The Sub-Committee decided on the balance of probabilities to **take no further action**.

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 Enforcement Officer
- Advice from the Council's legal adviser
- Representations from the Regulatory Enforcement Officer
- Evidence as referred to above.

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

- The sub-committee took the view that the officer's decision to send a warning letter, was appropriate and proportionate in the circumstances.
- The sub-committee assessed that the appellant had not intentionally misled the Council.
- The sub-committee stated that the sentence 'single source of income' was misleading as this did not imply that a driver would need to declare any additional licences held.
- The appellant had been attending a healthy relationships course in addition to completing his community service.
- The appellant's community supervisor provided a supportive letter.
- The sub-committee assessed that the appellant had shown genuine remorse.