

South Cambridgeshire District Council

Minutes of a meeting of the Licensing Appeals Sub-Committee held on
Thursday, 30 September 2021 at 2.00 p.m.

PRESENT: Councillor Deborah Roberts – Chair

Councillors: Mark Howell Fiona Whelan

Officers: Aaron Clarke Democratic Services Officer
Brooke O'Neil Resource Assistant
Paul Weller Legal Adviser
Rachel Jackson Principal Licensing Officer

1. Introductions / Procedure

2. Declarations of Interest

Councillor Deborah Roberts declared that they had participated on the panel for the licensee's last hearing, but came to the matter afresh.

3. 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).

4. Appeal against the refusal to grant a Private Hire Driver Licence

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

On the balance of probabilities, the sub-committee refused to grant the Private Hire Driver Licence.

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 policy states: '*Where an application has a conviction for any offence of*

dishonesty, or any offence where dishonesty is an element of the offence, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed. That time period would expire at the earliest in November 2022, the appellant provided no cogent reason why the sub-committee should depart from policy.

- The appellant denied the National Crime Agency statement.
- The appellant provided no explanation for the difference between the information provided by the National Crime Agency and the information provided in their additional statement.
- The appellant stated he had applied for a licence because of the Covid pandemic which the chronology of events did not support.
- The appellant did not show remorse for their actions.
- The appellant did not sufficiently prove that they were a fit and proper person.
