

South Cambridgeshire District Council

Minutes of a meeting of the Licensing Appeals Sub-Committee held on
Monday, 6 December 2021 at 2.00 p.m.

PRESENT: Councillor Anna Bradnam – Chair

Councillors: Deborah Roberts Eileen Wilson

Officers: Rachel Jackson Principal Licensing Officer
Brooke O'Neil Technical Licensing Officer
Shirley Tracey Legal Officer
Aaron Clarke Democratic Services Officer

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

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

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

On the balance of probabilities, the sub-committee **approved** the grant of a 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 sub-committee accepted that the appellant had not realised that he was committing an offence in the car park.

- The appellant had admitted that he made a mistake and stated that that he would not do so again.
- The appellant told the sub-committee that when operating as a taxi driver, he uses wireless in-ear headphones.
- Having considered the representations made the sub-committee were minded to deviate from the policy and grant the licence as an exception given the particular circumstances.
- On the balance of probabilities, the sub-committee determined that the appellant was a fit and proper person.