

South Cambridgeshire District Council

Minutes of a meeting of the Licensing Appeals Sub-Committee held on
Tuesday, 1 March 2022 at 8.30 a.m.

PRESENT: Councillor Eileen Wilson – Chair

Councillors: Dr. Shrobona Bhattacharya Deborah Roberts

Officers: Aaron Clarke Democratic Services Officer
Brooke O'Neil Licensing Technical 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 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. **Fit and proper status to hold a Private Hire Driver licence**

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

The Sub-Committee decided on the balance of probabilities to **approve** the refusal of the grant of a private hire 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:

- South Cambridgeshire District Council Policy states, 'a licence will not be granted until at least 7 years have elapsed since the completion of the sentence imposed.' The appellant was 42 months into the 7-year period.
- No persuasive reasons were put forward by the driver to depart from the South Cambridgeshire District Council policy.
- It is the obligation of any applicant to make themselves aware of the terms of the policy before making any application.
- The Sub-Committee were extremely concerned at the tone of the telephone call to staff of South Cambridgeshire District Council and the language used. The appellant did not immediately apologise for his behaviour and only did so when prompted.
- In light of the above, the Sub-Committee took the view that the appellant was not a fit and proper person to hold a Private Hire Driver Licence.