

## South Cambridgeshire District Council

Minutes of a meeting of the Licensing Appeals Sub-Committee held on  
Thursday, 21 April 2022 at 2.00 p.m.

PRESENT: Councillor Deborah Roberts – Chair

Councillors: Jose Hales Mark Howell

Officers: John Goodwin Licensing Enforcement Officer  
Jonathan Malton Cabinet Support Officer  
Paul Weller Legal Adviser

### 1. Declarations of Interest

Councillor Deborah Roberts, Chair of the Sub-Committee, declared an interest as the Chair of previous Sub-Committee attended by the Appellant, dated 24 January 2019, but declared that she came to the matter afresh.

Councillor Jose Hales declared an interest as a Member of a previous Sub-Committee attended by the Appellant, dated 5 August 2016, but declared that he came to the matter afresh.

### 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. Referral to the Licensing Appeals Sub-Committee for accruing 12 penalty points against 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 **Revoke the 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 appellant, over a prolonged period of time, had demonstrated a pattern of irresponsible behaviour, and it is the view of the Sub-Committee that the appellant is not a fit and proper person to hold a Private Hire Licence.
- The appellant had received two letters which imposed penalty points on his Private Hire Licence, but had chosen not to appeal the imposition of those points.
- 12 Penalty Points had been imposed on the appellant's Private Hire Licence
- The Sub-Committee expressed deep concern that the appellant had undertaken a total of 68 individual private hire jobs using a vehicle fitted with a temporary space saver tyre which would not have passed a MOT had it been presented. Therefore, the Sub-Committee were of the view that the appellant did not pay sufficient heed for the safety of passengers or other road users.
- It was the view of the Sub-Committee that the appellant did not appear to acknowledge or understand their responsibility to the travelling public as the holder of a Private Hire Licence.
- In considering the history of the matter, it is the Sub-Committee's belief the appellant had not learnt from their past.