



## **Minutes of a Meeting of the Licensing (Non-Statutory) Sub-Committee**

Held at The Grange, Nutholt Lane, Ely, CB7 4EE at 1:04pm on  
Wednesday 14 February 2024

### **Present:**

Cllr Martin Goodearl  
Cllr Julia Huffer (Chairman)  
Cllr Kelli Pettitt  
Cllr John Trapp  
Cllr Gareth Wilson

### **Officers:**

Lin Bagwell - Licensing Officer (Enforcement)  
Stewart Broome – Senior Licensing Officer  
Maggie Camp – Director Legal Services  
Liz Knox – Environmental Services Manager  
Angela Tyrrell – Senior Legal Assistant  
Hannah Walker – Trainee Democratic Services Officer

### **1. Declarations of Interest**

No declarations of interest were made.

### **2. Exclusion of the Public including representatives of the Press**

It was resolved unanimously:

That the press and public be excluded during the consideration of item no. 4 because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item there would be disclosure to them of exempt information of Categories 1, 2 and 7 of Part 1 Schedule 12A of the Local Government Act 1972 (as Amended)

### **3. Local Government (Miscellaneous Provisions) Act 1976, Part II Report to consider relevant enforcement action against a Joint Hackney Carriage and Private Hire Driver Licence**

Additional information was provided to the Sub-Committee before the meeting, one was an email from the complainant to the Licensing Officer (Enforcement) regarding one incident, and the second was an email from the licence holder to explain an incident in detail.

The Chairman introduced the Members of the Sub-Committee, and the licence holder and their friend introduced themselves. The Sub-Committee considered a report, Y145 previously circulated, to determine whether the licence holder could still be considered 'fit and proper' for the purposes of holding a joint hackney carriage and private hire driver's licence.

The Chairman invited the Senior Licensing Officer to present the report. The Senior Licensing Officer advised Members of the background details and a summary of incidents to the case and why the matter was being referred to the Licensing (Non-Statutory) Sub-Committee.

The Senior Licensing Officer clarified questions raised as points of order and concluded his report to Members that it should be noted that a licence was considered a possession under the Human Rights Act 1998, the licence holder had the right to appeal the decision of the Sub-Committee, and the removal of the licence for any period of time should not be taken lightly. The over-riding consideration in making any decision was the safety, well-being and protection of the travelling public.

The Chairman invited questions to be asked of the Senior Licensing Officer.

The Chairman confirmed with the licence holder that they had received the Officer's report and asked them to present their case. The Chairman also invited the Licence Holder's friend to address the Sub-Committee in support of their case.

The Chairman invited questions to be asked of the licence holder.

The Chairman invited the licence holder to provide a closing statement.

The Chairman invited Members and Officers to comment.

*The Chairman checked that all parties felt they had had a fair chance to state their opinions and reiterated that whilst up to 5 days were allowed for the communication of the Sub-Committee's decision, a decision would be made before the close of the day. The meeting closed at 2:17 pm for the Sub-Committee Members (together with the Director Legal and Senior Legal Assistant) to retire to a closed session to consider the evidence and reach a decision. Following this closed session, the licence holder was called back into the Council Chamber and verbally advised by the Director Legal of the outcome of their case and the reasons for reaching this decision.*

The decision of the Licensing (Non-Statutory) Sub-Committee (in exercise of the powers delegated by East Cambridgeshire District Council as Licensing Authority) was to:

**REVOKE** the joint hackney carriage and private hire driver licence with non-immediate effect.

The Licence Holder was informed that he has the right to appeal to the Magistrates Court within 21 days of receipt of the letter setting out the Taxi Licensing Sub-Committee's decision.