



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

Held at The Grange, Nutholt Lane, Ely, CB7 4EE at 11:00am
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
Angela Tyrrell – Senior Legal Assistant
Hannah Walker – Trainee Democratic Services Officer

1. To Elect the Chairman of the Licensing (Non-Statutory) Sub-Committee

Cllr Julia Huffer was nominated as the Licensing (Non-Statutory) Sub-Committee Chairman by Cllr Kelli Pettitt and seconded by Cllr Martin Goodearl.

There being no other nominations, it was resolved:

That Cllr Julia Huffer be elected as the Chairman of the Licensing (Non-Statutory) Sub-Committee for the 2023-24 municipal year.

2. Declarations of Interest

No declarations of interest were made.

3. 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)

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

The Chairman introduced the Members of the Licensing (Non-Statutory) Sub-Committee, and the licence holder and their colleague introduced themselves. The Sub-Committee considered a report, Y144 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 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 invited questions to be asked of the licence holder.

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 11:30 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 the 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:

Issue the **WRITTEN WARNING** to be recorded against the joint hackney carriage and private hire driver licence.