

**GENERAL LICENSING COMMITTEE
22 OCTOBER 2013**

PRESENT – Councillors L. Vasey (in the Chair) L. Haszeldine, C.L.B. Hughes, B. Jones, D. Jones, Lawton, Lee, Newall, Stenson, Thistlethwaite and J. Vasey. (11)

APOLOGIES – Councillors J. Lyonette and Nutt. (2)

L28. DECLARATIONS OF INTEREST – No declarations of interest were made at the meeting.

L29. MINUTES – Submitted – The Minutes (previously circulated) of the meeting of this Licensing Committee held on 1st October 2013.

Members discussed Police attendance at Committee meetings and were extremely disappointed that there was no police representation at the meeting and requested the Democratic Officer to write to the Chief Superintendent of Durham Police expressing their concerns.

RESOLVED – (a) That the Minutes be approved; and

(b) That a letter be sent on behalf of the Committee to the Chief Superintendent of Durham Police expressing Members disappointment that there was no police representation at the meeting.

L30. PROTECTING THE RESIDENTS OF DARLINGTON THROUGH LICENSING – The Director of Public Health and the Local Safeguarding Children Board Business Manager introduced a presentation outlining safeguarding issues in relation to children and adults. Members were reminded that Section 13 of the Children Act 2004 required each Local Authority to establish a Local Safeguarding Children’s Board for their area and Regulation 5 of the Local Safeguarding Children’s Board’s Regulations 2006 sets out the functions of the Board. Darlington has also established a Local Safeguarding Adults Board, although, there is no formal requirement to do so yet.

Members acknowledged their safeguarding responsibilities and the fact that they are all Corporate Parents and that it was forefront at their minds when making decisions in Committee meetings. Members worked through Case Studies which encouraged them to think about safeguarding issues, they might have been previously unaware of.

RESOLVED – (a) That the presentation be noted and the Officers be thanked for their attendance at the meeting; and

(b) That Officers be invited to attend a future meeting of the Committee to continue to promote safeguarding issues.

L31. EXCLUSION OF THE PUBLIC – RESOLVED – That, pursuant to Sections 100A (4) and (5) of the Local Government Act 1972, the public be excluded from the meeting during the consideration of the ensuing item on the grounds that it involves the likely

disclosure of exempt information as defined in exclusion paragraphs 1 and 7 of Part I of Schedule 12A to the Act.

L32. REVIEW OF A PRIVATE HIRE DRIVER LICENCE – The Director of Place submitted a report (previously circulated) inviting Members to consider an application to review a Private Hire Driver Licence.

(1) Ref. No. 19/13 An application to review a Private Hire Driver Licence following a conviction for a motoring offence in relation to excessive speed.

The Driver addressed the meeting and responded to Members' questions in relation to the offences and to why he felt he was a fit and proper person to hold a Private Hire Driver Licence.

In reaching their decision, Members were extremely concerned at the driver's poor history of motoring offences, specifically the four previous offences of speeding and the fact that he admitted lack of concentration on occasion and that the majority of offences were all committed on the same road. Members were also concerned at the driver's apparent inability to take responsibility for his actions in relation to the theft and common assault offences. After careful consideration however, Members noted that the driver had managed to stay free from conviction for three years prior to the most recent speeding offence. Members also considered revocation of the licence based on the driver's complete history of offences.

RESOLVED – (a) That the Licence be retained subject to him successfully completing the Driver Improvement Scheme, at his own expense and to be completed by 31 January 2014; and

(b) That a Final Warning Letter be issued reminding the driver that any further caution or conviction; incidents or offences of any kind would result in the immediate return to the Committee for a further review of the licence.