

**GENERAL LICENSING COMMITTEE  
6TH MAY 2014**

**PRESENT** – Councillors Nutt (in the Chair); Councillors L Haszeldine, CLB Hughes, B Jones, Lee, Newall J Vasey and L Vasey. (8)

**APOLOGIES** – Councillors D Jones, Lawton, J Lyonette, Stenson and Thistlethwaite. (5)

**ALSO IN ATTENDANCE** – Durham Constabulary representative. (1)

**L58. DECLARATIONS OF INTEREST** – There were no declarations of interest reported at the meeting.

**L59. MINUTES** – Submitted – The Minutes (previously circulated) of the meeting of this Licensing Committee held on 8<sup>th</sup> April, 2014.

**RESOLVED** – That the Minutes be approved.

**L60. 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.

**L61. APPLICATION FOR A PRIVATE HIRE DRIVER LICENCE** – Pursuant to Minutes L13(1)/Jul/13 and L36(1)/Nov/13, the Director of Economic Growth submitted a report (previously circulated) inviting Members to consider a further application for a Private Hire Driver in light of offences and medical issues.

**(1) Ref. No. 11/14** An application for a Private Hire Driver Licence in respect of a conviction for Solicit for prostitution from motor vehicle; an Adult Caution for being drunk on an aircraft; and a fixed penalty for Drunk and disorderly.

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

The Applicant also confirmed that there had not been any changes since the Committee in November 2013.

Members considered the Applicant's medical evidence and the fact that the DVLA Group II Medical Standards require that a licence be refused until at least a one year period of abstinence or controlled drinking has been attained in the case of alcohol misuse, and refusal for at least three years in the case of alcohol dependence. Members concluded that the Applicant met these Standards and there was therefore no medical reason for refusing the application.

Members also took into account the applicants' previous convictions history which were all were alcohol related and particularly the recent fixed penalty notice for being drunk and disorderly.

In reaching their decision, Members referred to the Council's Policy which was last approved by full Council in January 2012 which clearly states that 'applicants with a conviction, caution, reprimand or final warning involving public order offences will normally be refused a licence. An application will however be considered where the applicant can show at least three years free of such conviction, caution, reprimand or final warning from either the date of conviction, caution, reprimand or final warning or three years from completion of any custodial sentence imposed, whichever is the later.' After a detailed discussion, Members were unable to find any exceptional circumstances which would make them be prepared to depart from the Policy.

**RESOLVED** – That the application be refused.

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