

GENERAL LICENSING SUB COMMITTEE

11 JULY 2017

PRESENT – Councillors L. Haszeldine, Kane, Lawton and Nutt. (4)

OFFICERS – Julie Richings, Principal Licensing Officer; Amy Wennington, Lawyer; Joanne Jackson, Licensing Enforcement Officer and Allison Hill, Democratic Officer.

ALSO IN ATTENDANCE – Sgt C Dickinson, Durham Constabulary.

LGS5. ELECTION OF CHAIR – RESOLVED – That Councillor Nutt be elected Chair for the purpose of this meeting.

LGS6. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

LGS7. 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.

LGS8. REVIEW OF PRIVATE HIRE DRIVER LICENCE (REF NO. 6/17) – The Director of Economic Growth submitted a report (previously circulated) to give consideration to a review of a Private Hire Driver Licence in light of a recent police caution for the cultivation of cannabis at his home address.

The driver attended the meeting and responded to Members questions in relation to the above, and to why they felt that they were a fit and proper person to hold a Hackney Carriage Driver Licence.

In reaching their decision, Members took into consideration the Council's Licensing Policy, which sets out the Council's stance on the Relevance of Convictions, Cautions and Endorseable Fixed Penalties; Section 51 (1) (a) of the Local Government (Miscellaneous Provisions) Act 1976 that advises that the Council shall not grant a licence unless they are satisfied that an applicant is a fit and proper person to hold a driver's licence; and the provision of Section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976 in relation to the grounds on which a driver's licence may be suspended, revoked or refused to renew.

After careful consideration Members agreed to revoke the drivers Private Hire Driver Licence.

In reaching their decision Members agreed that the driver was not a fit and proper person to hold a Private Hire Driver Licence as the Council's Licensing Policy states

that a taxi driver should be free from caution for drug offences for a five year period; the driver changed their story regarding the circumstances surrounding the incident and the Members did not find them to be a trustworthy person; the Members believed that on the balance of probabilities, the original version of the story given to the Licensing Enforcement Officer in interview was correct and that the driver was growing the cannabis to make money; the Members could not allow a driver who admits to being a drug user to continue to drive members of the public.; and the sub Committee Members were also concerned about the involvement of minors in this offence.

RESOLVED – That the Licence be revoked by virtue of Section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976.