

GENERAL LICENSING SUB COMMITTEE

14 NOVEMBER 2017

PRESENT – Councillors B Jones, D Jones, Kane, Lee and Nutt. (5)

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

ALSO IN ATTENDANCE – PCSO M McAllister, Durham Constabulary and Bethany Symonds, Lawyer.

LGS13. ELECTION OF CHAIR – RESOLVED – That Councillor Nutt be elected Chair for the purpose of this meeting.

LGS14. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

LGS15. 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.

LGS16. APPLICATION FOR GRANT OF HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCE (REF NO. 8/17) – The Director of Economic Growth submitted a report (previously circulated) to give consideration to an application for the grant of a hackney carriage driver and private hire driver licence in the light of a recent motoring conviction which was not declared during the application process.

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 and Private Hire 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 Town Police Clauses Act 1847.

After careful consideration Members agreed to grant the application with a warning letter.

In reaching their decision Members agreed that although they were concerned that the driver had not declared a pending conviction at the time of application and they did not condone the amount of motoring convictions the driver had, they agreed the grant be

with a warning letter regarding the drivers conduct.

RESOLVED – That the licence be granted with a warning letter in respect of future conduct and warned that if any further convictions, cautions, warning or reprimands are received they would be referred to immediately to the General Licensing Subcommittee.