

## **GENERAL LICENSING SUB COMMITTEE**

Tuesday, 10 September 2019

**PRESENT** – Councillors , Donoghue, Dulston, C L B Hughes, B Jones and K Nicholson

**OFFICERS IN ATTENDANCE** – Amy Wennington (Principal Lawyer (Litigation)), Carol Glasper (Designated Officer), Allison Hill (Democratic Officer), Brian Murray (Assistant Licensing Manager), Pc Iain Robertson (Durham Constabulary) and Mark Walton (Licensing Enforcement Officer)

### **LGS9 ELECTION OF CHAIR**

**RESOLVED** - That Councillor K Nicholson be elected Chair for the purpose of this meeting.

### **LGS10 DECLARATIONS OF INTEREST**

There were no declarations of interest reported at the meeting.

### **LGS11 EXCLUSION OF THE PUBLIC AND PRESS**

**RESOLVED** – That, pursuant to Sections 100A (4) and (5) of the Local Government Act 1972, the public be excluded from the meeting during 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 1 of Schedule 12A to the Act.

### **LGS12 PRIVATE HIRE DRIVER LICENCE APPLICATIONS FOR GRANT AND REVIEW (EXCLUSION PARAGRAPHS 1 AND 7)**

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 referral from the Local Authority Designated Officer; and an application for the grant of a Private Hire Driver Licence in light of previous convictions and current motoring convictions.

**Ref 10/19** – To give consideration to the recent suspension of a Private Hire Driver Licence in light of a pending investigation by Durham Constabulary.

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 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 in assessing whether an applicant is a fit and proper person; the Council's Private Hire and Hackney Carriage Licensing Policy and Procedures; Section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976; and Section 52 of the Road safety Act 2006 as amended Section 61 of the 1976 Act relating to a suspension or revocation of a Licence.

After careful consideration Members decided to confirm the suspension of the Hackney Carriage Driver Licence in the interests of public safety.

**RESOLVED** – That the suspension of the Hackney Carriage Driver Licence be confirmed pending outcome of the police investigations, under the provisions of Section 61(2B) of the Local Government (Miscellaneous Provisions) Act 1976

**Ref 11/19** – To give consideration to an application for the grant of a Private Hire Driver licence in light of previous convictions and a current motoring conviction.

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 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 in assessing whether an applicant is a fit and proper person; the Council's Private Hire and Hackney Carriage Licensing Policy and Procedures; and Section 51(1)(a) of the Local Government (Miscellaneous Provisions) Act 1976.

After careful consideration Members decided to grant the application as they felt that the driver had turned their life around and acknowledged that the driver was very young when they had committed the violent offences and they occurred during a difficult time in their personal life and now as an adult appeared to have taken control of their emotions.

**RESOLVED** – That the application for a Private Hire Driver Licence be granted.