

GENERAL LICENSING SUB COMMITTEE

Tuesday, 20 October 2020

PRESENT – Councillors Donoghue, C L B Hughes, B Jones, Lee and Snedker

ALSO IN ATTENDANCE – Councillors Sgt C Dickenson (Durham Constabulary)

OFFICERS IN ATTENDANCE – Bethany Symonds (Lawyer), Graham Hall (Head of Community Safety), Colin Dobson (Licensing Manager), Allison Hill (Democratic Officer) and Brian Murray (Assistant Licensing Manager)

LGS9 ELECTION OF CHAIR FOR THE PURPOSE OF THE MEETING

RESOLVED - That Councillor B Jones be elected Chair for the purpose of this meeting.

LGS10 DECLARATIONS OF INTEREST

There were no declarations of interest reported at this 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 REVIEW OF PRIVATE HIRE DRIVER LICENCE (EXCLUSION PARAGRAPHS 1 AND 7)

Ref 05/20 - 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 information received from Durham Constabulary.

The driver was unable to attend the meeting to respond 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 as he was currently being remanded in custody awaiting trial.

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.

After careful consideration Members decided that although the driver had not been convicted for the offences for which they had been charged, the Members' were mindful of the serious nature of the allegations and determined that this was a

reasonable cause to revoke their licence. If the driver was to be acquitted of the offences in future they will be able to reapply for a licence and the application would be expedited.

RESOLVED – That the licence be revoked with immediate effect in the interests of public safety in accordance with the provisions of Section 61(2B) of the Local Government (Miscellaneous Provisions) Act 1976.