

GENERAL LICENSING SUB COMMITTEE

Tuesday, 21 September 2021

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

APOLOGIES – Councillors Snedker,

OFFICERS IN ATTENDANCE – Amy Wennington (Principal Lawyer (Litigation)), Allison Hill (Democratic Officer), Brian Murray (Assistant Licensing Manager) and Sgt C Dickenson and PC M Dolan (Durham Constabulary)

LGS1 ELECTION OF CHAIR FOR THE PURPOSE OF THE MEETING

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

LGS2 DECLARATIONS OF INTEREST

There were no declarations of interest reported at this meeting.

LGS3 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.

LGS4 REVIEW OF A HACKNEY CARRIAGE DRIVER LICENCE (EXCLUSION PARAGRAPHS 1 AND 7)

The Group Director of Services submitted a report (previously circulated) to give consideration to a review of a Hackney Carriage Driver Licence in light of information received from 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 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 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 to confirm the suspension of the licence and agreed that the allegations were serious; the investigation remained ongoing; and that the driver may pose a safety risk to passengers and the wider public and did not hear anything that would convince them to step outside the Licensing Policy.

RESOLVED - That the Hackney Carriage Driver Licence which was previously suspended in

accordance with section 61(2B) of the Local Government (Miscellaneous Provisions) Act 1976 in the interests of public safety be confirmed in accordance with the same legislation.