

GENERAL LICENSING SUB COMMITTEE

Tuesday, 19 July 2022

PRESENT – Councillors Donoghue, C L B Hughes, Lee, Mrs H Scott and Snedker

OFFICERS IN ATTENDANCE – Amy Wennington (Principal Lawyer (Litigation)), Colin Dobson (Licensing Manager), Allison Hill (Democratic Officer), PC Iain Robertson (Durham Constabulary), PC Newcombe (Durham Constabulary) and Thomas Mann (Licensing Support Officer)

LGS5 ELECTION OF CHAIR FOR THE PURPOSE OF THE MEETING

RESOLVED - That Councillor C Hughes be elected Chair for the purpose of this meeting.

LGS6 DECLARATIONS OF INTEREST

There were no declarations of interest reported at this meeting.

LGS7 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.

LGS8 PRIVATE HIRE DRIVER LICENCE APPLICATION FOR GRANT (EXCLUSION PARAGRAPHS 1 AND 7)

Ref. 05/22 - The Group Director of Services submitted a report (previously circulated) to give consideration to a new application for a grant of a Private Hire Driver Licence in light of previous convictions including motoring convictions.

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 depart from the Council's Licensing Policy that there will be an expectation that applicants have been free from any conviction for violence for at least ten years as the applicant had demonstrated to Members that he was fit and proper person and they were satisfied that they were remorseful, and that they had changed their behaviour and that this had been a stand-alone incident.

However, due to the violence conviction and two speeding incidents, Members agreed that the driver be issued with a warning about their conduct.

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