

GENERAL LICENSING SUB COMMITTEE

Tuesday, 29 November 2022

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

OFFICERS IN ATTENDANCE – Amy Wennington (Principal Lawyer (Litigation)), Colin Dobson (Licensing Manager), Allison Hill (Democratic Officer), Brian Murray (Assistant Licensing Manager), Sgt C Dickenson (Durham Constabulary) and Hannah Miller (Democratic Officer)

LGS17 ELECTION OF CHAIR FOR THE PURPOSE OF THE MEETING

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

LGS18 DECLARATIONS OF INTEREST

There were no declarations of interest reported at this meeting.

LGS19 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.

LGS20 PRIVATE HIRE DRIVER LICENCE APPLICATIONS FOR GRANT (EXCLUSION PARAGRAPHS 1 AND 7)

The Group Director of Services submitted a report (previously circulated) to give consideration to applications for grant of Private Hire Driver Licence.

Ref 10/22

To give consideration to the grant of a Private Hire Driver Licence in light of previous 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 grant the Private Hire Driver Licence as the incident had occurred in 2016 and they felt that the driver had showed a degree of naivety regarding the incident.

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

Ref 11/22

To give consideration to the grant of a Private Hire Driver Licence in light of previous 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 grant the Private Hire Driver Licence.

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

Ref 12/22

To give consideration to the grant of a Private Hire Driver Licence in light of a previous caution.

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

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 not to grant of the application in relation to the caution for harassment received in 2020 and with regard to the information had come to light during the meeting from Sergeant Dickenson that the driver was currently on police bail for the offence of assault occasioning bodily harm and awaiting a decision from the Crown Prosecution Service; and also that the driver had not disclosed this information either at Interview by the Licensing Officers or to Members at the meeting and therefore had been dishonest.

RESOLVED – That the application be refused as the Committee did not consider the application to be a fit and proper person to hold a Private Hire Driver Licence.