

GENERAL LICENSING SUB COMMITTEE

Tuesday, 17 January 2023

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

ALSO IN ATTENDANCE – Councillor H Scott

OFFICERS IN ATTENDANCE – Amy Wennington (Principal Lawyer (Litigation)), Colin Dobson (Licensing Manager), Brian Murray (Assistant Licensing Manager), Allison Hill (Democratic Officer), Michael Conway (Mayoral and Democratic Officer) and PC Alan Newcombe (Durham Constabulary)

LGS21 ELECTION OF CHAIR FOR THE PURPOSE OF THE MEETING

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

LGS22 DECLARATIONS OF INTEREST

There were no declarations of interest reported at this meeting.

LGS23 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.

LGS24 PRIVATE HIRE DRIVER LICENCE REVIEW AND APPLICATION FOR GRANT OF A PRIVATE HIRE 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 Private Hire Driver Licence and an application for grant of a Private Hire Driver Licence.

Ref: 01/23

To give consideration to a review of a Private Hire Driver Licence in light of a non-molestation order issued by the family court.

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 61(1) of the Local Government (Miscellaneous Provisions) Act 1976.

After careful consideration Members decided that the driver be allowed to retain his Private Hire Driver Licence as this was an isolated incident and the non- molestation order had now been lifted; and the driver had been a licensed driver for over 20 years without any other incidents.

RESOLVED – That no further action be taken and the Licence be retained.

Ref: 02/23

To consider the application for the grant of a Private Hire Driver Licence in light of medical information.

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 for a Private Hire Driver Licence as Members were satisfied that they were a fit and proper person to drive a licensed vehicle and also took into consideration the letter from the drivers GP that in their opinion the driver was fit to meet the DVLA Group 2 standards.

RESOLVED – That the application be granted.