

GENERAL LICENSING SUB COMMITTEE

Tuesday, 13 June 2023

PRESENT – Councillors Haszeldine (Chair), Ali, Curry, Donoghue and Dulston

ALSO IN ATTENDANCE – Councillors Coe, Crumbie, Kane, Ray and Snedker

OFFICERS IN ATTENDANCE – Amy Wennington (Principal Lawyer (Litigation)), Hannah Miller (Democratic Officer), Colin Dobson (Licensing Manager), Brian Murray (Assistant Licensing Manager) and PC Alan Newcombe (Durham Constabulary)

LGS1 ELECTION OF CHAIR FOR THE PURPOSE OF THE MEETING

RESOLVED - That Councillor Haszeldine 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 PRIVATE HIRE DRIVER LICENCE APPLICATION FOR GRANT AND DUAL BADGE (HACKNEY CARRIAGE DRIVER LICENCE AND A PRIVATE HIRE DRIVER LICENCE) APPLICATION FOR GRANT (EXCLUSION PARAGRAPHS 1 AND 7)

The Group Director of Services submitted a report (previously circulated) to give consideration to an application for grant of a Private Hire Driver Licence and an application for grant of a Dual Badge (Hackney Carriage Driver Licence and Private Hire Driver Licence).

Ref: 06/23

To give consideration to an application for grant of a Private Hire Driver Licence in light of a previous caution and a previous refusal of a licence.

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 guidance as to the Relevance of Convictions, Cautions, Reprimands, Fixed Penalties, Warnings and Complaints 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 driver a Private Hire Driver Licence as they were satisfied that they were a fit and proper person, however due to the drivers dishonesty at a previous Committee in relation to a police investigation for assault occasioning actual bodily harm, Members agreed that a warning be issued about their future conduct.

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

Ref: 7/23

To give consideration to an application for grant of a Dual Badge (Hackney Carriage and Private Hire) Driver Licence in light of a previous revocation.

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 dual badge driver licence.

In reaching their decision, Members took into consideration the Council's guidance as to the Relevance of Convictions, Cautions, Reprimands, Fixed Penalties, Warnings and Complaints 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 driver a Dual Badge Driver Licence as they were satisfied that they were a fit and proper person, however due to previously having had their licence revoked following a complaint regarding aggressive and racially abusive language, Members agreed that the Licence be granted on the proviso that the driver attends Equality and Diversity training provided by Officers from the Council. Members also agreed that a warning be issued about their future conduct.

RESOLVED - That the application be granted on the proviso that the driver attends Equality and Diversity training; a warning letter be issued 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.