

GENERAL LICENSING SUB COMMITTEE

Tuesday, 24 September 2024

PRESENT – Councillors Mrs Culley, Curry, Dulston, Kane and K Nicholson

OFFICERS IN ATTENDANCE – Jim Langley (Principal Lawyer - Litigation), Tom Mann (Licensing Enforcement Officer), Colin Dobson (Licensing Manager), Sgt C Dickenson (Durham Constabulary) and Hannah Miller (Democratic Officer)

LGS6 ELECTION OF CHAIR FOR THE PURPOSE OF THE MEETING

RESOLVED - That Councillor K Nicholson be elected Chair for the purpose of this meeting.

LGS7 DECLARATIONS OF INTEREST

There were no declarations of interest reported at this meeting.

LGS8 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.

LGS9 PRIVATE HIRE DRIVER LICENCE GRANT AND REVIEW (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 12/24

To confirm the suspension of the licence of a private hire driver in light of an ongoing criminal investigation by 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 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 2021; and Section 61 (1) of the Local Government (Miscellaneous Provisions) Act 1976.

After careful consideration Members decided to confirm the suspension of the licence as the investigation remained ongoing.

RESOLVED – That the Private Hire Driver Licence which was previously suspended in accordance with section 61 (1) of the Local Government (Miscellaneous Provisions) Act 1976 in the interests of public safety, be confirmed in accordance with the same legislation.

Ref 13/24

To give consideration to an application for grant of a Private Hire Driver Licence in light of a previous conviction.

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 2021; 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 they were satisfied that they were a fit and proper person. In doing so, Members noted that the driver had declared the endorsement on his licence at the time of his application; that the endorsement was due to expire in eight months; and the driver had no other relevant convictions. Members decided that a warning as to future conduct should also be issued due to driving without the required business insurance.

RESOLVED – That the application for a Private Hire Driver Licence be granted and the driver be issued with a warning letter in respect of future conduct.