

GENERAL LICENSING SUB COMMITTEE

Tuesday, 17 December 2024

PRESENT – Councillors , Mrs Culley, Curry, Kane and Lawley

APOLOGIES – Councillor Haszeldine

ALSO IN ATTENDANCE – Councillors Snedker and Toms

OFFICERS IN ATTENDANCE – Jim Langley (Principal Lawyer - Litigation), Colin Dobson (Licensing Manager), Brian Murray (Assistant Licensing Manager), Sophie Tumelty (Licensing Support Officer), Sgt C Dickenson (Durham Constabulary), Sgt M Clarkson and Hannah Miller (Democratic Officer)

LGS14 ELECTION OF CHAIR FOR THE PURPOSE OF THE MEETING

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

LGS15 DECLARATIONS OF INTEREST

There were no declarations of interest reported at this meeting.

LGS16 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.

LGS17 PRIVATE HIRE DRIVER LICENCE APPLICATIONS FOR GRANT AND REVIEWS OF A HACKNEY CARRIAGE DRIVER LICENCE AND PRIVATE HIRE DRIVER LICENCES (EXCLUSION PARAGRAPHS 1 AND 7)

The Assistant Director of Economic Growth submitted a report (previously circulated) to give consideration to reviews of a Private Hire Driver Licence, a new application for a Private Hire Driver Licence and a review of a Hackney Carriage Driver Licence.

Ref 14/24

To confirm the suspension of the licence of a Private Hire Driver in light of an ongoing criminal investigation by Durham Constabulary.

The driver had notified the Licensing Manager that he did not intend to attend the meeting.

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 to revoke the Private Hire Driver Licence as when the licence was granted in June 2023 it was granted with a warning about future conduct. Members felt that given the nature of the ongoing criminal investigation and in light of a previous warning, that the licence be revoked.

RESOLVED – That the Licence be revoked under Section 61(1(b) of the Local Government (Miscellaneous Provisions) Act 1976.

Ref 15/24

To give consideration to an application for 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 refuse the application in light of the previous convictions and following additional information that had come to light during the meeting regarding a further driving offence that had not been declared.

RESOLVED – That the application for grant of a Private Hire Driver Licence be refused.

Ref 16/24

To review the licence of a Private Hire Driver in light of a new 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 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 and the Council's Private Hire and Hackney Carriage Licensing Policy and Procedures.

After careful consideration Members decided to revoke the driver's license due to the nature of the offence outlined in the submitted report and concerns regarding the fitness and propriety of the driver.

RESOLVED – That the Licence be revoked under Section 61(1(b) of the Local Government (Miscellaneous Provisions) Act 1976.

Ref 17/24

To review a Hackney Carriage Driver licence in light of a new speeding conviction.

The driver did not attend the meeting and was therefore unable to respond to Members questions as to why he was a fit and proper person to retain a private hire driver licence.

The Assistant Licensing Manager informed Members that the driver's licence had been suspended due to not being able to establish medical fitness in light of an outstanding medical assessment.

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 to revoke the driver's licence due to the nature of the offence outlined in the report and in light of not being able to establish the driver's medical fitness.

RESOLVED – That the Licence be revoked under Section 61(1(b) of the Local Government (Miscellaneous Provisions) Act 1976.