

GENERAL LICENSING SUB COMMITTEE

Wednesday, 15 May 2024

PRESENT – Councillors Curry, Donoghue, Kane, Lee and K Nicholson.

OFFICERS IN ATTENDANCE – Jim Langley (Principal Lawyer - Litigation), Brian Murray (Assistant Licensing Manager), Sgt C Dickenson (Durham Constabulary) and Paul Dalton (Democratic and Elections Officer).

LGS33 ELECTION OF CHAIR FOR THE PURPOSE OF THE MEETING

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

LGS34 DECLARATIONS OF INTEREST

There were no declarations of interest reported at this meeting.

LGS35 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.

LGS36 PRIVATE HIRE DRIVER LICENCE - REVIEW OF A PRIVATE HIRE DRIVER LICENCE (EXCLUSION PARAGRAPHS 1 AND 7)

The Group Director of Services submitted a report (previously circulated) which invited Members to give consideration to a review of a Private Hire Driver Licence in light of information provided by Durham Constabulary.

Ref: 08/24

The driver attended the meeting, responded to Members questions in relation to the above, and was invited to address the Committee in response to the ongoing investigation, which included why he remained a fit and proper person to hold a Private Hire Driver Licence.

During the meeting, the Police Officer in attendance from Durham Constabulary advised the Committee that the driver had been arrested on 27th March 2024, for the offence of stalking, and that there was an active ongoing investigation. Members were advised that allegation of stalking spanned several months, that his role as a taxi driver featured in the investigation, and the attending Police Officer outlined the incidents and pattern of behaviour that formed the investigation.

The sub-Committee were advised that the driver had been placed on conditional bail until 27th June 2024, whilst charging advice was awaited from the Crown Prosecution Service.

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; Section 51 (1)(a) of the Local Government (Miscellaneous Provisions) Act 1976; Section 52 of the Road Safety Act 2006; and Section 61(1)(b) of the Local Government (Miscellaneous Provisions) Act 1976.

After careful consideration Members decided to revoke the driver's Private Hire Driver Licence as they did not consider the driver to be "fit and proper". The Members made this decision in accordance with Section 61(1)(b) of the Local Government (Miscellaneous Provisions) Act 1976.

Although the driver had not been charged or convicted, the Committee felt the offence alleged was sufficiently serious enough to warrant a revocation, particularly as it is alleged that the driver used his taxi when perpetrating the offence, and given the nature of the offence, Members decided that they would not feel comfortable with members of their family being a passenger in the driver's taxi.

RESOLVED – That the Private Hire Driver Licence be revoked.