

GENERAL LICENSING SUB COMMITTEE

Tuesday, 12 November 2019

PRESENT – Councillors Clarke, Dulston, C L B Hughes, B Jones and K Nicholson

APOLOGIES – Councillor Newall

OFFICERS IN ATTENDANCE – Amy Wennington (Principal Lawyer (Litigation), Graham Hall (Head of Community Safety), Allison Hill (Democratic Officer), Brian Murray (Assistant Licensing Manager), Paula Park (Regulatory Compliance Officer Apprentice) and Sgt C Dickenson (Durham Constabulary).

LGS13 ELECTION OF CHAIR

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

LGS14 DECLARATIONS OF INTEREST

RESOLVED – There were no declarations of interest reported at this meeting.

LGS15 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.

LGS16 HACKNEY CARRIAGE DRIVER LICENCE (EXCLUSION PARAGRAPHS 1 AND 7)

The Director of Economic Growth submitted a report (previously circulated) to give consideration to the recent suspension of the Hackney Carriage Driver Licence in light of convictions for making indecent images of children and possessing images of extreme pornography.

The driver did not attend the meeting. Members considered appropriate action they may wish to take.

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

After careful consideration Members decided to revoke the Licence as they felt that this was a proportionate response to the severity of the offences that had been committed and the risk to the public that the driver posed. Members also noted that the driver had failed to inform the Council that they had been charged with these

extremely serious offences.

RESOLVED – That the Licence be revoked with immediate effect in accordance with Section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976.