

General Licensing Committee

A meeting of General Licensing Committee was held on Tuesday, 7th January, 2020.

Present: Cllr Paul Kirton (Chair); Cllr Evaline Cunningham, Cllr Ken Dixon, Cllr Clare Gamble, Cllr Eileen Johnson, Cllr Tina Large, Cllr Mick Moore, Cllr Maurice Perry, Cllr Hilary Vickers and Cllr Bill Woodhead MBE.

Officers: Leanne Maloney-Kelly, Peter Bell (MD); Jonathan Nertney (HR, L&C).

Also in attendance: James Douglas (Observer)

Apologies: Cllr Jackie Bright, Cllr Chris Clough, Cllr Jean O'Donnell and Cllr Julia Whitehill.

**GLC
25/19 Evacuation Procedure**

The evacuation procedure was noted.

**GLC
26/19 Declarations of Interest**

There were no interests declared.

**GLC
27/19 Minutes from the meetings which were held on the 8th and 22nd October 2019**

Consideration was given to the minutes of the meetings held on 8 and 22 October 2019.

RESOLVED that the minutes be approved as a correct record.

**GLC
28/19 Exclusion of the Public**

RESOLVED that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act.

**GLC
29/19 Private Hire Driver Application - 138837**

Members were asked to consider a report and determine an application for a private hire driver's licence and to consider whether the applicant was a 'fit and proper person' to hold a licence following the refusal to renew his licence in March 2019.

Private Hire Driver Applicant – Ref 138837 and his representative were in attendance at the meeting.

Committee papers and reports had been provided to all relevant parties prior to the meeting.

The report detailed the following:

- A copy of the application
- A copy of Private Hire Driver Applicant – Ref 138837 DVLA check
- A copy of minute L 60/18 from the Licensing Committee held on 12 March 2019
- A copy of the decision letter from the Licensing Committee held on 12 March 2019

Upon submission of the application it was identified that Private Hire Driver Applicant – Ref 138837 had three DVLA points for speeding. The Committee considered all of the evidence including the Committee report, the submissions made by Private Hire Driver Applicant – Ref 138837, his previous history and warnings were also considered.

As Private Hire Driver Applicant – Ref 138837 met Transport Policy the Committee were minded to grant his licence application with a written warning owing to his previous driving and disciplinary history. The Committee noted Private Hire Driver Applicant – Ref 138837 had not had access to a vehicle since March 2019 and as such required Private Hire Driver Applicant – Ref 138837 to undertake the Tees Valley Driver Improvement Scheme at his own cost. After satisfactory completion of the scheme the Committee delegated the application decision to the Licensing Team Leader in consultation with the Chair of the Committee.

Private Hire Driver Applicant – Ref 138837 was remind that as a licensed driver with the Authority, he should drive his vehicle with due care and attention at all times, taking into account the safety of his passengers, other road users and pedestrians.

As Private Hire Driver Applicant – Ref 138837 had a history of failing to notify the licensing service of convictions he was reminded under his driver licence conditions he must notify the Licensing Authority within 7 days of any conviction. Failure to do so, or any further DVLA points or complaints regarding his manner of driving would show this and previous warning letters had not had the desired effect in curbing his behaviour and Private Hire Driver Applicant – Ref 138837 would be referred to the Licensing Committee again, for the Committee to consider his continued fitness to hold a licence with the Authority.

RESOLVED that Private Hire Driver Applicant – Ref 138837 after satisfactory completion of the driver improvement scheme the Committee delegated the application decision to the Licensing Team Leader in consultation with the Chair of the Committee.

GLC 30/19 **Delegated Decisions Update Report**

Consideration was given to a report that provided an update with regard to the decisions that officers had made in utilising powers delegated to them by the Committee. The report also to updated Members on the legal appeals that had been lodged and concluded.

RESOLVED that the information be noted.