

NORTHUMBERLAND COUNTY COUNCIL

LICENSING AND REGULATORY SUB-COMMITTEE

At a meeting of the **Licensing and Regulatory Sub-Committee** held in **Committee Room 2, County Hall, Morpeth, NE61 2EF** on **Thursday, 03 August 2017** at **10:00 am**

PRESENT

Councillor J I Hutchinson
(in the Chair)

MEMBERS

T Cessford (Reserve)
B Crosby

R Gibson

OFFICERS

H Bowers
T Hardy
N Masson

Democratic Services Officer
Licensing Manager
Principal Solicitor, Regulation

1. ELECTION OF CHAIR

RESOLVED that Councillor Ian Hutchinson be elected as Chair for the duration of the meeting.

2. EXCLUSION OF PRESS AND PUBLIC

RESOLVED:-

- (a) that under Section 100A of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items on the Agenda as they involved the likely discussion of exempt information as defined in Part 1 of the Schedule 12(A) of the 1972 Act, and
(b) that the public interest in maintaining the exemption outweighs the public interest in disclosure for the following reasons:-

Agenda Item 4, Paragraph 1 of Part 1 of Schedule 12A

"information relating to any individual."

PART II

3. REPORTS OF THE CHIEF FIRE OFFICER

Case 03/08/17/363

As the applicant was in attendance.

The Licensing Manager introduced the report and advised members that the applicant had submitted an application for a private hire driver's licence which officers were unable to deal with under delegated powers.

The applicant confirmed his current address.

The sub-committee was asked to consider the application and the applicant's representations along with the written and oral report of the Licensing Manager, DBS and relevant law and guidance policy to determine whether or not the applicant was a fit and proper person to hold such a licence. It was stated that the burden of proof rested upon the applicant and the standard of proof rested upon the civil standard of proof.

The applicant presented his case and spoke in support of his application. He then answered questions from the sub-committee.

Members of the sub-committee remained in the meeting to deliberate and make their decision and all others, except the legal advisor left the room.

When all were asked to return to the meeting the Chair read out a statement on behalf of the sub-committee:

The sub-committee have considered all the information before them including your representations and the convictions disclosed and have determined to **GRANT** your application for a private hire driver's licence.

Reasons:

1. The age of the offence
2. The drugs offence is spent and outside of the 3 year guidance period
3. You have no other offences for drugs

Because of this, the sub-committee consider there is a low risk of you re-offending and that you are a fit and proper person.

Case 03/08/17.366

The applicant was in attendance.

The Licensing Manager introduced the report and advised members that the applicant had submitted an application for a private hire and hackney carriage

driver's licence which officers were unable to deal with under delegated powers.

The applicant confirmed her current address.

The sub-committee was asked to consider the application and the applicant's representations along with the written and oral report of the Licensing Manager, the DBS and relevant law and guidance policy to determine whether or not the applicant was a fit and proper person to hold such a licence. It was stated that the burden of proof rested upon the applicant and the standard of proof rested upon the civil standard of proof.

The applicant presented her case and spoke in support of her application. She then answered questions from the sub-committee.

Members of the sub-committee remained in the meeting to deliberate and make their decision and all others, except the legal advisor left the room.

When all were asked to return to the meeting the Chair read out a statement on behalf of the sub-committee:

The sub-committee have considered all representations before them including your comments, those of the Licensing Officer and your DBS disclosure and have determined to **GRANT** your application for a private hire and hackney carriage driver's licence.

Reasons:

1. The offence seems to be of a one-off nature. It is the only offence on your record.

Because of this the sub-committee are of the opinion that it is unlikely that you will re-offend again and consider you to be a fit and proper person to hold a licence.

CHAIR

DATE