



General Licensing and Registration Sub-Committee (1)

Date **Wednesday 21 September 2016**
Time **2.00 pm**
Venue **Committee Room 2, County Hall, Durham**

Business

Part A

**Items during which the Press and Public are welcome to attend.
Members of the Public can ask questions with the Chairman's
agreement.**

1. Apologies for Absence
2. Substitutes
3. Minutes of the meetings held on 5 July 2016 and 6 July 2016 (Pages 1 - 8)
4. Declarations of interest, if any
5. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration
6. Any resolution relating to the exclusion of the public during the discussion of items containing exempt information

Part B

**Items during which it is considered the meeting will not be open to the
public (consideration of exempt or confidential information)**

7. Application for the Ongoing Suitability of a Private Hire Driver and Operator (Pages 9 - 32)
8. Application for the Ongoing Suitability of a Hackney Carriage Driver (Pages 33 - 56)
9. Application for the Ongoing Suitability of a Hackney Carriage Driver (Pages 57 - 92)
10. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration

Colette Longbottom
Head of Legal and Democratic Services

County Hall
Durham

13 September 2016

To: **The Members of the General Licensing and Registration Sub-Committee (1)**

Councillor L Marshall (Chairman)

Councillors P Crathorne, I Geldard, D Stoker and A Surtees

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DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (1)** held in Committee Room 2, County Hall, Durham on **Tuesday 5 July 2016 at 10.00 am**

Present:

Councillor J Maitland (Chairman)

Members of the Committee:

Councillors B Graham, D Hicks and A Hopgood

Also Present:

S Grigor (Legal Officer) and H Johnson (Licensing Team Leader)
I Dargue (Licensing Enforcement Officer)

1 Apologies for Absence

Apologies for absence had been received from Councillor L Marshall.

2 Substitutes

There were no substitute members.

3 Declarations of Interest

There were no declarations of interest.

4 Exclusion of the Public

That under Section 100(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 involve the likely disclosure of exempt information as defined in paragraphs 1, 2, 3 and 5 of Schedule 12A to the said Act.

5 Application for the Ongoing Suitability of a Hackney Carriage Driver

That the item be deferred.

6 Application for the Ongoing Suitability of a Hackney Carriage Driver

Agenda Item No. 9

The Chairman welcomed the Licence Holder to the meeting and introductions were made.

Consideration was given to the report of the Corporate Director, Neighbourhood Services which requested the Sub-Committee to consider and determine the ongoing suitability of the Licence Holder to continue to be licensed as a Hackney Carriage Driver (for copy see file of minutes).

The Licensing Enforcement Officer was in attendance and outlined the Enforcement report. Members and the Licence Holder were given the opportunity to answer questions.

Durham Constabulary were unable to attend the meeting but had provided a statement which confirmed any information held on their records and Police National Computer. The Licence Holder was given the opportunity to ask questions.

The Licence Holder addressed the Sub-Committee and responded to questions.

The Sub-Committee retired to deliberate the application in private at 10.15 am. After re-convening at 10.20 am the Chairman delivered the Sub-Committee's decision.

Resolved: That the Licence Holder be issued with a 12 month written warning.

Mr Dargue, Licencing Enforcement Officer left the Meeting

7 Application for the Grant of a Hackney Carriage Driver Licence

Agenda Item No 7

The Chairman welcomed the Applicant and his Partner to the meeting and introductions were made.

Consideration was given to the report of the Corporate Director, Neighbourhood Services which requested the Sub-Committee to consider and determine the suitability of the Applicant to be granted a Hackney Carriage Driver Licence (for copy see file of minutes).

The Licensing Team Leader provided Members with a verified reference which the Applicant had provided.

Durham Constabulary were unable to attend the meeting but had provided a statement which confirmed any information held on their records and Police National Computer. The Applicant and Members were given the opportunity to ask questions.

The Applicant addressed the Sub-Committee and responded to questions.

The Sub-Committee retired to deliberate the application in private at 10.35 am. After re-convening at 10.45 am the Chairman delivered the Sub-Committee's decision.

Resolved: That the Applicant be granted a Hackney Carriage Driver Licence but he also be issued with a 24 month written warning.

The Sub-Committee adjourned at 11.10 am and re-convened at 11.30 am

Mr Dargue, Licensing Enforcement Officer joined the meeting

8 Application for the Ongoing Suitability of a Hackney Carriage Driver

Agenda Item No. 8

The Chairman welcomed the Licence Holder and his Partner and Solicitor to the meeting and introductions were made.

Consideration was given to the report of the Corporate Director, Neighbourhood Services which requested the Sub-Committee to consider and determine the ongoing suitability of the Licence Holder to continue to be licensed as a Hackney Carriage Driver (for copy see file of minutes).

The Licensing Team Leader circulated to Members two witness statements that the Licence Holder's Solicitor had provided.

Durham Constabulary were unable to attend the meeting but had provided a statement which confirmed any information held on their records and Police National Computer. Members and the Licence Holder and his Solicitor were given the opportunity to ask questions.

The Licensing Enforcement Officer was in attendance and outlined the Enforcement report.

At this point the witness who was an Enforcement Agent entered the meeting to give his account of the incident in question.

Members and the Licence Holder and his Solicitor were given the opportunity to ask questions.

The meeting adjourned at 12.10 pm to enable the Enforcement Agent to obtain the footage of the incident in question. The meeting reconvened at 12.30 pm.

All parties were shown the footage of the incident which had been provided by the Enforcement Agent.

The Licence Holder and his Solicitor addressed the Sub-Committee and responded to questions.

The Sub-Committee retired to deliberate the application in private at 12.50 pm. After re-convening at 12.55 pm the Chairman delivered the Sub-Committee's decision.

Resolved: That the Licence Holder's Hackney Carriage Driver Licence be revoked with immediate effect.

DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (1)** held in Committee Room 2, County Hall, Durham on **Wednesday 6 July 2016 at 10.00 am**

Present:

Councillor L Marshall (Chairman)

Members of the Committee:

Councillors D Bell, J Bell and A Willis

Also Present:

C Hazell (Solicitor)

H Johnson (Licensing Team Leader)

L Cloney (Licensing Enforcement Team Leader)

R Young (Licensing Enforcement Officer)

Sgt M Urwin (Durham Constabulary)

1 Apologies for Absence

Apologies for absence had been received from Councillor Geldard.

2 Substitutes

There were no substitute members.

3 Minutes

The minutes of the meeting held on 18 May 2016 were confirmed as a correct record and signed by the Chairman.

4 Declarations of Interest

There were no declarations of interest.

5 Exclusion of the Public

That under Section 100(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 involve the likely disclosure of exempt information as defined in paragraphs 1, 2, 3 and 5 of Schedule 12A to the said Act.

6 Application for the Ongoing Suitability of a Hackney Carriage and Private Hire Driver

The Licence Holder had indicated that he was unable to attend the meeting but had provided a statement, copies of which were circulated to Members at the meeting.

The Sub-Committee retired at 10.10 am to decide if they were happy to determine the application in the absence of the Licence Holder.

The Sub-Committee re-convened at 10.15 am and the Chairman advised that they had agreed to hear the application in the absence of the Licence Holder in light of the information provided in his statement.

Consideration was given to the report of the Corporate Director, Neighbourhood Services which requested the Sub-Committee to consider and determine the ongoing suitability of the Licence Holder to continue to be licensed as a Hackney Carriage and Private Hire Driver (for copy see file of minutes).

The Licensing Enforcement Officer was in attendance and outlined the Enforcement report. Members were given the opportunity to answer questions.

Durham Constabulary were in attendance and provided Members with information held on their records and Police National Computer. Members were given the opportunity to ask questions.

The Sub-Committee retired to deliberate the application in private at 10.25 am. After re-convening at 10.30 am the Chairman delivered the Sub-Committee's decision.

Resolved: That the Licence Holder's suspension be lifted and he be issued with a written warning for a 12 month period and attend an Anger Management Course within 3 months.

7 Application for the Grant of a Private Hire Driver Licence

The Chairman welcomed the Applicant and his Supporter to the meeting and introductions were made.

Consideration was given to the report of the Corporate Director, Neighbourhood Services which requested the Sub-Committee to consider and determine the suitability of the Applicant to be licensed as a Private Hire Driver (for copy see file of minutes).

Durham Constabulary were in attendance and provided Members with information held on their records and Police National Computer. The Applicant and Members were given the opportunity to ask questions.

The Applicant addressed the Sub-Committee and responded to questions.

The Sub-Committee retired to deliberate the application in private at 10.45 am. After re-convening at 10.50 am the Chairman delivered the Sub-Committee's decision.

Resolved: That the Applicant be granted a Private Hire Driver Licence.

8 Application for the Ongoing Suitability of a Hackney Carriage and Private Hire Driver

The Chairman welcomed the Licence Holder to the meeting and introductions were made.

Consideration was given to the report of the Corporate Director, Neighbourhood Services which requested the Sub-Committee to consider and determine the ongoing suitability of the Licence Holder to continue to be licensed as a Hackney Carriage and Private Hire Driver (for copy see file of minutes).

The Licensing Enforcement Team Leader was in attendance and updated members on the suspension of the licence. Members and the Licence Holder were given the opportunity to ask questions.

Durham Constabulary were in attendance and provided Members with information held on their records and Police National Computer and provided Members with a copy of photographs of the incident. The Licence Holder and Members were given the opportunity to ask questions.

The Licence Holder addressed the Sub-Committee and responded to questions.

The Sub-Committee retired to deliberate the application in private at 11.05 am. After re-convening at 11.25 am the Chairman delivered the Sub-Committee's decision.

Resolved: That the Licence Holder's Hackney Carriage and Private Hire Driver Licence remain suspended until he satisfied Group 2 Driving Standards.

R Young, Licensing Enforcement Officer joined the meeting

9 Application for the Ongoing Suitability of a Hackney Carriage Driver

The Licence Holder did not attend but Members agreed to continue in his absence.

Consideration was given to the report of the Corporate Director, Neighbourhood Services which requested the Sub-Committee to consider and determine the ongoing suitability of the Licence Holder to continue to be licensed as a Hackney Carriage Driver (for copy see file of minutes).

The Licensing Enforcement Officer was in attendance and outlined the Enforcement report. Members were given the opportunity to ask questions.

Durham Constabulary were in attendance and provided Members with information held on their records and Police National Computer. Members were given the opportunity to ask questions.

The Sub-Committee retired to deliberate the application in private at 11.35 am. After re-convening at 11.40 am the Chairman delivered the Sub-Committee's decision.

Resolved: That the Licence Holder's Hackney Carriage Drivers Licence be revoked as he was not considered to be a fit and proper person.

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