

DURHAM COUNTY COUNCIL

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

Present:

Councillor L Marshall (Chairman)

Members of the Committee:

Councillors J Maitland and D Stoker

Also Present:

S Buston (Solicitor)
H Johnson (Licensing Team Leader)
Sgt M Urwin (Durham Constabulary)
PCSO M Rollison (Durham Constabulary)
L Cloney (Licensing Enforcement Team Leader)
N Anderson (Licensing Enforcement Officer)
I Dargue (Licensing Enforcement Officer)

1 Apologies for Absence

Apologies for absence had been received from Councillors J Blakey and D Boyes.

2 Substitutes

There were no substitute members.

3 Minutes

The minutes of the meeting held on 21 September 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 Chairman welcomed the Licence Holder and his Solicitor to the meeting and introductions were made.

Consideration was given to the report of the Interim Corporate Director Neighbourhood Services which requested the Sub-Committee to consider and determine the 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 outlined the Enforcement report. Members and the Licence Holder and his Solicitor were shown video footage and still photographs of the incident in question. Members and the Licence Holder and his Solicitor were then given the opportunity to ask questions.

A representative from Durham Constabulary was in attendance and provided Members with background information in respect of the matters detailed in the report. Members and the Licence Holder and his Solicitor were given the opportunity to ask questions.

The Licence Holder and his Solicitor addressed the Sub-Committee and provided Members with additional information they then responded to questions.

The Sub-Committee adjourned at 10.40 am for a comfort break and re-convened at 10.50 am. The Licence Holder withdrew from the meeting but had indicated that he was happy for his Solicitor to proceed in his absence.

The Sub-Committee retired to deliberate the application in private at 11.00 am. After re-convening at 11.25 am the Chairman delivered the Sub-Committee's decision for which the Licence Holder was present.

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

L Cloney, Licensing Enforcement Team Leader withdrew from the meeting

N Anderson, Licensing Enforcement Officer joined the meeting

7 Application for the Ongoing Suitability of a Hackney Carriage Driver

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

Consideration was given to the report of the Interim Corporate Director Neighbourhood Services which requested the Sub-Committee to consider and determine the 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 ask questions.

A representative from Durham Constabulary was in attendance and provided Members with background information in respect of the matters detailed in the report. Members and the Licence Holder 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 11.55 am. After re-convening at 12.05 pm the Chairman delivered the Sub-Committee's decision.

Resolved: That the Licence Holder be issued with a written warning for a 3 month period.

8 Application for the Ongoing Suitability of a Hackney Carriage Driver

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

Consideration was given to the report of the Interim Corporate Director Neighbourhood Services which requested the Sub-Committee to consider and determine the 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 ask questions.

Representatives from Durham Constabulary were in attendance and provided Members with background information in respect of the matters detailed in the report. Members and the Licence Holder 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 12.25 pm. After re-convening at 12.35 pm the Chairman delivered the Sub-Committee's decision.

Resolved: That the Licence Holder's suspension be activated for a 2 month period.

N Anderson, Licensing Enforcement Officer withdrew from the meeting

I Dargue, Licensing Enforcement Officer joined the meeting

9 Application for the Grant of a Private Hire Driver's Licence

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

Consideration was given to the report of the Interim 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).

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

A representative from Durham Constabulary was in attendance and provided Members with background information in respect of the matters detailed in the report. Members and the Applicant 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 12.55 pm. After re-convening at 1.00 pm the Chairman delivered the Sub-Committee's decision.

Resolved: That the Applicant be granted a Private Hire Driver's Licence as he was considered to be a fit and proper person.