

DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (3)** held in Committee Room 2, County Hall, Durham on **Wednesday 19 October 2016 at 2.00 pm**

Present:

Councillor T Nearney (Chairman)

Members of the Committee:

Councillors J Bell and B Kellett

1 Apologies

Apologies for absence were received from Councillor B Glass and K Hopper.

2 Substitute Members

Councillor B Kellett substituted for Councillor B Glass.

3 Declarations of interest, if any.

There were no declarations of interest.

4 Minutes

The minutes of the meeting held on 7 September 2016 were agreed as a correct record and signed by the Chairman.

5 Any resolution relating to the exclusion of the public during the discussion of exempt information.

That under section 100 (A)4 of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 3 and 5 of Schedule 12A to the said Act.

6 Application for the Ongoing Suitability of a Hackney Carriage Driver

The Chairman introduced the Licence Holder and his representative to the meeting and introductions took place. The Committee considered a report of the Interim Corporate Director, Adult and Health 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 presented the report and a DVD was played to the Sub-Committee. The Licence Enforcement Officer was invited to present a

statement. The Licence Holder's representative took the opportunity to ask a number of questions.

A representative from Durham Constabulary had submitted a written statement to be considered by the Sub-Committee, which related to matters outlined in the report. The applicant's representative queried the late submission and the Solicitor confirmed that as the statement had been received on the day of the hearing, it could not be circulated in advance of the hearing. The Licence Holder and his representative were given the opportunity to take an adjournment if they deemed it to be necessary.

The Licensing Team Leader invited a witness to attend and give a statement with regards to matters outlined in the report. The DVD was played again a number of times and the Licence Holder's representative asked a number of questions of the witness. Members asked a number of questions of the witness and the witness summed up and retired from the hearing.

The Licence Holder addressed the Sub-Committee and then responded to questions from Members. The Licence Holder's representative addressed the Sub-Committee and then both he and the Licence Holder were given the opportunity to sum-up before the Sub-Committee retired to deliberate the application in private at 3.15 pm.

After re-convening at 3.20 pm the Chairman delivered the Sub-Committee's decision.

Resolved:

That no further action be taken as the Licence Holder was deemed to be a fit and proper person.

7 Application for the Grant of a Hackney Carriage and Private Hire Driver's Licence

The Chairman introduced the Applicant to the meeting and introductions took place. The Committee considered a report of the Interim Corporate Director, Adult and Health Services which requested the Sub-Committee to consider and determine the ongoing suitability of the Applicant to continue to be licensed as a Hackney Carriage and Private Hire Driver (for copy see file of minutes).

The Licensing Team Leader presented the report and invited the Licensing Enforcement Officer to present a statement. The Applicant was given the opportunity to ask questions.

A representative from Durham Constabulary had submitted a written statement to be considered by the Sub-Committee, which related to matters outlined in the report.

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

The Applicant was given the opportunity to sum-up before the Sub-Committee retired to deliberate the application in private at 15.45 pm.

After reconvening at 15.50 pm the Chairman delivered the Sub-Committees decision.

Resolved:

That a Hackney Carriage and Private Hire Driver Licence be granted as the Applicant was deemed to be a fit and proper person.

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

The Chairman introduced the Licence Holder to the meeting and introductions took place. The Committee considered a report of the Interim Corporate Director, Adult and Health 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 presented the report and invited the Licensing Enforcement Officer to present a statement. The Licence Holder was given the opportunity to ask questions.

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

The Licence Holder was given the opportunity to sum-up before the Sub-Committee retired to deliberate the application in private at 16.10 pm.

After reconvening at 16.20 pm the Chairman delivered the Sub-Committees decision.

Resolved:

That the Licence Holder be given a written warning to remain on file for a period of six months.

9 Application for the Ongoing Suitability of a Hackney Carriage Driver

The Licence Holder was not in attendance and had sought an adjournment of the application via the Licensing Team Leader.

Resolved:

That the application be adjourned until the next available date.