



General Licensing and Registration Sub-Committee (1)

Date **Wednesday 24 April 2019**
Time **10.00 am**
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 meeting held on 5 and 6 March 2019 (Pages 3 - 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. Consideration of the Ongoing Suitability of a Hackney Carriage and Private Hire Driver (Pages 9 - 30)
8. Consideration of the Ongoing Suitability of a Hackney Carriage Driver (Pages 31 - 72)
9. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration

Helen Lynch
Head of Legal and Democratic Services

County Hall
Durham
16 April 2019

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

Councillor L Marshall (Chairman)
Councillors M Clarke, A Surtees and A Willis

DURHAM COUNTY COUNCIL

At a Special Meeting of **General Licensing and Registration Sub-Committee (1)** held in Committee Room 2 - County Hall, Durham on **Tuesday 5 March 2019 at 10.00 am**

Present:

Members of the Committee:

Councillors D Brown, L Brown, C Hampson and D Hicks

Also Present:

S Buston (Council's Solicitor)

L Cloney (Enforcement Team Leader – presenting the report on behalf of the Licensing Team Leader)

M Haigh (Licensing Enforcement Officer)

Councillor C Hampson (in the Chair)

1 Apologies for Absence

There were no apologies for absence.

2 Substitutes

There were no substitute Members in attendance.

3 Declarations of Interest

There were no declarations of interest.

4 Exclusion of the Public

That under Section 100(A)(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 of the Act.

5 Consideration of the Ongoing Suitability of a Hackney Carriage Driver

Item Withdrawn.

6 Consideration of 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.

The Sub-Committee considered the report of the Corporate Director of Regeneration and Local Services that requested Members 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 of report, see file of minutes).

The Licensing Enforcement Team Leader presented the report on behalf of the Licensing Team Leader and advised Members that Durham Constabulary were unable to attend the meeting but had confirmed that the information disclosed was correct and they had nothing further to add.

Members were provided with a copy of a reference that had been received yesterday from the Licence Holder's employer.

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

The Licensing Enforcement Officer was in attendance and took Members through the Enforcement Report and showed CCTV footage of one of the incidents. Members and the Licence Holder and his Solicitor were given the opportunity to ask questions of the Enforcement Officer.

The Licence Holder and his Solicitor were invited to address the Sub-Committee and responded to questions from Members.

The Sub-Committee retired to deliberate the application in private at 11.05 am. After re-convening at 11.15 am the Chairman delivered the Sub-Committee's decision.

Resolved: That no further action be taken.

DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (1)** held in Council Chamber - County Hall, Durham on **Wednesday 6 March 2019 at 10.00 am**

Present:

Members of the Committee:

Councillors S Durham, A Hopgood, K Liddell and A Willis

Also Present:

G Proud (Council's Solicitor)

L Cloney (Licensing Enforcement Team Leader – presenting the report on behalf of the Licensing Team Leader)

R Young (Licensing Enforcement Officer)

Sgt Dickenson (Durham Constabulary)

PC Robinson (Durham Constabulary)

Cllr A Hopgood (in the Chair)

1 Apologies for Absence

Apologies for absence were received from Councillors L Marshall, D Stoker and T Tucker.

2 Substitutes

Councillors A Hopgood, K Liddell and A Willis substituted for Councillors L Marshall, D Stoker and T Tucker.

3 Minutes

The Minutes of the meeting held on 23 January 2019 were agreed 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(A)(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 of the Act.

6 Consideration of the Ongoing Suitability of a Hackney Carriage Driver

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

The Sub-Committee considered the report of the Corporate Director of Regeneration and Local Services that requested Members to consider and determine the suitability of the Licence Holder to continue to be licensed as a Hackney Carriage Driver (for copy of report, see file of minutes).

The Licensing Enforcement Team Leader presented the licensing report on behalf of the Licensing Team Leader and provided Members with a copy of references that the Licence Holder had provided. Members were advised that the references had been unable to be verified so the appropriate weight should be attached. Members and the Licence Holder were given the opportunity to ask questions of the Officer.

The Licensing Enforcement Team Leader then presented the Enforcement Report. Members and the Licence Holder were given the opportunity to ask questions of the Officer.

Representatives from Durham Constabulary were in attendance and confirmed that they had nothing further to add.

The Licence Holder was invited to address the Sub-Committee and responded to questions from Members.

After Summing up, the Sub-Committee retired to deliberate the application in private at 10.20 am. After re-convening at 10.30 am, the Chairman delivered the Sub-Committee's decision.

Resolved: (i) That the Licence Holder be issued with a warning for a 6 month period.

(ii) That the Licence Holder undertake further safeguarding training.

7 Consideration of the Ongoing Suitability of a Hackney Carriage and Private Hire Driver

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

The Sub-Committee considered the report of the Corporate Director of Regeneration and Local Services that requested Members 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 of report, see file of minutes).

The Licensing Enforcement Team Leader presented the licensing report on behalf of the Licensing Team Leader. Members and the Licence Holder were given the opportunity to ask questions of the Officer.

The Licensing Enforcement Team Leader then presented the Enforcement Report. Members and the Licence Holder were given the opportunity to ask questions of the Officer.

Representatives from Durham Constabulary were in attendance and provided Members with background information in respect of the matters detailed in the report.

The Licence Holder was invited to address the Sub-Committee and responded to questions from Members.

After Summing up, the Sub-Committee retired to deliberate the application in private at 10.40 am. After re-convening at 10.50 am, the Chairman delivered the Sub-Committee's decision.

Resolved: That the Licence Holder be issued with a written warning for a 12 month period and was advised to familiarise himself with the Hackney Carriage and Private Hire Licensing policy.

R Young (Licensing Enforcement Officer) joined the meeting

8 Consideration of the Ongoing suitability of a Hackney Carriage and Private Hire Driver and Private Hire Operator

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

The Sub-Committee considered the report of the Corporate Director of Regeneration and Local Services that requested Members to consider and determine the suitability of the Licence Holder to continue to be licensed as a Hackney Carriage and Private Hire Driver and Private Hire Operator (for copy of report, see file of minutes).

The Licensing Enforcement Team Leader presented the licensing report on behalf of the Licensing Team Leader. Members and the Licence Holder were given the opportunity to ask questions of the Officer.

The Licensing Enforcement Officer was in attendance to present the Enforcement Report. Members and the Licence Holder were given the opportunity to ask questions of the Officer.

Representatives from Durham Constabulary were in attendance and confirmed that they had nothing further to add.

The Licence Holder was invited to address the Sub-Committee and responded to questions from Members.

After Summing up, the Sub-Committee retired to deliberate the application in private at 11.10 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 Drivers Licence be revoked but no action be taken on his Operator's Licence.

9 Consideration of the Ongoing Suitability of a Hackney Carriage and Private Hire Driver

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

The Sub-Committee considered the report of the Corporate Director of Regeneration and Local Services that requested Members 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 of report, see file of minutes).

The Licensing Enforcement Team Leader presented the licensing report on behalf of the Licensing Team Leader and provided Members with a copy of a character reference that the Licence Holder had provided. Members and the Licence Holder were given the opportunity to ask questions of the Officer.

The Licensing Enforcement Officer was in attendance to present the Enforcement Report. Members and the Licence Holder were given the opportunity to ask questions of the Officer.

Representatives from Durham Constabulary were in attendance and provided Members with background information in respect of the matters detailed in the report.

The Licence Holder was invited to address the Sub-Committee and responded to questions from Members.

After Summing up, the Sub-Committee retired to deliberate the application in private at 11.40 am. After re-convening at 11.45 am, the Chairman delivered the Sub-Committee's decision.

Resolved: That the Licence Holder be issued with a written warning for a 12 month period and was advised to familiarise herself with the Hackney Carriage and Private Hire Licensing policy.

By virtue of paragraph(s) 1, 2, 3, 5 of Part 1 of Schedule 12A of the Local Government Act 1972.

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