



General Licensing and Registration Sub-Committee (2)

Date Wednesday 4 September 2019

Time 10.00 am

Venue Council Chamber - County Hall, Durham

Business

Part A

1. Apologies for Absence
2. Substitutes
3. Minutes of the meeting held on 19 June 2019 (Pages 3 - 6)
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 7 - 120)
8. Consideration of the Ongoing Suitability of a Private Hire Driver (Pages 121 - 146)
9. Consideration of the Ongoing Suitability of a Hackney Carriage Driver (Pages 147 - 166)
10. 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
27 August 2019

To: **The Members of the General Licensing and Registration
Sub-Committee (2)**

Councillor C Carr (Chair)

Councillors J Bell, J Maitland, A Reed and T Tucker

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DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (2)** held in Committee Room 2 - County Hall, Durham on **Wednesday 19 June 2019 at 1.30 pm**

Present:

Councillor C Carr (Chair)

Members of the Committee:

Councillors J Bell, M Clarke, A Reed and D Stoker

Also Present:

S Grigor – Council’s Solicitor
H Johnson – Licensing Team Leader
N Anderson – Licensing Enforcement Officer
M Haigh – Licensing Enforcement Officer
PC Robertson – Durham Constabulary
C Bancroft – Durham Constabulary

1 Apologies for Absence

There were no apologies for absence.

2 Substitutes

There were no substitute Members.

3 Minutes

The minutes of the meeting held on 8 May 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 and Private Hire Driver

The Committee 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 which requested Members to consider the suitability of the Licence Holder to continue to be licensed as a Private Hire and Hackney Carriage Driver (for copy of report, see file of minutes).

The Licensing Team Leader presented the report. 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 outlined the Licensing Enforcement report and provided some background information in relation to the service user. Members and the Licence Holder and his Solicitor were given the opportunity to ask question of the officer.

Representatives from Durham Constabulary were in attendance and confirmed that their checks showed that the Licence Holder had no driving offences or conviction.

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

During discussions it became apparent that the Licence Holder had driving offences which were now spent. The Licensing Team Leader advised Members that the Licence Holder had previously attended a Statutory Licensing Sub-Committee and provided Members with details of the driving offences contained in the Notice of Decision.

After summing up, the Sub-Committee retired to deliberate the application in private at 2.15 pm. After re-convening at 2.20 pm, the Chairman delivered the Sub-Committee's decision.

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

N Anderson left the meeting

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

The Committee 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 which requested Members to consider the suitability of the Licence Holder to continue to be licensed as a Private Hire and Hackney Carriage Driver (for copy of report, see file of minutes).

The Licensing Team Leader presented the report. Members and the Licence Holder were given the opportunity to ask questions of the officer.

The Licensing Enforcement Officer was in attendance and outlined the Licensing Enforcement report. Members and the Licence Holder were given the opportunity to ask question 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 and Officers.

After summing up, the Sub-Committee retired to deliberate the application in private at 2.45 pm. After re-convening at 2.55 pm, the Chairman delivered the Sub-Committee's decision.

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

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

The Licensing Team Leader advised Members that the Licence Holder had indicated that he would not be in attendance and would be surrendering his Hackney Carriage and Private Hire Driver licence.

Members discussed considering the application in the absence of the Licence Holder and agreed to proceed in his absence.

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

Members were given the opportunity to ask questions of the officers.

The Sub-Committee retired to deliberate the application in private at 3.00 pm. After re-convening at 3.05 pm the Chairman delivered the Sub-Committee's decision.

Resolved: That the Licence Holder's Hackney Carriage and Private Hire Driver Licence be revoked.

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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