

DURHAM COUNTY COUNCIL

At a Meeting of **Area General Licensing and Registration Sub-Committee (South and West Durham)** held in Council Chamber, Council Offices, Chester-le-Street on **Wednesday 2 March 2011 at 2.00 pm**

Present:

Councillor L Marshall (Chair)

Members of the Committee:

Councillors J Bailey, D Brown, J Gray, G Huntington and J Shiell

Apologies:

An apology for absence was received from Councillor D Farry

Also Present:

R Langdon (Legal Officer)
J Kevan (Licensing Team Leader)
H Johnson (Licensing Team Leader)
M Williamson (Durham Constabulary)
G Proud (Legal Officer – observer)
S Buston (Legal Officer – observer)

1 Declarations of Interest, if any.

Councillor L Marshall declared an interest in Agenda item numbered 5.

2 Minutes of the Meeting held on 19 January 2011

The Minutes of the Meeting held on 19 January 2011 were confirmed as a correct record and were signed by the Chair.

3 Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration.

There were no additional items of business to be considered.

4 Any resolution relating to the exclusion of the public during the discussion of items containing exempt information.

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 involved the likely disclosure of exempt information as defined in paragraphs 3 and 5 of Part 1 of Schedule 12A to the said Act.

At this point, with the agreement of everyone present, the order of business was amended to allow item numbered 5 on the Agenda to be considered at the end of the meeting.

**5 Hackney Carriage Driver Licence
(Item numbered 6 on the Agenda)**

The Licensing Team Leader reported that the licence holder had requested an adjournment due to unexpected personal circumstances.

Members discussed the request and **RESOLVED**

That consideration of the application for the continuation of the Hackney Carriage Driver Licence be adjourned and considered at the next meeting of the Area General Licensing and Registration Committee (Central and East) to be held on 30 March 2011. The licence holder be advised that his application would be considered in his absence if he failed to attend.

**6 Hackney Carriage Driver Licence
(Item numbered 7 on the Agenda)**

The Chair welcomed the applicant and his supporter to the meeting and introductions took place.

Consideration was given to the report of the Corporate Director, Neighbourhood Services which asked the Sub-Committee to consider and determine any action necessary regarding the applicant's Hackney Carriage Driver's Licence, a copy of which had been circulated. Members were also provided with character references submitted by the applicant.

The Sub-Committee heard a statement from Durham Constabulary and the applicant presented his case.

Following all representations Members deliberated the application in private at 2.27pm.

After re-convening at 2.40pm the Chair delivered the Sub-Committee's decision.

RESOLVED

That having considered the representations of the applicant, together with the character witness statements, the suspension of the Hackney Carriage Driver's licence be lifted with immediate effect. The matter be referred back to the Sub-Committee, if necessary, following the outcome of the court hearing.

At this point Councillor L Marshall declared an interest in the following item of business and took no part in the proceedings.

Councillor J Shiell entered the meeting and took the Chair.

7 Application for the continuation of a Hackney Carriage Driver Licence (Item numbered 5 on the Agenda).

The Chair welcomed the licence holder, his representative and spouse to the meeting and introductions took place.

Consideration was given to the report of the Corporate Director, Neighbourhood Services which asked the Sub-Committee to consider and determine any action necessary regarding the licence holder's Hackney Carriage Driver's licence, a copy of which had been circulated. Members were also provided with a statement from the licence holder's spouse.

The Sub-Committee heard a statement from Durham Constabulary. The licence holder presented his case and his representative spoke on his behalf.

Following all representations Members deliberated the application in private at 3.00pm.

After reconvening at 3.17pm the Chair delivered the Sub-Committee's decision.

RESOLVED

That the application to continue as a Hackney Carriage Driver be granted on the grounds that the licence holder was deemed to be a 'fit and proper' person.