



General Licensing and Registration Sub-Committee (2)

Date **Wednesday 24 September 2014**
Time **10.00 am**
Venue **Committee Room 2, County Hall, Durham**

Business

Part A

1. Apologies for Absence
2. Substitutes
3. Minutes of the meeting held on 16 July 2014 (Pages 1 - 4)
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. Application for a Collector's Licence Under the Scrap Metal Dealers Act 2003 (Pages 5 - 22)
8. Application for the Ongoing Suitability of a Hackney Carriage Driver (Pages 23 - 36)
9. Application for the Grant of a Hackney Carriage Driver Vehicle (Pages 37 - 58)
10. Application for the Ongoing Suitability of a Hackney Carriage Driver (Pages 59 - 70)
11. Application for the Grant of a Hackney Carriage and Private Hire Driver Licence (Pages 71 - 96)
12. Application for the Ongoing Suitability of a Hackney Carriage Driver (Pages 97 - 112)

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

Colette Longbottom
Head of Legal and Democratic Services

County Hall
Durham

16 September 2014

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

Councillor C Carr (Chairman)

Councillors J Bell, I Geldard, O Gunn and K Hopper

Contact: Paula Nicholson

Tel: 03000 269710

DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (2)** held in Committee Room 2, County Hall, Durham on **Wednesday 16 July 2014 at 2.00 pm**

Present:

Councillor C Carr (Chairman)

Members of the Committee:

Councillors D Bell, J Blakey, K Hopper and A Willis

Also Present:

S Buston (Solicitor)

H Johnson (Licensing Team Leader)

DS A Henderson (Durham Constabulary)

N Thornton (Enforcement Officer)

PC McNaney (Durham Constabulary)

PCSO R Carey (Durham Constabulary)

1 Apologies for Absence

There were no apologies for absence.

2 Substitutes

There were no substitute members in attendance.

3 Minutes

Minutes of the meeting held on 4 June 2014 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(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 the Local Government Act 1972.

6 Application for a Collector's Licence under the Scrap Metal Dealers Act 2013

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

Consideration was given to the report of the Corporate Director, Neighbourhood Services which requested the Sub-Committee to consider an application for a Collector's Licence under the Scrap Metal Dealers Act 2013 (for copy see file of Minutes).

The Chairman invited the Representative from Durham Constabulary to address the Sub-Committee about the concerns they raised regarding the application.

The Applicant was then invited to present his case and responded to questions from Members.

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 application be refused as the Applicant was not deemed to be a suitable person to hold a Collector's Licence under the Scrap Metal Dealers Act 2013.

7 Application for the Ongoing Suitability of a Hackney Carriage Driver

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

Consideration was given to the report of the 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 Licence Holder circulated a statement prior to the meeting and Members and Officers were given time to read the document.

N Thornton, Licensing Enforcement Officer was in attendance and provided Members with background information and responded to questions.

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

The Sub-Committee retired to deliberate the application in private at 3.20 pm. After reconvening at 3.30 pm, the Chair 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 Licence Holder was welcomed to the meeting and introductions were made.

Consideration was given to the report of the 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).

Durham Constabulary provided background information in respect of the matters detailed in the report.

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

The Sub-Committee retired to deliberate the application in private at 3.40 pm. After reconvening at 3.45 pm, the Chair delivered the Sub-Committee's decision.

Resolved:

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

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

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

Consideration was given to the report of the 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).

Durham Constabulary provided background information in respect of the matters detailed in the report.

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

During proceedings it had become apparent that a page had been omitted from the report. A copy of the omitted page had been circulated to all parties during the meeting.

The Sub-Committee retired to deliberate the application in private at 4.00 pm. After reconvening at 4.05 pm, the Chair delivered the Sub-Committee's decision.

Resolved:

That no further action be taken.

10 Application for the Grant of a Hackney Carriage Driver Licence

The Applicant and his Solicitor were welcomed to the meeting and introductions were made.

Consideration was given to the report of the Corporate Director, Neighbourhood Services which requested the Sub-Committee to consider and determine the suitability of the applicant to be licensed as a Hackney Carriage Driver (for copy see file of minutes).

Durham Constabulary provided background information in respect of the matters detailed in the report and indicated that they had objections to the application.

The Applicant provided members with three references two of which had been verified. The Applicant and his Solicitor then addressed the Sub-Committee and responded to questions from Members of the Sub-Committee.

The Sub-Committee retired to deliberate the application in private at 5.00 pm. After reconvening at 5.05 pm, the Chair delivered the Sub-Committee's decision.

Resolved:

That the application be refused as the Applicant was not considered to be a fit and proper person.

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

Agenda Item 7

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Agenda Item 11

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