

## **DURHAM COUNTY COUNCIL**

At a Meeting of **General Licensing and Registration Sub-Committee (3)** held in Committee Room 2, County Hall, Durham on **Wednesday 7 January 2015 at 10.00 am**

### **Present:**

**Councillor B Glass (Chairman)**

### **Members of the Committee:**

Councillors E Bell, P Crathorne, D Hicks and D Stoker

#### **1 Apologies for Absence**

There were no apologies for absence.

#### **2 Substitute Members**

There were no substitute members in attendance.

#### **3 Declarations of interest, if any.**

There were no declarations of interest.

#### **4 Minutes**

The minutes of the meeting held on 19 November 2014 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 welcomed the Licence Holder and his Solicitor to the meeting and introductions took place.

The Chairman referred to a typing error in the documents and the Applicant and his Solicitor confirmed that they wished to continue with the hearing and had received all of the paperwork.

Consideration was given to the report of the Corporate Director, Neighbourhood 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 and Private Hire Driver (for copy see file of Minutes).

The Licensing Team Leader presented the report and responded to questions from Members. The Licence Holder and his Solicitor were also given the opportunity to ask questions.

The Licensing Team Leader (Enforcement) addressed the Sub-Committee and there was an opportunity to ask questions.

The representative from Durham Constabulary addressed the Sub-Committee and indicated that Durham Police had concerns regarding the Licence Holder being considered as a fit and proper person to hold a Hackney Carriage Driver Licence.

The Licence Holder and his Solicitor was given the opportunity to ask questions, following which they presented their case and responded to questions from Members.

The Sub-Committee retired to deliberate the application in private at 10.50 am. After re-convening at 11.05 am, the Chairman delivered the Sub-Committee's decision.

**Resolved:**

That the Licence Holder's Hackney Carriage and Private Hire Driver Licence be revoked as he was not considered to be a fit and proper person.

**7 Application for the Ongoing Suitability of a Hackney Carriage Driver**

The Chairman welcomed the Licence Holder to the meeting and introductions took place.

Consideration was given to the report of the Corporate Director, Neighbourhood 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 and Private Hire Driver (for copy see file of Minutes).

The Licensing Team Leader presented the report and responded to questions from Members. The Licence Holder was also given the opportunity to ask questions.

The representative from Durham Constabulary addressed the Sub-Committee and responded to questions from Members.

The Licence Holder was given the opportunity to ask questions, following which they presented their case and responded to questions from Members.

The Sub-Committee retired to deliberate the application in private at 11.30 am. After re-convening at 11.40 am, the Chairman delivered the Sub-Committee's decision.

**Resolved:**

That the Licence Holder's Hackney Carriage and Private Hire Driver Licence be granted, subject to a written warning for a period of six months.

**8 Application for the Ongoing Suitability of a Hackney Carriage Driver**

The Chairman welcomed the Licence Holder to the meeting and introductions took place.

Consideration was given to the report of the Corporate Director, Neighbourhood 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 and Private Hire Driver (for copy see file of Minutes).

The Licensing Team Leader presented the report and responded to questions from Members. The Licence Holder was also given the opportunity to ask questions.

The representative from Durham Constabulary addressed the Sub-Committee and responded to questions from Members.

The Licence Holder was given the opportunity to ask questions, following which they presented their case and responded to questions from Members.

The Sub-Committee retired to deliberate the application in private at 12.15 pm. After re-convening at 12.20 pm, the Chairman delivered the Sub-Committee's decision.

**Resolved:**

That the Licence Holder's Hackney Carriage Driver Licence be suspended for a 12 month period but the suspension be suspended for 12 months.

**9 Application for the Ongoing Suitability of a Hackney Carriage Driver**

The Chairman welcomed the Licence Holder to the meeting and introductions took place.

Consideration was given to the report of the Corporate Director, Neighbourhood 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 responded to questions from Members.

The representative from Durham Constabulary addressed the Sub-Committee and indicated that they had concerns but no objections to the continuation of the Licence.

The Licence Holder was invited to present his case and responded to questions from Members.

The Sub-Committee retired to deliberate the application in private at 1.05 pm. After re-convening at 1.15 pm, the Chairman delivered the Sub-Committee's decision.

**Resolved:**

That the Licence Holder's Hackney Carriage Driver Licence be suspended for a 12 month period but the suspension be suspended for 12 months.

**10 Councillor D Stoker withdrew from the meeting  
Application for the Ongoing Suitability of a Hackney Carriage and Private Hire Driver**

The Chairman welcomed the Licence Holder and his Supporter to the meeting and introductions took place.

The Licence Holder circulated additional information to Members of the Sub-Committee.

Consideration was given to the report of the Corporate Director, Neighbourhood 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 and Private Hire Driver (for copy see file of Minutes).

The Licensing Team Leader presented the report and responded to questions from Members.

The Enforcement Officer presented her report and responded to questions.

The representative from Durham Constabulary addressed the Sub-Committee and indicated that they had concerns but no objections to the continuation of the Licence.

The Licence Holder was given the opportunity to ask questions, he was then invited to present his case and responded to questions from Members.

The Sub-Committee retired to deliberate the application in private at 1.45 pm. After re-convening at 2.00 pm, the Chairman delivered the Sub-Committee's decision.

**Resolved:**

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

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

Item number 12 on the agenda was deferred to the meeting scheduled to be held on 4 February 2015.