

DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (2)** held in Committee Room 2, County Hall, Durham on **Wednesday 17 June 2015 at 2.00 pm**

Present:

Councillor C Carr (Chairman)

Members of the Committee:

Councillors E Bell, D Boyes, I Geldard and J Maitland

Also Present:

S Buston (Solicitor)

H Johnson (Licensing Team Leader)

1 Apologies for Absence

Apologies for absence had been received from Councillor J Bell.

2 Substitutes

Councillor E Bell substituted for Councillor J Bell.

3 Minutes

The Minutes of the meeting held on 29 April 2015 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 100A(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 to the said Act.

N Stoker, Licensing Enforcement Officer joined the meeting.

**6 Application for the Renewal of a Hackney Carriage Driver
Agenda Item No. 8**

The Chairman welcomed the Licence Holder 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).

N Stoker, Licensing Enforcement Officer was in attendance to respond to any questions.

A representative from Durham Constabulary provided background information in respect of the matters detailed in the report and indicated that Durham Constabulary did not believe that the Licence Holder was a fit and proper person to hold a Hackney Carriage Driver Licence.

The Licence Holder provided additional information which the Council's Solicitor confirmed that members could be provided with a copy.

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

The Sub-Committee retired to deliberate the application in private at 2.45 pm. After reconvening at 2.50 pm, the Chair delivered the Sub-Committee's decision.

Resolved:

That the Licence Holder's application to renew his Hackney Carriage Driver licence be refused as he was no longer considered to be a fit and proper person.

**N Stoker, Licensing Enforcement Officer Left the Meeting.
S Bassi, Licensing Enforcement Officer Joined the Meeting.**

**7 Application for the Ongoing Suitability of a Private Hire Driver
Agenda Item No. 7**

The Chairman welcomed the Licence Holder 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 Private Hire Driver (for copy see file of minutes). The Licensing Team Leader circulated additional information to Members that had been received from the Licence Holder.

S Bassis, Licensing Enforcement Officer presented the report and responded to questions.

A representative from Durham Constabulary provided background information in respect of the matters detailed in the report and indicated that they had concerns but no objections to the continuation of the Private Hire Driver Licence.

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

The Sub-Committee retired to deliberate the application in private at 3.35 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 12 month period.

**S Bassi, Licensing Enforcement Officer left the Meeting.
L Cloney, Licensing Enforcement Team Leader joined the meeting.**

**8 Suspension of a Hackney Carriage Driver Licence
Agenda Item No. 9**

The Chairman welcomed the Licence Holder 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 ongoing suspension of the Licence Holder to continue to be licensed as a Hackney Carriage Driver (for copy see file of minutes).

Supplementary information from the Licensing Enforcement Team had been circulated to all parties prior to the meeting.

L Cloney, Licensing Enforcement Team Leader presented the report and indicated that no response had been received from the Local Authority Designated Officer (LADO) in relation to the supplementary information.

S Buston the Council's Solicitor indicated that Members needed to decide if they were happy to proceed without the response from the Local Authority Designated Officer.

At this point the Licence Holder indicated that he was happy to proceed with the hearing today. Members were asked if they were happy to proceed.

Councillor E Bell indicated that he was not comfortable continuing and withdrew from the meeting.

The remaining members agreed to proceed but there disappointment in not receiving a response from the Local Authority Designated Officer be noted.

L Cloney continued with her presentation in relation to the supplementary information. The Licence Holder and Members were given an opportunity to ask questions.

A representative from Durham Constabulary provided background information in respect of the matters detailed in the report and indicated that Durham Constabulary had concerns of the future conduct of the Licence Holder but had no objection to the continuation of the Hackney Carriage Driver Licence.

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

The Sub-Committee retired to deliberate the application in private at 5.00 pm. After reconvening at 5.10 pm, the Chair delivered the Sub-Committee's decision.

Resolved:

That the Licence Holder's suspension be lifted but he be issued with a written warning for a 12 month period.