



General Licensing and Registration Sub-Committee (2)

Date **Wednesday 11 November 2015**
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 30 September 2015 (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 the Ongoing Suitability of a Hackney Carriage Driver (Pages 5 - 18)
8. Application for the Ongoing Suitability of a Hackney Carriage Driver (Pages 19 - 36)
9. 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

3 November 2015

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

Councillor J Maitland (Chair)

Councillors D Boyes, D Hicks, D Stoker and A Willis

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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 30 September 2015 at 10.00 am**

Members of the Committee:

Councillors P Crathorne, T Nearney, D Stoker, A Surtees and A Willis

Also Present:

C Hazell (Solicitor)
H Johnson (Licensing Team Leader)
G Keay (Licensing Team Leader)
K Robson (Senior Licensing Officer)
L Cloney (Licensing Enforcement Team Leader)
J Ingham (Licensing Enforcement Officer)
R Young (Licensing Enforcement Officer)
Sgt T Robson (Durham Constabulary)

Councillor D Stoker was appointed Chairman

D Stoker (in the Chair)

1 Apologies for Absence

An apology for absence had been received from Councillor I Geldard.

2 Substitutes

Councillor A Willis substituted for Councillor I Geldard.

3 Minutes

The minutes of the meeting held on 29 July 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.

6 Application for the Ongoing Suitability of a Hackney Carriage Driver

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).

A representative from Durham Constabulary provided background information in respect of the matters contained in the report. The Licence Holder was given the opportunity to ask questions.

The Licence Holder addressed the Sub-Committee and responded to questions from Members. He provided members with a copy of a response to a freedom of information request he had submitted and showed members a DVD of the incident in question.

The Sub-Committee retired to deliberate the application in private at 10.40 am. After reconvening at 10.55 am the Chairman delivered the Sub-Committee's decision.

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

7 Application for the Renewal of a Hackney Carriage Driver

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 renewal application of the Licence Holder to continue to be licensed as a Hackney Carriage Driver (for copy see file of minutes).

A representative from Durham Constabulary provided background information in respect of the matters contained in the report. The Licence Holder was given the opportunity to ask questions.

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

The Sub-Committee retired to deliberate the application in private at 11.15 am. After reconvening at 11.25 am the Chairman delivered the Sub-Committee's decision.

Resolved: That the Licence Holder be granted a Hackney Carriage Driver Licence but he be issued with a written warning for a 6 month period.

G Keay and R Young (Licensing Enforcement) entered the meeting

8 Application for the Ongoing Suitability of a Hackney Carriage / Private Hire Driver

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 and Private Hire Driver (for copy see file of minutes).

The Licensing Team Leader circulated to Members a copy of a record of conversation between the Licence Holder and the Enforcement Officer.

A representative from Durham Constabulary provided background information in respect of the matters contained in the report. The Licence Holder was given the opportunity to ask questions.

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

At this point Councillor T Nearney left the meeting.

The Sub-Committee retired to deliberate the application in private at 12.15. pm. After reconvening at 12.30 pm the Chairman delivered the Sub-Committee's decision.

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

Councillor Nearney left the meeting

**G Keay, J Ingham and R Young (Licensing Enforcement) left the meeting
L Cloney (Licensing Enforcement) joined the meeting**

9 Application for the Ongoing Suitability of a Hackney Carriage Driver

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).

The Licensing Team Leader advised the Sub-Committee that Members and the Licence Holder had been provided with additional information prior to the meeting.

A representative from Durham Constabulary provided background information in respect of the matters contained in the report and indicated that they had concerns regarding the Licence Holder continuing to hold a Hackney Carriage Driver Licence. The Licence Holder was given the opportunity to ask questions.

The Licence Holder addressed the Sub-Committee and responded to questions from Members. He provided the Sub-Committee with a copy of a reference from his employer for consideration.

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

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

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