

DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (3)** held in Committee Room 2, County Hall, Durham on **Wednesday 6 January 2016 at 10.00 am**

Present:

Councillor B Glass (Chairman)

Members of the Committee:

Councillors P Crathorne, D Hicks and D Stoker

1 Apology for Absence

An apology for absence was received from Councillor Maitland.

2 Substitute Members

There were no substitute Members.

3 Declarations of interest

There were no declarations on interest.

4 Minutes

The Minutes of the meeting held on 25 November 2015 were agreed as a correct record and were signed by the Chairman.

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 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 were made.

Consideration was given to the report of the Licensing Team Leader 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 Licence Holder submitted a character reference which was circulated to Members. The referee was contacted who verified the information provided.

The Licensing Enforcement Officer addressed the Sub-Committee with regard to the matters detailed in the report. Members and the Licence Holder and his Solicitor were invited to ask questions of the Officer.

The representative from Durham Constabulary confirmed the offences listed in the report. Members and the Licence Holder and his Solicitor were invited to ask questions of the Officer.

At this point the Licence Holder and his Solicitor were invited to address the Sub-Committee and responded to the matters detailed in the report. A number of questions were asked by Members of the Sub-Committee.

The Sub-Committee retired to deliberate the application in private at 11.00am. After reconvening at 11.20am the Chairman delivered the Sub-Committee's decision.

Resolved:

That the Licence Holder's Hackney Carriage Driver Licence be suspended for a 6 month period but the suspension be suspended for 6 months.

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

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

Consideration was given to the report of the Licensing Team Leader 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 Enforcement Officer provided background information to the matters detailed in the report and took Members through the interview with the Licence Holder. Members and the Licence Holder were invited to ask questions of the Officer.

The representative from Durham Constabulary confirmed the incident in the report and the previous motoring offences. Members and the Licence Holder were invited to ask questions of the Officer.

The Licence Holder was then invited to address the Sub-Committee and responded to questions from Members.

The Sub-Committee retired to deliberate the application in private at 12.15pm. After re-convening at 12.35pm the Chairman delivered the Sub-Committee's decision.

Resolved:

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

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

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

Consideration was given to the report of the Licensing Team Leader which requested the Sub-Committee to consider and determine the ongoing suitability of the Licence Holder to continue to be licensed a Hackney Carriage and Private Hire Driver (for copy see file of Minutes).

The Licensing Enforcement Team Leader provided background information to the matters detailed in the report and took Members through the interview with the Licence Holder. Members and the Licence Holder were invited to ask questions of the Officer.

The representative from the Police outlined the incident referred to in the extract from the Police log and responded to questions. The Licensing Team Leader took Members through the Police statement included in the Notice of Decision dated 25 November 2015.

The Licence Holder was then invited to address the Sub-Committee and responded to questions from Members.

The Sub-Committee retired to deliberate the application in private at 1.30pm. After re-convening at 1.40pm the Chairman delivered the Sub-Committee's decision.

Resolved:

That the Hackney Carriage and Private Hire Driver Licence be revoked with immediate effect as the Licence Holder was not deemed to be a 'fit and proper' person.