

DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (1)** held in Committee Room 2, County Hall, Durham on **Wednesday 18 January 2017 at 2.00 pm**

Present:

Councillor L Marshall (Chairman)

Members of the Committee:

Councillors C Hampson, D Hicks, T Nearney and D Stoker

1 Apologies

Apologies for absence were received by Councillors J Bell, D Boyes and K Hopper.

2 Substitutes

Councillors Hampson, Hicks and Stoker substituted for Councillors Bell, Boyes and Hopper respectively.

3 Minutes

The minutes of the meeting held on 7 December 2016 were agreed as a correct record and signed by the Chairman.

4 Declarations of interest, if any

Councillors Hampson and Nearney both declared a personal interest in item number 7 and left during the consideration of business.

5 Any resolution relating to the exclusion of the public during the discussion of items containing 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 and Private Hire Driver

Councillors Hampson and Nearney left the meeting.

The Chairman introduced the Licence Holder and their Solicitor to the meeting and introductions took place. It was confirmed that the Solicitor would be making representations on behalf of the Licence Holder.

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 Licence Holder had submitted a number of references prior to the hearing and Members had been provided with a copy prior to commencement of the meeting (for copy see file of minutes).

The Licence Holders Solicitor confirmed that she was satisfied that the Licence Holder had received all information.

The Licensing Team Leaders presented their reports and Members were given the opportunity to ask questions. The Licence Holder and their Solicitor were given the opportunity to ask questions.

The Licence Holder's Solicitor addressed the Sub-Committee and the Licence Holder responded to questions from Members. The Licence Holder's Solicitor invited two witnesses to answer a number of questions and Members and Officers were given the opportunity to ask questions.

The Licence Holder's Solicitor was given the opportunity to sum-up and the Sub-Committee retired to deliberate the application in private at 2.55 pm.

After reconvening at 3.10 pm the Chairman delivered the Sub-Committees decision.

Resolved:

That the Hackney Carriage and Private Hire Driver Licence be suspended for a 6 month period, but the suspension be suspended.

7 Application for the Ongoing Suitability of a Hackney Carriage Driver

Councillors Hampson and Nearney returned to the meeting.

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

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 Licensing Team Leaders presented their reports and the Licence Holder was given the opportunity to ask questions. Members were also given the opportunity to ask questions.

The Licensing Enforcement Officer and witness made representations and CCTV evidence with regards to matters outlined in the report and a representative and witness from Durham Constabulary made representations and provided a statement on behalf of the Police. Officers and the Licence Holder were given the opportunity to ask questions.

The Licence Holder addressed the Sub-Committee and responded to questions from Members. Members and Officers were given the opportunity to ask questions. The Licence Holder invited a witness to make representations on his behalf and Members were given the opportunity to ask questions.

The Licence Holder was given the opportunity to sum-up and the Sub-Committee retired to deliberate the application in private at 4.20 pm. At this point Councillor Hicks left the meeting.

After reconvening at 4.25 pm the Chairman delivered the Sub-Committees decision.

Resolved:

That the Hackney Carriage Driver Licence be subject to a 12 month written warning.

8 Application for the Ongoing Suitability of a Hackney Carriage Driver

Councillor Nearney left the meeting.

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

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 Licensing Team Leaders presented their reports and the Licence Holder was given the opportunity to ask questions. Members were also given the opportunity to ask questions.

A representative from Durham Constabulary provided a statement on behalf of the Police. The Licence Holder was given the opportunity to ask questions.

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

The Licence Holder was given the opportunity to sum-up and the Sub-Committee retired to deliberate the application in private at 5.25 pm.

After reconvening at 5.30 pm the Chairman delivered the Sub-Committees decision.

Resolved:

That the Hackney Carriage Driver Licence be suspended for a period of 3 months.