

DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (1)** held in Committee Room 2, County Hall, Durham on **Wednesday 1 March 2017 at 10.00 am**

Present:

Councillor L Marshall (Chairman)

Members of the Committee:

Councillors D Bell, D Boyes, T Nearney and A Willis

Also Present:

S Buston (Solicitor)

H Johnson (Licensing Team Leader)

N Anderson (Licensing Enforcement Officer)

N Stoker (Licensing Enforcement Officer)

1 Apologies for Absence

There were no apologies for absence.

2 Substitutes

There were no substitutes in attendance.

3 Minutes

The minutes of the meeting held on 18 January 2017 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 100(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

At the request of the Licence Holder, the item was deferred to a future meeting of the Sub-Committee.

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

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

Consideration was given to the report of the Corporate Director of Adult and Health 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 of report, see file of minutes).

Durham Constabulary were unable to attend the meeting but had provided a statement that confirmed that the Licence Holder had no previous convictions or motoring offences recorded.

The Licensing Enforcement Officer was in attendance and outlined the Enforcement report. Members and the Licence Holder were given an opportunity to ask questions.

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

The Sub-Committee retired to deliberate the application in private at 10.30 am. After reconvening at 10.40 am the Chairman delivered the Sub-Committee's decision.

Resolved: That the Licence Holder be issued with a written warning for a 12 month period.

N Stoker (Licensing Enforcement Officer) left the meeting

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 Corporate Director of Adult and Health Services which requested the Sub-Committee to consider and determine the suitability of the Licence Holder to continue to be licenced as a Hackney Carriage and Private Hire Driver (for copy of report, see file of minutes).

Durham Constabulary were unable to attend the meeting but had provided a statement containing any information held on their records and Police National Computer.

The Licence Holder had sent an email prior to the meeting raising some points which he went through with Members; he then addressed the Sub-Committee and responded to questions.

The Sub-Committee retired to deliberate the application in private at 11.05 am. After reconvening at 11.10 am the Chairman delivered the Sub-Committee's decision.

Resolved: That the Licence Holder be issued with a written warning for a 12 month period.

9 Application for the Ongoing Suitability of a Hackney Carriage Driver

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

Consideration was given to the report of the Corporate Director of Adult and Health Services which requested the Sub-Committee to consider and determine the suitability of the Licence Holder to continue to be licenced as a Hackney Carriage and Private Hire Driver (for copy of report, see file of minutes).

The Licence Holder had provided a copy of the Video footage of the incident which the Sub-Committee viewed.

Durham Constabulary were unable to attend the meeting but had provided a statement containing any information held on their records and Police National Computer. They had also provided a written statement in relation to the matter contained in the report.

The Licence Holder provided members with a reference that could not be verified so the appropriate weight was attached. He then addressed the Sub-Committee and responded to questions.

The Sub-Committee retired to deliberate the application in private at 11.50 am. After reconvening at 12.10 pm the Chairman delivered the Sub-Committee's decision.

Resolved: That the Licence Holder's Hackney Carriage Drivers Licence be suspended for a 3 month period.