

DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (2)** held in Council Chamber, County Hall, Durham on **Wednesday 20 July 2016 at 2.00 pm**

Present:

Councillor C Carr (Chairman)

Members of the Committee:

Councillors J Blakey, J Maitland, T Nearney and D Stoker

Also Present:

K Coulson-Patel (Legal Officer)
M Hamilton (Trainee Solicitor)
H Johnson (Licensing Team Leader)
L Cloney (Licensing Enforcement Team Leader)
R Young (Licensing Enforcement Officer)
Sgt M Urwin (Durham Constabulary)

1 Apologies for Absence

There were no apologies for absence.

2 Substitutes

There were no substitute members.

3 Minutes

The minutes of the meeting held on 8 June 2016 were confirmed as a correct record and signed by the Chairman.

4 Declarations of Interest

Councillor T Nearney declared an interest in Agenda Item No. 7 and withdrew from the meeting during consideration thereof.

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.

Councillor T Nearney, withdrew from the meeting

6 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, Neighbourhood 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 see file of minutes).

The Licensing Team Leader provided Members with copies of references that the Licence Holder had provided and had been verified.

Durham Constabulary were in attendance and provided Members with details of any information held on their records and Police National Computer. Members and the Licence Holder were given the 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 2.20 pm. After re-convening at 2.25 pm the Chairman delivered the Sub-Committee's decision.

Resolved: That the Licence Holder be issued with a verbal warning.

The meeting adjourned at 2.30 pm and re-convened at 2.45 pm

Councillor T Nearney, joined the meeting

Councillor J Blakey, left the meeting

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

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

Durham Constabulary were in attendance and provided Members with details of any information held on their records and Police National Computer. Members and the Licence Holder were given the opportunity to ask questions.

The witness joined the meeting and asked for a statement which she had prepared to be read out. The witness then left the meeting.

The meeting adjourned at 3.15 pm to enable Members to seek legal advice from the Solicitor. The meeting re-convened at 3.25 pm.

The Licence Holder was given the opportunity to ask questions, he then addressed the Sub-Committee and responded to questions.

The Sub-Committee retired to deliberate the application in private at 4.05 pm. After re-convening at 4.10 pm the Chairman delivered the Sub-Committee's decision.

Resolved: (i) That the suspension remain in place.

(ii) That the matter be brought back in front of the Sub-Committee once the Licence Holder had provided medical evidence to satisfy fitness to drive at group 2 standards.

M Hamilton, Trainee Solicitor left the meeting

H Johnson, Licensing Team Leader withdrew from the meeting during consideration of the following application

8 Application for the Ongoing Suitability of a Hackney Carriage Driver

Members agreed to consider the application in the absence of the Licence Holder as the application had already been deferred twice.

Consideration was given to the report of the Corporate Director, Neighbourhood 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 Driver (for copy see file of minutes).

Durham Constabulary were in attendance and provided Members with details of any information held on their records and Police National Computer. Members were given the opportunity to ask questions.

The Sub-Committee retired to deliberate the application in private at 4.25 pm. After re-convening at 4.35 pm the Chairman delivered the Sub-Committee's decision.

Resolved: That the Licence Holders Hackney Carriage Driver Licence be revoked.