



General Licensing and Registration Sub-Committee (2)

Date **Wednesday 21 December 2016**
Time **10.00 am**
Venue **Council Chamber, County Hall, Durham**

Business

Part A

1. Apologies for Absence.
2. Substitutes.
3. Minutes of the meetings held on 14 September and 5 October 2016 (Pages 3 - 10)
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 11 - 30)
8. Application for the Ongoing Suitability of a Hackney Carriage Driver (Pages 31 - 56)
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
13 December 2016

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

Councillor C Carr (Chairman)

Councillors P Crathorne, D Hicks and D Stoker

DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (2)** held in Council Chamber, County Hall, Durham on **Wednesday 14 September 2016 at 2.00 pm**

Present:

Councillor C Carr (Chairman)

Members of the Committee:

Councillors J Blakey, J Maitland and D Stoker

Also Present:

S Buston (Council's Solicitor)

H Johnson (Licensing – Team Leader)

I Dargue (Licensing – Enforcement Officer)

N Stoker (Licensing – Enforcement Officer)

PCSO M Haigh (Durham Constabulary)

1 Apologies for Absence

There were no apologies for absence.

2 Substitutes

There were no substitute Members.

3 Declarations of Interest

There were no declarations of interest.

4 Exclusion of the Public

Resolved:

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.

5 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 Interim 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 Enforcement Officer presented the enforcement report and responded to questions.

A representative from Durham Constabulary was in attendance and provided Members with background information in respect of the matters detailed in the report and gave details of previous convictions and motoring offences. Members and the Licence Holder were given the opportunity to ask questions.

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

The Sub-Committee retired to deliberate the application in private at 2.30 pm. After re-convening at 2.50 pm the Chairman delivered the Sub-Committee's decision.

Resolved: That the Licence Holder's Hackney Carriage Driver Licence be suspended for 2 months.

Mr I Dargue (Licensing Enforcement Officer) left the meeting

Ms N Stoker (Licensing Enforcement Officer) joined the meeting

6 Application for the Grant of a Private Hire Driver Licence

The Chairman welcomed the Applicant to the meeting and introductions were made.

Consideration was given to the report of the Interim Corporate Director Neighbourhood Services which requested the Sub-Committee to consider and determine the granting of a Private Hire Driver Licence (for copy see file of Minutes).

The Licensing Enforcement Officer presented the enforcement report and responded to questions.

A representative from Durham Constabulary was in attendance and provided Members with background information in respect of the matters detailed in the report and provided details of a further motoring offence. Members and the Applicant were given the opportunity to ask questions.

The Applicant was invited to address the Sub-Committee and responded to questions.

The Sub-Committee retired to deliberate the application in private at 3.20 pm. After re-convening at 3.50 pm the Chairman delivered the Sub-Committee's decision.

Resolved: That the Applicant's application for the grant of a Private Hire Driver Licence be refused.

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DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (2)** held in Council Chamber, County Hall, Durham on **Wednesday 5 October 2016 at 10.00 am**

Present:

Councillor C Carr (Chairman)

Members of the Committee:

Councillors D Bell, D Hicks, A Surtees and A Willis

Also Present:

K Coulson-Patel – Legal Officer

M Hamilton – Legal Officer

H Johnson – Licensing Team Leader

R Young – Licensing Enforcement Officer

N Anderson – Licensing Enforcement Officer

1 Apologies for Absence.

There were no apologies for absence.

2 Substitutes.

There were no substitute Members.

3 Minutes

The Minutes of the meetings held on 19, 20 and 22 July 2016 were agreed as a correct record and were signed by the Chairman.

4 Declarations of Interest.

There were no declarations of interest.

5 Exclusion of the Public

Resolved:

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

The Licensing Enforcement Officer presented the enforcement report and responded to questions.

On behalf of the Police the Licensing Team Leader read out a statement which provided Members with background information in respect of the matter referred to in the report.

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

The Sub-Committee retired to deliberate the application in private at 10.15am. After re-convening at 10.25am the Chairman delivered the Sub-Committee's decision.

Resolved:

That the Licence Holder be issued with a written warning for a 3 month period.

As the Licence Holder at Agenda item numbered 8 was not in attendance the order of business was amended to consider item numbered 9 on the Agenda first to allow time for the Licence Holder to arrive.

7 Application for the Ongoing Suitability of a Hackney Carriage Driver

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

Consideration was given to the report of the report of the Licensing Team Leader 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).

Members were informed that the Licence Holder had provided six character references, three of which had been verified.

The Licensing Enforcement Officer presented the enforcement report and responded to questions.

On behalf of the Police the Licensing Team Leader read out a statement which provided Members with background information in respect of the incident referred to in the report, and details of other offences.

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

The Sub-Committee retired to deliberate the application in private at 11.45am. After re-convening at 12 noon the Chairman delivered the Sub-Committee's decision.

Resolved:

That the Licence Holder's Hackney Carriage Driver Licence be revoked as he was not considered to be a fit and proper person.

8 Application for the Ongoing Suitability of a Hackney Carriage Driver

Members agreed to consider the application in the absence of the Licence Holder after a number of attempts to contact him prior to the meeting.

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 Enforcement Officer presented the enforcement report and responded to questions.

On behalf of the Police the Licensing Team Leader read out a statement which provided Members with background information in respect of the matters referred to in the report, and details of other offences.

The Sub-Committee retired to deliberate the application in private at 12.10pm. After re-convening at 12.20pm the Chairman delivered the Sub-Committee's decision.

Resolved:

That the Licence Holder's Hackney Carriage Driver Licence be suspended for a period of 2 months.

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