

DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (1)** held in Committee Room 2, County Hall, Durham on **Tuesday 5 July 2016 at 10.00 am**

Present:

Councillor J Maitland (Chairman)

Members of the Committee:

Councillors B Graham, D Hicks and A Hopgood

Also Present:

S Grigor (Legal Officer) and H Johnson (Licensing Team Leader)
I Dargue (Licensing Enforcement Officer)

1 Apologies for Absence

Apologies for absence had been received from Councillor L Marshall.

2 Substitutes

There were no substitute members.

3 Declarations of Interest

There were no declarations of interest.

4 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.

5 Application for the Ongoing Suitability of a Hackney Carriage Driver

That the item be deferred.

6 Application for the Ongoing Suitability of a Hackney Carriage Driver

Agenda Item No. 9

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 was in attendance and outlined the Enforcement report. Members and the Licence Holder were given the opportunity to answer questions.

Durham Constabulary were unable to attend the meeting but had provided a statement which confirmed any information held on their records and Police National Computer. The Licence Holder was 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 10.15 am. After re-convening at 10.20 am the Chairman delivered the Sub-Committee's decision.

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

Mr Dargue, Licencing Enforcement Officer left the Meeting

7 Application for the Grant of a Hackney Carriage Driver Licence

Agenda Item No 7

The Chairman welcomed the Applicant and his Partner 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 suitability of the Applicant to be granted a Hackney Carriage Driver Licence (for copy see file of minutes).

The Licensing Team Leader provided Members with a verified reference which the Applicant had provided.

Durham Constabulary were unable to attend the meeting but had provided a statement which confirmed any information held on their records and Police National Computer. The Applicant and Members were given the opportunity to ask questions.

The Applicant addressed the Sub-Committee and responded to questions.

The Sub-Committee retired to deliberate the application in private at 10.35 am. After re-convening at 10.45 am the Chairman delivered the Sub-Committee's decision.

Resolved: That the Applicant be granted a Hackney Carriage Driver Licence but he also be issued with a 24 month written warning.

The Sub-Committee adjourned at 11.10 am and re-convened at 11.30 am

Mr Dargue, Licensing Enforcement Officer joined the meeting

8 Application for the Ongoing Suitability of a Hackney Carriage Driver

Agenda Item No. 8

The Chairman welcomed the Licence Holder and his Partner and Solicitor 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 Team Leader circulated to Members two witness statements that the Licence Holder's Solicitor had provided.

Durham Constabulary were unable to attend the meeting but had provided a statement which confirmed any information held on their records and Police National Computer. Members and the Licence Holder and his Solicitor were given the opportunity to ask questions.

The Licensing Enforcement Officer was in attendance and outlined the Enforcement report.

At this point the witness who was an Enforcement Agent entered the meeting to give his account of the incident in question.

Members and the Licence Holder and his Solicitor were given the opportunity to ask questions.

The meeting adjourned at 12.10 pm to enable the Enforcement Agent to obtain the footage of the incident in question. The meeting reconvened at 12.30 pm.

All parties were shown the footage of the incident which had been provided by the Enforcement Agent.

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

The Sub-Committee retired to deliberate the application in private at 12.50 pm. After re-convening at 12.55 pm the Chairman delivered the Sub-Committee's decision.

Resolved: That the Licence Holder's Hackney Carriage Driver Licence be revoked with immediate effect.