



General Licensing and Registration Sub-Committee (1)

Date **Wednesday 21 June 2017**
Time **1.30 pm**
Venue **Committee Room 2, County Hall, Durham**

Business

Part A

**Items during which the Press and Public are welcome to attend.
Members of the Public can ask questions with the Chairman's
agreement.**

1. Apologies for Absence.
2. Substitutes.
3. Minutes of the meeting held on 4 and 5 April 2017 (Pages 3 - 8)
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 and Private Hire Driver (Pages 9 - 34)
8. Application for the Ongoing Suitability of a Hackney Carriage and Private Hire Driver (Pages 35 - 80)
9. Application for the Ongoing Suitability of a Hackney Carriage and Private Hire Driver (Pages 81 - 114)
10. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration

Clare Pattinson
Interim Head of Legal and Democratic Services

County Hall
Durham

13 June 2017

To: **The Members of the General Licensing and Registration Sub-Committee (1)**

Councillor L Marshall (Chairman)

Councillors M Clarke, A Reed, A Surtees and A Willis

Contact: Paula Nicholson

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DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (1)** held in Committee Room 2, County Hall, Durham on **Tuesday 4 April 2017 at 10.00 am**

Present:

Councillor D Stoker (Chairman)

Members of the Committee:

Councillors A Batey, J Bell, D Hicks and P May

1 Apologies for Absence

An apology for absence was received from Councillor J Maitland.

2 Substitutes

There were no substitutes.

3 Declarations of interest

There were no declarations of interest.

4 Exclusion of the Public

Resolved:

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 and Private Hire Driver and Private Hire Operator

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

The Sub-Committee considered a report of the Corporate Director, Adult and Health 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 and Private Hire Driver and Private Hire Operator (for copy see file of Minutes).

The Licensing Enforcement Officer presented the enforcement report. There were no questions of the Officer.

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 motoring offences.

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

All parties were invited to sum up and then the Sub-Committee retired to deliberate the Licence Holder's ongoing suitability in private at 10.25am. After re-convening at 10.30am the Chairman delivered the Sub-Committee's decision.

Resolved:

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

6 Application for the Ongoing Suitability of a Hackney Carriage Driver

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

The Committee considered a report of the Corporate Director of Adult and Health Services which requested Members to consider the ongoing suitability of a Hackney Carriage Driver (for copy see file of Minutes).

The Licensing Enforcement Officer presented the enforcement report. There were no questions of the Officer.

The representative from Durham Constabulary provided Members with background information to the matters detailed in the report and gave details of other previous offences. The Officer responded to questions.

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

All parties were invited to sum up and then the Sub-Committee retired to deliberate the Licence Holder's ongoing suitability in private at 11.05am. After re-convening at 11.30am the Chairman delivered the Sub-Committee's decision.

Resolved:

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

DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (1)** held in Committee Room 2, County Hall, Durham on **Wednesday 5 April 2017 at 10.00 am**

Present:

Members of the Committee:

Councillors D Stoker, A Surtees and A Willis

Also Present:

K Coulson-Patel (Solicitor)

H Johnson (Licensing Team Leader)

G Keay (Licensing Team Leader)

R Young (Licensing Enforcement Officer)

Sgt M Urwin (Durham Constabulary)

Councillor D Stoker (In the Chair)

1 Apologies for Absence

Apologies for absence had been received from Councillor J Bell.

2 Substitutes

There were no substitutes in attendance.

3 Minutes

The minutes of the meeting held on 1 March 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

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 licensed as a Hackney Carriage Driver (for copy of report, see file of minutes).

The Licensing Team Leader read out a statement from Sustainable Transport who were unable to attend the meeting.

The Licence Holder had provided Members with additional information.

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

A representative from Durham Constabulary was in attendance and confirmed that the Licence Holder had no previous convictions or motoring offences.

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

All parties were invited to sum up then the Sub-Committee retired to deliberate the application in private at 10.45 am. After reconvening at 11.15 am the Chairman delivered the Sub-Committee's decision.

Resolved: That the Licence Holder's Hackney Carriage Driver Licence be suspended for a 4 month period and would appear before the Sub-Committee at the end of the 4 month suspension. If the Licence Holder could provide evidence that she had undertaken counselling and a doctor could confirm in writing that she was fit to drive a taxi then the Sub-Committee would consider lifting the suspension early.

7 Application for the Ongoing Suitability of a Hackney Carriage Driver

The Chairman welcomed the Licence Holder and his Barrister 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 licensed as a Hackney Carriage Driver (for copy of report, see file of minutes).

A representative from Durham Constabulary was in attendance and provided Members with background information in respect of the matters detailed in the report. Members and the Licence Holder and his Barrister were given the opportunity to ask questions.

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

The complainants gave their account of the incident via telephone. Members and the Licence Holder and his Barrister were given the opportunity to ask questions of the complainants.

The Licence Holder's Barrister addressed the Sub-Committee and provided Members with a character reference. The Licence Holder and his Barrister then responded to questions.

All parties were invited to sum up then the Sub-Committee retired to deliberate the application in private at 12.05 pm. After reconvening at 12.20 pm the Chairman delivered the Sub-Committee's decision.

Resolved: That the Licence Holder be issued with a written warning for a 6 month period.

8 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 of Adult and Health 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 of report, 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 ask questions.

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

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

All parties were invited to sum up then the Sub-Committee retired to deliberate the application in private at 12.45 pm. After reconvening at 12.50 pm 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.

R Young, Licensing Enforcement Officer, joined the Meeting

9 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 of Adult and Health 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 of report, 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 ask questions.

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

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

All parties were invited to sum up then the Sub-Committee retired to deliberate the application in private at 1.10 pm. After reconvening at 1.20 pm the Chairman delivered the Sub-Committee's decision.

Resolved: That the Licence Holder's Hackney Carriage Driver Licence be suspended for a 6 month period.

By virtue of paragraph(s) 1, 2, 3, 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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