



General Licensing and Registration Sub-Committee (2)

Date **Wednesday 20 September 2017**
Time **1.30 pm**
Venue **Committee Room 2, County Hall, Durham**

Business

Part A

1. Apologies for Absence.
2. Substitutes.
3. Minutes of the meeting held on 5 July 2017 (Pages 3 - 6)
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 7 - 30)
8. Application for the Ongoing Suitability of a Hackney Carriage Driver (Pages 31 - 146)
9. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration.

Helen Lynch
Head of Legal and Democratic Services

County Hall
Durham
12 September 2017

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

Councillor C Carr (Chairman)

Councillors M Clarke, K Liddell, J Maitland and A Reed

Contact: Paula Nicholson

Tel: 03000 269710

DURHAM COUNTY COUNCIL

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

Present:

Councillor C Carr (Chairman)

Members of the Committee:

Councillors J Bell, M Clarke, J Considine and J Maitland

Also Present:

S Grigor (Legal Officer)

H Johnson (Licensing Team Leader)

R Young (Licensing Enforcement Officer)

I Dargue (Licensing Enforcement Officer)

1 Apologies for Absence

Apologies for absence had been received from Councillor Stephenson.

2 Substitutes

Councillor Clarke substituted for Councillor Stephenson.

3 Minutes

The Minutes of the meeting held on 26 April 2017 were confirmed as a correct record and signed by the Chairman.

4 Declarations of Interest

Councillor Maitland declared an interest in Agenda Item No. 10 and withdrew from the meeting during consideration thereof.

5 Exclusion of the Public

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.

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 the report of the Corporate Director Adults and Health Services which requested Members to determine the ongoing 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 advised Members that the vehicle check book had been misplaced and was in the vehicle as required by the Council's Hackney Carriage and Private Hire Policy. A copy of the check sheet had been circulated to Members at the meeting.

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

The Licensing Enforcement Officer presented the enforcement report. Members and the Licence Holder were given the opportunity to ask questions of the Officer.

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

All parties were invited to sum up then the Sub-Committee retired to deliberate the application in private at 10.10 am. After re-convening at 10.15 am the Chairman delivered the Sub-Committee's decision.

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

7 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.

The Committee considered the report of the Corporate Director Adults and Health Services which requested Members to 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).

The Licensing Team Leader circulated three references that the Licence Holder had provided one of which had been verified. A further reference was provided at the meeting which had been verified.

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

The Licensing Enforcement Officer presented the enforcement report. Members and the Licence Holder were given the opportunity to ask questions of the Officer.

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

All parties were invited to sum up then the Sub-Committee retired to deliberate the application in private at 10.40 am. After re-convening at 10.50 am the Chairman delivered the Sub-Committee's decision.

Resolved: That the Licence Holder's Hackney Carriage and Private Hire Licence be suspended with immediate effect for a 6 month period.

R Young (Licensing Enforcement Officer) left the meeting

I Dargue (Licensing Enforcement Officer) joined the meeting

8 Application for the Ongoing Suitability of a Hackney Carriage Driver

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

The Committee considered the report of the Corporate Director Adults and Health Services which requested Members to determine the ongoing suitability of the Licence Holder to continue to be licensed as a Hackney Carriage Driver (for copy of report, see file of minutes).

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

The Licensing Enforcement Officer presented the enforcement report. Members and the Licence Holder were given the opportunity to ask questions of the Officer.

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

The meeting adjourned at 11.25 am to allow the Chairman to speak to Members of the Sub-Committee. The meeting re-convened at 11.40 am and the Licence Holder and his supporter were asked to address the Sub-Committee.

All parties were invited to sum up then the Sub-Committee retired to deliberate the application in private at 11.55 am. After re-convening at 12.00 Noon the Chairman delivered the Sub-Committee's decision.

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

(ii) That the Licensing Team Leader arrange for a copy of the Council's Hackney Carriage and Private Hire Licensing Policy to be translated to Bangladesh and provide the Licence Holder with a copy.

Councillor Maitland withdrew from 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.

The Committee considered the report of the Corporate Director Adults and Health Services which requested Members to determine the ongoing suitability of the Licence Holder to continue to be licensed as a Hackney Carriage Driver (for copy of report, see file of minutes).

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

The Licensing Enforcement Officer presented the enforcement report and invited the Workshop Manager from Meadowfield Testing Centre to address the Sub-Committee. Members and the Licence Holder were given the opportunity to ask questions of the Officers.

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

All parties were invited to sum up then the Sub-Committee retired to deliberate the application in private at 12.35 pm. After re-convening at 12.50 pm the Chairman delivered the Sub-Committee's decision.

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

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank