

DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (3)** held in Committee Room 2, County Hall, Durham on **Wednesday 15 November 2017 at 1.30 pm**

Present:

Councillor J Maitland (Chair)

Members of the Committee:

Councillors A Batey, J Considine, A Reed and J Stephenson

1 Apology for Absence

An apology for absence was received from Councillor Crathorne.

2 Substitute Members

Councillor Maitland substituted for Councillor Crathorne.

3 Declarations of interest

There were no declarations on interest.

4 Minutes

The Minutes of the meeting held on 4 October 2017 were agreed as a correct record and were signed by the Chairman.

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 involved 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 Chair welcomed the Licence Holder and his Solicitor to the meeting and introductions were made.

The Sub-Committee considered the report of the Corporate Director of Adult and Health Services which requested Members to 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 Team Leader presented the report and informed Members that at a meeting of the Sub-Committee held on 26 April 2017 the Licence Holder had been issued with a 12 month written warning and his Hackney Carriage Driver Licence was suspended for a period of 2 months, with the suspension itself being suspended for 12 months.

The Licensing Team Leader responded to a question from the Licence Holder's Solicitor.

Members then heard from the Licensing Enforcement Officer who presented the enforcement report and responded to questions from Members, the Licensing Team Leader and the Licence Holder's Solicitor.

A representative from Durham Constabulary was in attendance and confirmed the offences detailed in the report and provided details of motoring convictions. All parties were given the opportunity to ask questions.

The Licence Holder and his Solicitor were then invited to address the Sub-Committee and responded to questions.

All parties were given a final opportunity to address Members.

At 2.30pm the Sub-Committee retired to deliberate the application in private. After re-convening at 3.00pm the Chair delivered the Sub-Committee's decision.

Resolved:

That

- a) the Hackney Carriage Driver Licence be suspended for a 2 month period;
- b) the Licence Holder be issued with a further 12 month written warning with effect from 15 November 2017.

7 Application for the Ongoing Suitability of a Hackney Carriage Driver

The Licensing Team Leader advised that additional information had been submitted by the Licence Holder in connection with the matter detailed in the report.

The Sub-Committee **Resolved:**

That in view of the additional information received, the hearing be adjourned and re-convened with all parties in attendance.

8 Application for the Ongoing Suitability of a Private Hire Driver

Members were informed that the Licence Holder was not in attendance and it had not been possible to contact him. A number of attempts had been made to arrange a pre-committee interview and to arrange for the Licence Holder's attendance before the Sub-Committee.

In view of this the Sub-Committee **Resolved** that the hearing should proceed in the Licence Holder's absence.

The Committee considered the report of the Corporate Director of Adult and Health Services which requested Members to determine the suitability of the Licence Holder to continue to be licensed as a Private Hire Driver (for copy see file of Minutes).

The representative from Durham Constabulary provided background information to the Licence Holder's conviction.

Having considered the information in the report and the information provided by Durham Constabulary the Sub-Committee **Resolved:**

That the Private Hire Driver Licence be revoked with immediate effect.