

## **DURHAM COUNTY COUNCIL**

At a Meeting of **General Licensing and Registration Sub-Committee (3)** held in Committee Room 2, County Hall, Durham on **Wednesday 7 February 2018 at 1.30 pm**

### **Present:**

**Councillor J Maitland (Chairman)**

### **Members of the Committee:**

Councillors A Batey, S Durham, K Liddell and A Willis

### **Also Present:**

S Buston (Solicitor)

H Johnson (Licensing Team Leader)

I Dargue (Licensing Enforcement Officer)

Sgt M Urwin (Durham Constabulary)

### **1 Apologies for Absence**

An apology for absence was received from Councillor A Surtees.

### **2 Substitute Members**

Councillor A Willis substituted for Councillor A Surtees.

### **3 Declarations of Interest**

There were no declarations of interest.

### **4 Minutes**

The minutes of the meeting held on 20 December 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 item of business on the grounds that it 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 Grant of a Hackney Carriage and Private Hire Driver's Licence**

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

The Sub-Committee considered the report of the Corporate Director of Adult and Health Services that requested Members to determine the suitability of the Applicant being granted a Hackney Carriage and Private Hire Driver Licence (for copy of report, see file of minutes).

The Licensing Team Leader presented the report and Members and Officers were given the opportunity to ask questions. The Applicant was also given the opportunity to ask questions.

The Licensing Enforcement Officer presented the Licensing Enforcement Team Committee Referral Report and Members and Officer were given the opportunity to ask questions. The Applicant was also 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 Applicant were given the opportunity to ask questions.

The Applicant and his supporter were invited to address the Sub-Committee and respond to questions from Members and Officers.

At 1.50 p.m. the Sub-Committee retired to deliberate the application in private. After re-convening at 2.00 p.m. the Chairman delivered the Sub-Committee's decision.

**Resolved:** That the Applicant be granted a Hackney Carriage and Private Hire Driver licence as he was considered to be a fit and proper person but he was issued with a written warning for a 12 month period.

The Sub-Committee suggested that the Applicant initially concentrate on Private Hire work to gain his confidence before undertaking any Hackney Carriage work.

## **7 Application for the Ongoing Suitability of a Hackney Carriage Driver**

Members were advised that the Licence Holder had indicated that he would not be in attendance at the hearing today and had asked for an adjournment. Members were provided with the history surrounding the current suspension and the reasons for his adjournment. Members were asked if they wished to proceed with the appeal in the absence of the Licence Holder.

Members discussed the adjournment and determined that the matter should be considered in the absence of the Licence Holder.

The Sub-Committee considered the report of the Corporate Director of Adult and Health Services that requested Members to determine the suitability of the Licence

Holder to continue to be licenced as a Hackney Carriage Driver (for copy of report, see file of minutes).

The Licensing Team Leader presented the report and Members and Officers 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.

At 2.40 p.m. the Sub-Committee retired to deliberate the application in private. After re-convening at 2.55 p.m. the Chairman delivered the Sub-Committee's decision.

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