

DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (2)** held in Council Chamber - County Hall, Durham on **Wednesday 19 December 2018 at 10.00 am**

Present:

Councillor C Carr (Chairman)

Members of the Committee:

Councillors J Bell, J Maitland, A Reed and D Stoker

Also Present:

Mrs C Hazel – Council's Solicitor

Mrs H Johnson – Licensing Team Leader

Mrs L Cloney – Licensing Enforcement Team Leader

Mr M Haigh – Licensing Enforcement Officer

Mr I Dargue – Licensing Enforcement Officer

1 Apologies for Absence

There were no apologies for absence.

2 Substitutes

There were no substitute members.

3 Minutes

The Minutes of the meeting held on 14 November 2018 were confirmed as a correct record and were signed by the Chairman.

4 Declarations of Interest

There were no declarations of interest.

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 of the Act.

6 Consideration of the Ongoing Suitability of a Hackney Carriage and Private Hire Driver

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

The Sub-Committee considered the report of the Corporate Director of Regeneration and Local Services which requested Members to consider the 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 Enforcement Team Leader presented the report and advised Members that Durham Constabulary were unable to attend the meeting but had indicated that they had no comments to make. The Licence Holder and Members were given the opportunity to ask questions of the Officer.

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

The Licence Holder and her representative were invited to address the Sub-Committee and responded to questions from Members. Information that the Licence Holder had provided in relation to the Deregulation Bill in 2014 was circulated to Members. Members were advised that this particular part of the Bill had been removed from the Bill at the Lords Committee stage and was not the current law.

After Summing up, the Sub-Committee retired to deliberate the application in private at 10.55 a.m. After re-convening at 11.15 a.m., the Chairman delivered the Sub-Committee's decision.

Resolved: That the Licence Holder's Hackney Carriage and Private Hire Driver's Licence be revoked.

Mrs L Cloney, Licensing Enforcement Officer and Mr M Haigh, Licensing Enforcement Officer withdrew from the Meeting

Mr I Dargue, Licensing Enforcement Officer joined the meeting

7 Consideration of the Ongoing Suitability of a Hackney Carriage and Private Hire Driver

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

The Sub-Committee considered the report of the Corporate Director of Regeneration and Local Services which requested Members to consider the 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 presented the report and circulated references that the Licence Holder had provided and advised Members that she had only been able to verify 2 of the references. The Licence Holder and Members were given the opportunity to ask questions of the Officer.

The Licensing Enforcement Officer was in attendance and outlined the Licensing 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 responded to questions from Members.

After Summing up, the Sub-Committee retired to deliberate the application in private at 12.10 p.m. After re-convening at 12.25 p.m., the Chairman delivered the Sub-Committee's decision.

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

8 Consideration of the Ongoing Suitability of a Hackney Carriage Driver

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

The Sub-Committee considered the report of the Corporate Director of Regeneration and Local Services which requested Members to consider 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 presented the report and advised Members that Durham Constabulary were unable to attend the meeting but had indicated that their records matched the account provided by the Licence Holder. The Licence Holder and Members were given the opportunity to ask questions of the Officer.

The Licensing Enforcement Officer was in attendance and outlined the Licensing 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 responded to questions from Members. Members were provided with a further reference from the Licence Holder, which had been verified.

After Summing up, the Sub-Committee retired to deliberate the application in private at 1.00 p.m. After re-convening at 1.25 p.m., the Chairman delivered the Sub-Committee's decision.

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