

## **DURHAM COUNTY COUNCIL**

At a Meeting of **General Licensing and Registration Sub-Committee (1)** held in Committee Room 2, County Hall, Durham on **Wednesday 3 December 2014 at 2.00 pm**

### **Present:**

**Councillor L Marshall (Chairman)**

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

Councillors J Blakey and O Gunn

### **Also Present:**

C Greenlay (Principal Solicitor)  
H Johnson (Licensing Team Leader)  
G Keay (Licensing Team Leader)  
M Shearer (Senior Engineer)  
Sgt Tim Robson (Durham Constabulary)

### **1 Apologies for Absence**

Apologies for absence had been received from Councillors Geldard and Hopper.

### **2 Substitutes**

Councillor Blakey substituted for Councillor Geldard.

### **3 Minutes**

The Minutes of the meeting held on 22 October 2014 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**

#### **Resolved:**

That under Section 100A(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 Appeal Against the Refusal to Grant a Street Trading Consent**

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

Consideration was given to the report of the Corporate Director, Neighbourhood Services which requested the Sub-Committee to consider and determine the appeal by the Applicant to be granted a street trading consent to sell hot and cold food and drink from a catering van (for copy see file of minutes).

M Shearer, Senior Engineer from Traffic Assets was in attendance and presented her reasons for her objection to the application and responded to questions from members. She also circulated a copy of the adopted plan for the area in question.

The Applicant presented his case and responded to questions from Members.

The Sub-Committee retired to deliberate the application in private at 2.30 pm. After reconvening at 2.40 pm, the Chair delivered the Sub-Committee's decision.

### **Resolved:**

That the Applicant's Appeal be refused.

**M Shearer withdrew from the Meeting and  
Sgt T Robson and G Keay joined the Meeting**

## **7 Application for the Grant of a Hackney Carriage Driver Licence**

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

Consideration was given to the report of the Corporate Director, Neighbourhood Services which requested the Sub-Committee to consider and determine the suitability of the Applicant to be licenced as a Hackney Carriage Driver (for copy see file of Minutes).

A representative from Durham Constabulary addressed the Sub-Committee and indicated that they had concerns but no objections to the application. The Applicant was given the opportunity to ask questions.

The Applicant addressed the Sub-Committee and responded to questions from Members.

The Sub-Committee retired to deliberate the application in private at 3.00 pm. After reconvening at 3.15 pm, the Chair delivered the Sub-Committee's decision.

### **Resolved:**

That the application be refused as the Applicant was not considered to be a fit and proper person to hold a Hackney Carriage Driver Licence.

### **D Wafer joined the Meeting**

#### **8 Application for the Ongoing Suitability of a Hackney Carriage/Private Hire Driver Agenda Item No.10**

At the request of the Licence Holder the item be deferred to the next meeting of the General Licensing and Registration Sub-Committee which is scheduled to be held on 17 December 2014.

Members suggested that the application be not deferred any further and it be heard in the absence of the Licence Holder if he was not in attendance at the next meeting.

### **D Wafer withdrew from the Meeting**

#### **9 Application for the Ongoing Suitability of a Private Hire Driver Agenda Item No. 9**

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

Consideration was given to the report of the Corporate Director, Neighbourhood Services which requested the Sub-Committee to consider and determine the ongoing suitability of the Licence Holder to continue to be licenced as a Private Hire Driver (for copy see file of Minutes).

The Licensing Team Leader advised Members that a further letter of support had been received which had been verified.

A representative from Durham Constabulary addressed the Sub-Committee and indicated that they had no objections to the continuation of the licence. The Licence Holder was given the opportunity to ask questions.

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

The Sub-Committee retired to deliberate the application in private at 3.35 pm. After reconvening at 3.40 pm, the Chair delivered the Sub-Committee's decision.

#### **Resolved:**

That the suspension be lifted with immediate effect.

#### **10 Application for the Grant of a Hackney Carriage Driver Licence**

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

Consideration was given to the report of the Corporate Director, Neighbourhood Services which requested the Sub-Committee to consider and determine the suitability of the Applicant to be licenced as a Hackney Carriage Driver (for copy see file of Minutes).

A representative from Durham Constabulary addressed the Sub-Committee and indicated that they would have objections to the application the Applicant was not considered to be a fit and proper person to hold a Hackney Carriage Driver Licence. The Applicant was given the opportunity to ask questions.

The Applicant addressed the Sub-Committee and responded to questions from Members.

The Sub-Committee retired to deliberate the application in private at 3.35 pm. After reconvening at 4.05 pm, the Chair delivered the Sub-Committee's decision.

**Resolved:**

That the application be refused as the Applicant was not considered to be a fit and proper person to hold a Hackney Carriage Driver Licence.