

DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (3)** held in Committee Room 2, County Hall, Durham on **Wednesday 18 February 2015 at 10.00 am**

Present:

Councillor J Blakey (Chairman)

Members of the Committee:

Councillors K Hopper, T Nearney and A Surtees

1 Apologies for Absence

Apologies for absence were received by Councillors E Bell and P Crathorne.

2 Substitute Members

There were no substitute Members in attendance.

3 Declarations of interest, if any.

There were no declarations of interest.

4 Minutes

The minutes of the meeting held on 7 January 2015 were agreed as a correct record and signed by the Chairman.

5 Any resolution relating to the exclusion of the public during the discussion of exempt information.

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 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 took place.

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 licensed as a Hackney Carriage Driver (for copy see file of minutes).

The Licensing Team Leader presented the report and the Licence Holder was given the opportunity to ask questions. The Licensing Team Leader from Enforcement was invited to present information contained in the report and DVD evidence was played during the hearing.

The Legal Officer explained to the Licence Holder that for the purpose of the hearing, previous convictions which were outside of the normal spent period were able to be taken into consideration, however it was a matter for the Sub-Committee to determine what, if any, weight was given to those spent convictions.

A representative from Durham Constabulary addressed the Sub-Committee and responded to questions from Members.

The Licence Holder was given the opportunity to ask questions, following which they presented their case and responded to questions from Members.

The Sub-Committee retired to deliberate the application in private at 10.50 am. After reconvening at 11.05 am, the Chairman delivered the Sub-Committees decision.

RESOLVED

That the Hackney Carriage Driver Licence be revoked as the Licence Holder was not deemed to be a fit and proper person.

7 Application for the Ongoing Suitability of a Hackney Carriage Driver

The Chairman welcomed the Licence Holder to the meeting and introductions took place.

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 licensed as a Hackney Carriage Driver (for copy see file of minutes).

The Licensing Team Leader presented the report and the Licence Holder was given the opportunity to ask questions.

A representative from Durham Constabulary addressed the Sub-Committee and responded to questions from Members.

The Licence Holder was given the opportunity to ask questions, following which they presented their case and responded to questions from Members.

The Sub-Committee retired to deliberate the application in private at 11.20 am. After reconvening at 11.25 am, the Chairman delivered the Sub-Committees decision.

RESOLVED

That the Hackney Carriage Driver Licence be continued subject to a 12 month written warning as the Licence Holder was deemed to be a fit and proper person.

8 Application for the Grant of a Hackney Carriage Driver Licence

The Chairman welcomed the Licence Holder to the meeting and introductions took place.

Consideration was given to the report of the Corporate Director, Neighbourhood Services, which requested the Sub-Committee to consider and determine the application for the grant of a Hackney Carriage and Private Hire Driver Licence (for copy see file of minutes).

The Licensing Team Leader presented the report and the Licence Holder was given the opportunity to ask questions.

A representative from Durham Constabulary explained to the Licence Holder that for the purpose of the hearing, previous convictions which were outside of the normal spent period were able to be taken into consideration, however it was a matter for the Sub-Committee to determine what, if any, weight was given to those spent convictions. He then addressed the Sub-Committee and responded to questions from Members.

The Applicant was given the opportunity to ask questions, following which they presented the case and responded to questions from Members.

The Sub-Committee retired to deliberate the application in private at 11.45 am. After reconvening at 12.00 pm, the Chairman delivered the Sub-Committees decision.

RESOLVED

That the Hackney Carriage Driver Licence be granted as the Applicant was deemed to be a fit and proper person.

9 Consideration for an exemption of displaying the licence plate and decals

Consideration was given to the report of the Corporate Director, Neighbourhood Services, which requested the Sub-Committee to consider and determine the application for an exemption of displaying the licence plate and decals (for copy see file of minutes).

The Licensing Team Leader presented the report and responded to questions from Members.

RESOLVED

That the application for the exemption of displaying the licence plate and decals be approved.