

## **DURHAM COUNTY COUNCIL**

At a Meeting of **General Licensing and Registration Sub-Committee (1)** held in Committee Room 2, County Hall, Durham on **Wednesday 15 July 2015 at 2.00 pm**

### **Present:**

**Councillor L Marshall (Chairman)**

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

Councillors D Hicks, P May, D Stoker and A Willis

### **Also Present:**

S Buston (Solicitor)

H Johnson (Licensing Team Leader)

N Stoker (Licensing Enforcement Officer)

PCSO M Haigh (Durham Constabulary)

### **1 Apologies for Absence**

Apologies for absence had been received from Councillors D Boyes, P Crathorne and J Maitland.

### **2 Substitutes**

Councillors P May, D Stoker and A Willis substituted for Councillors D Boyes, P Crathorne and J Maitland.

### **3 Minutes**

The minutes of the meeting held on 3 June 2015 were confirmed as a correct record and signed by the Chairman.

### **4 Declarations of Interest**

Councillor D Hicks declared an interest in agenda item No. 8 and withdrew from the meeting during consideration thereof.

### **5 Exclusion of the Public**

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 Application for the Renewal of a Hackney Carriage Driver**

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

Members were provided with two references which the Licence Holder had provided.

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

A representative from Durham Constabulary addressed the Sub-Committee in respect of the matters detailed in the report and indicated that they had concerns. The Licence Holder was given the opportunity to ask questions.

The Licence Holder and his Representative addressed the Sub-Committee and responded to questions from members.

The Sub-Committee retired to deliberate the application in private at 2.15 am. After reconvening at 2.20 am, the Chair delivered the Sub-Committee's decision.

**Resolved:** That the Licence Holder be granted a Hackney Carriage Driver Licence but he be issued with a written warning for a 6 month period.

**N Stoker (Licensing Enforcement Officer) joined the meeting**

**Councillor D Hicks withdrew from the meeting**

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

The Chairman welcomed the Licence Holder 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 Hackney Carriage and Private Hire Driver (for copy see file of minutes).

The Licensing Enforcement Officer was in attendance and addressed the Sub-Committee on the matters contained in the report.

A representative from Durham Constabulary addressed the Sub-Committee in respect of the matters detailed in the report and indicated that they had serious concerns regarding the suitability of the Licence Holder continuing to be licensed as a Hackney Carriage and Private Hire Driver. 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 3.05 pm. After reconvening at 3.20 pm, the Chair delivered the Sub-Committee's decision.

**Resolved:** That the Licence Holder's Hackney Carriage and Private Hire Drivers Licence be revoked as he was not considered to be a fit and proper person.

### **Councillor D Hicks joined the meeting**

## **8 Application for the Renewal of a Hackney Carriage Driver Licence**

The Chairman welcomed the Licence Holder and his Solicitor 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 Hackney Carriage Driver (for copy see file of minutes).

A representative from Durham Constabulary addressed the Sub-Committee in respect of the matters detailed in the report and indicated that they would strongly object to the Licence Holder continuing to hold a Hackney Carriage Driver Licence . The Licence Holder and his Solicitor were given the opportunity to ask questions.

The Licence Holder and his Solicitor addressed the Sub-Committee and responded to questions from members.

The Sub-Committee retired to deliberate the application in private at 5.00 pm. After reconvening at 5.15 pm, the Chair delivered the Sub-Committee's decision.

**Resolved:** That the Licence Holder's application to renew his Hackney Carriage Driver Licence be refused as he was not considered to be a fit and proper person.