

DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (3)** held in Council Chamber, Council Offices, Spennymoor on **Wednesday 17 February 2016 at 10.00 am**

Present:

Councillor B Glass (Chairman)

Members of the Committee:

Councillors D Bell, P Crathorne and J Maitland

Also Present:

Helen Johnson – Licensing Team Leader
Laura Cloney – Licensing Team Leader
Stephen Buston – Solicitor (Litigation)
PCSO Martin Haigh – Durham Constabulary

1 Apologies for Absence

Apologies for absence were received from Councillors I Geldard and A Willis.

2 Substitute Members

Councillor J Maitland substituted for Councillor A Willis.

3 Declarations of interest

There were no declarations of interest.

4 Minutes

The Minutes of the meeting held on 6 January 2016 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 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 Ongoing Suitability of a Hackney Carriage Driver

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

Consideration was given to the report of the Licensing Team Leader 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 Enforcement Team Leader addressed the Sub-Committee with regard to the matters detailed in the report and took Members through the interview with the Licence Holder. Members, the Licence Holder and his Solicitor were invited to ask questions of the Officer.

The representative from Durham Constabulary confirmed the matter referred to in the Licensing Team Leader's report and provided additional intelligence in relation to an earlier incident which had been discussed during the interview with the Licensing Enforcement Team Leader. Members, the Licence Holder and his Solicitor were invited to ask questions of the Officer.

At this point the meeting adjourned to allow the Licence Holder and his Solicitor to discuss the additional information referred to by the Police representative.

After re-convening the Licence Holder and his Solicitor were invited to address the Sub-Committee. The Licence Holder submitted additional information which was circulated to all parties, and the Sub-Committee was informed that it had not been possible to verify the character reference provided.

Following the submissions made, a number of questions were asked by Members of the Sub-Committee and the Police representative.

All parties were then invited to sum up.

The Sub-Committee retired to deliberate the application in private at 11.40am. After re-convening at 12 noon the Chairman delivered the Sub-Committee's decision.

Resolved:

That the Hackney Carriage Driver Licence be revoked with immediate effect as the Licence Holder was not deemed to be a 'fit and proper' person to hold a licence.

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 Licensing Team Leader 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 and Private Hire Driver (for copy see file of Minutes).

Additional information was provided by the applicant which was circulated to all parties.

The representative of Durham Constabulary confirmed the matters detailed in the report, and Members and the Licence Holder were invited to ask questions of the Officer.

The Licence Holder was then invited to address the Sub-Committee and responded to questions from Members.

The Sub-Committee retired to deliberate the application in private at 12.17pm. After re-convening at 12.20pm the Chairman delivered the Sub-Committee's decision.

Resolved:

That the Licence Holder be issued with a written warning for a 6 month period.