

DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (2)** held in Council Chamber, Council Offices, Spennymoor on **Wednesday 16 March 2016 at 2.00 pm**

Present:

Councillor C Carr (Chairman)

Members of the Committee:

Councillors D Bell, J Maitland and A Willis

Also Present:

S Buston (Solicitor)

H Johnson (Licensing Team Leader)

L Cloney (Licensing Enforcement Team Leader)

N Anderson (Licensing Enforcement Officer)

Sgt Urwin (Durham Constabulary)

1 Apologies for Absence

Apologies for absence had been received from Councillors D Boyes and T Nearney.

2 Substitutes

Councillor J Maitland substituted for Councillor T Nearney.

3 Minutes

The minutes of the meeting held on 3 February 2016 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

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 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 suitability of the Licence Holder to continue to be licensed as a Hackney Carriage and Private Hire Driver (for copy see file of minutes).

The Licensing Enforcement Team Leader presented the enforcement report. Members and the Licence Holder were given the opportunity to ask questions.

A representative from Durham Constabulary was in attendance and provided Members with background information in respect of the matters detailed in the report and provided details of motoring offences. Members and the Licence Holder were given the opportunity to ask questions.

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

The Sub-Committee retired to deliberate the application in private at 2.30 pm. After re-convening at 2.35 pm the Chairman delivered the Sub-Committee's decision.

Resolved: (i) That the suspension remain in place until the Licence Holder had undertaken a CSE training course. Once the course had been completed satisfactorily the suspension would be lifted.

(ii) That the Licence Holder also be issued with a written warning for a 12 month period.

7 Application for the Ongoing Suitability of a Hackney Carriage 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 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 presented the enforcement report. Members and the Licence Holder were given the opportunity to ask questions.

A representative from Durham Constabulary was in attendance and provided Members with background information in respect of the matters detailed in the report and responded to questions. The Licence Holder was given the opportunity to ask questions.

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

The Sub-Committee retired to deliberate the application in private at 2.55 pm. After re-convening at 3.00 pm the Chairman delivered the Sub-Committee's decision.

Resolved: That the suspension be lifted on the condition that the Licence Holder completed a CSE training course within 3 months.

8 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 Corporate Director, Neighbourhood Services which requested the Sub-Committee to consider and determine the 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 provided members with copies of character references that the Licence Holder had provided, some of which had been verified.

The Licensing Enforcement Team Leader presented the enforcement report. Members and the Licence Holder and his Solicitor were given the opportunity to ask questions.

A representative from Durham Constabulary was in attendance and provided Members with background information in respect of the matters detailed in the report and provided members with details of motoring offences. Members and the Licence Holder and his Solicitor were given the opportunity to ask questions.

The meeting adjourned for five minutes to allow the Licence Holder to speak to his Solicitor.

The witness entered the meeting to give his statement. Members and 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. They also provided signed copies of some of the references.

The Sub-Committee retired to deliberate the application in private at 4.20 pm. After re-convening at 4.35 pm the Chairman delivered the Sub-Committee's decision.

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

L Cloney (Licensing Enforcement Team Leader) left the Meeting

N Anderson (Licensing Enforcement Officer) joined the Meeting

9 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 Corporate Director, Neighbourhood Services which requested the Sub-Committee to consider and determine the suitability of the Licence Holder to continue to be licensed as a Hackney Carriage Driver (for copy see file of minutes).

Members and the Licence Holder and his Solicitor were provided with details of a further complaint that had recently been received.

The Licensing Enforcement Officer presented the enforcement report and showed members the video footage referred to in the report. Members heard from three witnesses. Members and the Licence Holder and his Solicitor were given the opportunity to ask questions. The witnesses left the meeting.

The meeting adjourned at 6.30 pm and re-convened at 10.00 am on 22 March 2016.

The Licensing Enforcement Officer continued to present her report and showed Members further footage which was referred to in the report. Members and the Licence Holder and his Solicitor were given the opportunity to ask questions.

A representative from Durham Constabulary was in attendance and provided Members with background information in respect of the matters detailed in the report and responded to questions. Members and 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.

The Sub-Committee retired to deliberate the application in private at 11.50 am. After re-convening at 12.05 pm the Chairman delivered the Sub-Committee's decision.

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