

DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (2)** held in Council Chamber, County Hall, Durham on **Tuesday 19 July 2016 at 10.00 am**

Present:

Councillor C Carr (Chairman)

Members of the Committee:

Councillors C Hampson, J Hart, I Jewell and B Kellett

Also Present:

S Buston – Legal Officer

H Johnson – Licensing Team Leader

H Anderson – Licensing Enforcement Officer

I Dargue – Licensing Enforcement Officer

PCSO Haigh – Durham Constabulary

1 Apologies for Absence

There were no apologies for absence.

2 Substitutes

There were no substitute Members.

3 Declarations of Interest

There were no declarations of interest.

4 Exclusion of the Public

Resolved:

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 Part 1 of Schedule 12A of the Act.

5 Application for the Ongoing Suitability of a Hackney Carriage Driver

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

The Licence Holder requested an adjournment of the hearing as his recently appointed Solicitor had not had an opportunity to examine the DVD evidence produced, and was unable to attend the hearing.

Resolved:

That the application be deferred to a future meeting.

6 Application for the Ongoing Suitability of a Hackney Carriage and Private Hire Driver

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

Consideration was given to the report of the Interim Corporate Director Neighbourhood Services which requested the 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).

The Licensing Enforcement Officer presented the enforcement report and responded to questions from Members and the Licence Holder's Solicitor.

A witness was called by the Enforcement Officer who outlined the incidents referred to in the report and responded to questions from Members of the Sub-Committee, the Licence Holder's Solicitor and the PCSO.

The Police representative provided Members with background information in respect of the matters referred to in the report, and to the incident referred to by the Licence Holder's Solicitor in his questioning of the witness. The Police representative then responded to questions.

At this point the Licence Holder, his Solicitor and supporter addressed the Sub-Committee in relation to the matters raised and responded to questions.

The Sub-Committee retired to deliberate the application in private at 12.16pm. After re-convening at 12.26pm the Chairman delivered the Sub-Committee's decision.

Resolved:

That the Licence Holder's Hackney Carriage and Private Hire Driver Licence be revoked as he was not considered 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 were made.

Consideration was given to the report of the Interim 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 Officer presented the enforcement report and responded to questions.

A representative from Durham Constabulary was in attendance and provided Members with details of motoring offences.

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

The Sub-Committee retired to deliberate the application in private at 12.49pm. After re-convening at 12.55pm the Chairman delivered the Sub-Committee's decision.

Resolved:

That the Licence Holder be issued with a written warning for a 12 month period.

At this point the Sub-Committee adjourned and re-convened at 1.15pm.

8 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 Interim 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 Officer presented the enforcement report and responded to questions.

A representative from Durham Constabulary was in attendance and provided Members with background information in respect of the matters detailed in the report. The Officer also advised of two further incidents in relation to the Licence Holder. It was not possible to verify the last motoring offence.

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

At 1.54pm the Sub-Committee retired to deliberate the application in private. After re-convening at 2.00pm the Chairman delivered the Sub-Committee's decision.

Resolved:

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