

## **DURHAM COUNTY COUNCIL**

At a Meeting of **General Licensing and Registration Sub-Committee (2)** held in Council Chamber, County Hall, Durham on **Friday 22 July 2016 at 10.00 am**

### **Present:**

**Councillor C Carr (Chairman)**

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

Councillors O Gunn, J Maitland, P May and A Willis

### **Also Present:**

C Hazell – Solicitor

H Johnson – Licensing Team Leader

N Stoker – Licensing Enforcement Officer

R Young – Licensing Enforcement Officer

Sgt M Urwin – 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 Schedule 12A to the said Act.

### **5 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 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).

Members were informed by the Licensing Team Leader that three character references had been submitted by the Licence Holder, although it had not been possible to verify one of the statements. Copies of the documents were provided to Members.

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

A representative from Durham Constabulary was in attendance and provided Members with background information in respect of the matters detailed in the report and also gave details of other previous convictions. Members, the Licence Holder and his Solicitor were given the opportunity to ask questions.

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

After re-convening 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 10.57am. After re-convening at 11.05am the Chairman delivered the Sub-Committee's decision.

**Resolved:**

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

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

The Chairman welcomed the Licence Holder and his supporter 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 and Private Hire Driver (for copy see file of Minutes).

The Licensing Team Leader reported that the Licence Holder had submitted a statement and a character reference. Both documents had been verified and were provided to Members.

The Licensing Enforcement Officer presented the enforcement report.

A representative from the Police was in attendance and provided Members with background information in respect of the matter detailed in the report and provided details of a motoring offence.

Members and the Licence Holder were given the opportunity to ask questions of the Officers.

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

The Sub-Committee retired to deliberate the application in private at 11.37am. After re-convening at 11.41am the Chairman delivered the Sub-Committee's decision.

**Resolved:**

That no action be taken as the Licence Holder was considered to be a fit and proper person to hold a Hackney Carriage and Private Hire Driver Licence.

**7 Application for the Ongoing Suitability of a Hackney Carriage Driver**

The Chairman welcomed the Licence Holder and his representative 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 Team Leader reported of an amendment to page 103 of the papers and informed Members that the Licence Holder had submitted 32 references, of which 2 had been verified. Copies of the documents were provided to Members.

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 a further incident held on Police records and gave details of a motoring offence.

The Licence Holder and his representative were invited to address the Sub-Committee and responded to questions.

The Sub-Committee retired to deliberate the application in private at 1.11pm. After re-convening at 1.22pm the Chairman delivered the Sub-Committee's decision.

**Resolved:**

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

## **8 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 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 and Private Hire Driver (for copy see file of Minutes).

The Licensing Team Leader informed Members that the Licence Holder had submitted a statement and a character reference which had been verified. Copies of the documents were provided to Members.

The Licensing Enforcement Officer presented the enforcement report and invited a witness to confirm that the matter detailed in the report had now been resolved.

A representative from Durham Constabulary was in attendance and confirmed that there were no other convictions and gave details of a motoring offence.

Members and the Licence Holder were given the opportunity to ask questions of the Officers.

The Licence Holder addressed the Committee and responded to questions.

The Sub-Committee retired to deliberate the application in private at 1.38pm. After reconvening at 1.41pm the Chairman delivered the Sub-Committee's decision.

### **Resolved:**

That no action be taken as the Licence Holder was considered to be a fit and proper person to hold a Hackney Carriage and Private Hire Driver Licence.