

## **DURHAM COUNTY COUNCIL**

At a Meeting of **General Licensing and Registration Sub-Committee (1)** held in Committee Room 2, County Hall, Durham on **Wednesday 5 April 2017 at 10.00 am**

### **Present:**

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

Councillors D Stoker, A Surtees and A Willis

#### **Also Present:**

K Coulson-Patel (Solicitor)

H Johnson (Licensing Team Leader)

G Keay (Licensing Team Leader)

R Young (Licensing Enforcement Officer)

Sgt M Urwin (Durham Constabulary)

### **Councillor D Stoker (In the Chair)**

#### **1 Apologies for Absence**

Apologies for absence had been received from Councillor J Bell.

#### **2 Substitutes**

There were no substitutes in attendance.

#### **3 Minutes**

The minutes of the meeting held on 1 March 2017 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 100(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 to the meeting and introductions were made.

Consideration was given to the report of the Corporate Director of Adult and Health 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 of report, see file of minutes).

The Licensing Team Leader read out a statement from Sustainable Transport who were unable to attend the meeting.

The Licence Holder had provided Members with additional information.

The Licensing Enforcement Officer was in attendance and outlined the Enforcement report. Members and the Licence Holder were given the opportunity to ask questions.

A representative from Durham Constabulary was in attendance and confirmed that the Licence Holder had no previous convictions or motoring offences.

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

All parties were invited to sum up then the Sub-Committee retired to deliberate the application in private at 10.45 am. After reconvening at 11.15 am the Chairman delivered the Sub-Committee's decision.

**Resolved:** That the Licence Holder's Hackney Carriage Driver Licence be suspended for a 4 month period and would appear before the Sub-Committee at the end of the 4 month suspension. If the Licence Holder could provide evidence that she had undertaken counselling and a doctor could confirm in writing that she was fit to drive a taxi then the Sub-Committee would consider lifting the suspension early.

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

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

Consideration was given to the report of the Corporate Director of Adult and Health 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 of report, see file of minutes).

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

The Licensing Enforcement Officer was in attendance and outlined the Enforcement report. Members and the Licence Holder and his Barrister were given the opportunity to ask questions.

The complainants gave their account of the incident via telephone. Members and the Licence Holder and his Barrister were given the opportunity to ask questions of the complainants.

The Licence Holder's Barrister addressed the Sub-Committee and provided Members with a character reference. The Licence Holder and his Barrister then responded to questions.

All parties were invited to sum up then the Sub-Committee retired to deliberate the application in private at 12.05 pm. After reconvening at 12.20 pm 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 Driver**

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

Consideration was given to the report of the Corporate Director of Adult and Health 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 of report, see file of minutes).

The Licensing Enforcement Officer was in attendance and outlined 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 details in the report. Members and the Licence Holder were given the opportunity to ask questions.

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

All parties were invited to sum up then the Sub-Committee retired to deliberate the application in private at 12.45 pm. After reconvening at 12.50 pm 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.

**R Young, Licensing Enforcement Officer, joined the Meeting**

## **9 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 of Adult and Health 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 of report, see file of minutes).

The Licensing Enforcement Officer was in attendance and outlined 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. Members and the Licence Holder were given the opportunity to ask questions.

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

All parties were invited to sum up then the Sub-Committee retired to deliberate the application in private at 1.10 pm. After reconvening at 1.20 pm the Chairman delivered the Sub-Committee's decision.

**Resolved:** That the Licence Holder's Hackney Carriage Driver Licence be suspended for a 6 month period.