

DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (3)** held in Committee Room 2, County Hall, Durham on **Wednesday 19 July 2017 at 1.30 pm**

Present:

Councillor P Crathorne (Chair)

Members of the Committee:

Councillors A Batey, M Clarke, K Liddell and D Stoker

1 Apologies for Absence

There were no apologies for absence.

2 Substitute Members

There were no substitute Members.

3 Declarations of interest

There were no declarations of interest.

4 Minutes

The Minutes of the meeting held on 7 June 2017 were agreed as a correct record and were signed by the Chair.

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 involved 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 Committee considered a report of the Licensing Team Leader which requested Members to determine the ongoing suitability of the Licence Holder to continue to be licensed as a Hackney Carriage Driver (for copy see file of Minutes).

Members were informed that the Licence Holder had stated that he would not attend the Sub-Committee.

The Licensing Enforcement Officer presented the enforcement report, and Members were given the opportunity to ask questions of the Officer.

Durham Constabulary were not in attendance but had provided a statement which gave details of any previous convictions held on their records and the Police National Computer.

The Solicitor to the hearing provided Members with an update on the court proceedings in relation to the incident detailed in the report.

At this point the complainant was invited into the meeting to give her account of the incident and responded to questions from Members.

The Sub-Committee retired to consider the ongoing suitability of the Licence Holder in private at 1.45pm. After re-convening at 1.55pm the Chair delivered the Sub-Committee's decision.

Resolved:

That

- a) the Hackney Carriage and Private Hire Driver Licence be revoked as the Licence Holder was not deemed to be a fit and proper person;
- b) a letter be sent to the Licence Holder who assisted the complainant following the incident, commending him for his actions.

7 Application for the Ongoing Suitability of a Hackney Carriage Driver

To allow the Licence Holder's Solicitor to consult with his client the Sub-Committee adjourned for 10 minutes and re-convened at 2.05pm.

The Chair welcomed the applicant and his Solicitor to the meeting and introductions were made.

The Committee considered a report of the Licensing Team Leader which requested Members to determine the ongoing suitability of the Licence Holder to continue to be licensed as a Hackney Carriage Driver (for copy see file of minutes).

Members were provided with additional information submitted by the Licence Holder.

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

Durham Constabulary were not in attendance but had provided a statement which gave details of any previous convictions held on their records and the Police National Computer.

A representative of Northumbria Police was invited into the meeting to provide details of the incident referred to in the report and responded to questions. The Police Officer then left the meeting.

At this point the Licence Holder and his Solicitor were invited to address the Sub-Committee and responded to questions.

All parties were invited to make any final comments and at 3.00pm the Sub-Committee retired to consider the ongoing suitability of the Licence Holder in private. After re-convening at 4.00pm the Chair delivered the Sub-Committee's decision.

Resolved:

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