

## **DURHAM COUNTY COUNCIL**

At a Meeting of **General Licensing and Registration Sub-Committee (2)** held in Council Chamber - County Hall, Durham on **Wednesday 25 April 2018 at 10.00 am**

### **Present:**

**Councillor C Carr (Chairman)**

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

Councillors J Bell, A Reed, A Surtees and A Willis

### **Also Present:**

G Proud (Legal Officer)

L Cloney (Licensing Enforcement Team Leader)

M Haigh (Licensing Enforcement Officer)

I Dargue (Licensing Enforcement Officer)

### **1 Apologies for Absence**

There were no apologies for absence.

### **2 Substitutes**

There were no substitute Members.

### **3 Minutes**

The Minutes of the meeting held on 6 March 2018 were agreed as a correct record and were signed by the Chairman.

### **4 Declarations of Interest**

There were no declarations of interest.

### **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 involve the likely disclosure of exempt information as defined in paragraph 1, 2, 3 and 5 of Schedule 12A of the Act.

## **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.

The Sub-Committee considered the report of the Corporate Director of Adult and Health Services which requested Members to determine the ongoing suitability of the Licence Holder to continue to be licensed as a Hackney Carriage and Private Hire Driver (for copy of report, see file of minutes).

Durham Constabulary were unable to attend the meeting but had indicated that they had no further information to add.

The Licensing Enforcement Officer presented the enforcement report and Members and the Licence Holder were invited to ask questions.

Prior to the meeting, Members were provided with a written statement from the Licence Holder. The Licence Holder was asked if he had anything further to add to the statement, he then responded to questions.

All parties were invited to sum up then the Sub-Committee retired to deliberate the application in private at 10.20 am. After re-convening at 10.30 am the Chairman delivered the Sub-Committee's decision.

**Resolved:** (i) The Licence Holder was issued with a written warning for a 4 month period.

(ii) The Sub-Committee recommended that the Licence Holder make an apology to the complainant.

Mr Dargue, Licensing Enforcement Officer left the meeting

The Members agreed to delay the start of the hearing for 15 minutes in case the Licence Holder was late.

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

The Licence Holder was not in attendance but Members agreed to hear the application in his absence.

The Sub-Committee considered the report of the Corporate Director of Adult and Health Services which requested Members to determine the ongoing suitability of the Licence Holder to continue to be licensed as a Hackney Carriage Driver (for copy of report, see file of minutes).

Durham Constabulary were unable to attend the meeting but had indicated that they had no further information to add.

The Licensing Enforcement Officer presented the enforcement report and Members were invited to ask questions.

The Sub-Committee retired to deliberate the application in private at 10.55 am. After re-convening at 11.40 am the Chairman delivered the Sub-Committee's decision.

**Resolved:** That the Licence Holder's Hackney Carriage Licence be suspended with immediate effect.

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

The Licence Holder did not attend the meeting and Members agreed to consider the application in his absence.

The Sub-Committee considered the report of the Corporate Director of Adult and Health Services which requested Members to determine the ongoing suitability of the Licence Holder to continue to be licensed as a Hackney Carriage and Private Hire Driver (for copy of report, see file of minutes).

The Licensing Enforcement Team Leader presented the licensing report. Members were then given the opportunity to ask questions of the officer.

The Sub-Committee retired to deliberate the application in private at 11.50 am. After re-convening at 12.10 pm the Chairman delivered the Sub-Committee's decision.

**Resolved:** That the Licence Holder's Hackney Carriage and Private Hire Driver Licence be revoked.

Mr Dargue joined the meeting

## **9 Application for the Ongoing Suitability of a Hackney Carriage Proprietor and the Roadworthiness of a Hackney Carriage Vehicle**

The Licence Holder did not attend the meeting and Members agreed to consider the application in his absence.

The Sub-Committee considered the report of the Corporate Director of Adult and Health Services which requested Members to determine the ongoing suitability of a Hackney Carriage Proprietor and the Roadworthiness of a Hackney Carriage Vehicle (for copy of report, see file of minutes).

Members were advised that they only needed to consider the roadworthiness of the vehicle and not the suitability of the Hackney Carriage Proprietor.

The Licensing Enforcement Officer presented the enforcement report and invited the Manager of Hackworth Road Depot to join the meeting as a witness. Members were invited to ask questions of the Officers.

The Sub-Committee retired to deliberate the application in private at 12.55 pm. After re-convening at 1.15 pm the Chairman delivered the Sub-Committee's decision.

**Resolved:** That the Hackney Carriage Vehicle Licence be revoked and the Proprietor advised that his fleet of vehicles must be maintained.