

## **DURHAM COUNTY COUNCIL**

At a Special Meeting of **General Licensing and Registration Sub-Committee (2)** held in Council Chamber, Spennymoor - Council Offices, Spennymoor on **Tuesday 11 September 2018 at 10.00 am**

### **Present:**

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

Councillors M Clarke, A Reed and D Stoker

#### **Also Present:**

K Coulson-Patel (Council's Solicitor)  
H Johnson (Licensing Team Leader)  
L Cloney (Licensing Enforcement Team Leader)  
M Haigh (Licensing Enforcement Officer)  
Sgt C Dickinson (Durham Constabulary)

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

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

Apologies for absence had been received from Councillor K Liddell.

#### **2 Substitutes**

There were no substitute members.

#### **3 Declarations of Interest**

There were no declarations of interest.

#### **4 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 paragraphs 1, 2, 3 and 5 of Schedule 12A of the Act.

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

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

The Sub-Committee considered the report of the Corporate Director of Regeneration and Local Services that requested Members 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 of report, see file of minutes).

The Licensing Team Leader presented the Licensing and Enforcement report.

Members and the Licence Holder and his Solicitor were given the opportunity to ask questions of the officer.

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

The Licence Holder and his Solicitor were invited to address the Sub-Committee and responded to questions from Members and Officers.

After summing up the Sub-Committee retired to deliberate the application in private at 10.40 am. After re-convening at 11.05 am the Chairman delivered the Sub-Committee's decision.

**Resolved:** That the Licence Holder's Hackney Carriage and Private Hire Drivers Licence be suspended for 2 months.

#### **Mr M Haigh (Licensing Enforcement Officer) joined the Meeting**

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

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

The Sub-Committee considered the report of the Corporate Director of Regeneration and Local Services that requested Members to consider and 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).

The Licensing Team Leader presented the report, Members and the Licence Holder were given the opportunity to ask questions of the Officer.

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

The Complainant entered the meeting and addressed Members. Members and the Licence Holder were given the opportunity to ask questions of the complainant before he left the meeting.

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 of the Officer.

The Licence Holder was invited to address the Sub-Committee and responded to questions from Members and Officers.

After summing up the Sub-Committee retired to deliberate the application in private at 12.10 pm. After re-convening at 12.25 pm the Chairman delivered the Sub-Committee's decision.

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

**Mr M Haigh (Licensing Enforcement Officer) left the meeting**

**The meeting adjourned for a 5 minute comfort break**

**Mrs L Cloney (Licensing Enforcement Team Leader) joined the Meeting**

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

### **Agenda Item No. 9**

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 Regeneration and Local Services that requested Members to consider and 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).

The Licensing Team Leader presented the report, Members and the Licence Holder were given the opportunity to ask questions of the Officer.

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

A representative from Durham Constabulary was in attendance and confirmed that they had nothing to add.

The Licence Holder and his Supporter were invited to address the Sub-Committee and responded to questions from Members and Officers.

After summing up the Sub-Committee retired to deliberate the application in private at 1.00 pm. After re-convening at 1.10 pm the Chairman delivered the Sub-Committee's decision.

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

**Mrs L Cloney (Licensing Enforcement Team Leader) left the meeting**

**Mr M Haigh (Licensing Enforcement Officer) joined the meeting**

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

**Agenda Item No. 8**

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).

The Licensing Team Leader presented the report, Members were given the opportunity to ask questions of the Officer.

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

After summing up the Sub-Committee retired to deliberate the application in private at 1.25 pm. After re-convening at 1.30 pm the Chairman delivered the sub-Committee's decision.

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