



## **General Licensing and Registration Sub-Committee (1)**

**Date**      **Wednesday 8 March 2023**

**Time**      **1.30 pm**

**Venue**    **Committee Room 2, County Hall, Durham**

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### **Business**

#### **Part A**

##### **Items which are open to the Public and Press**

1. Apologies for Absence
2. Substitutes
3. Minutes of the meetings held on 30 November 2022 and 13 February 2023 (Pages 3 - 10)
4. Declarations of interest
5. Such other business as, in the opinion of the Chair of the meeting, is of sufficient urgency to warrant consideration
6. Any resolution relating to the exclusion of the public during the discussion of items containing exempt information

#### **Part B**

##### **Items during which it is considered the meeting will not be open to the public (consideration of exempt or confidential information)**

7. Consideration of the Ongoing Suitability of a Hackney Carriage Driver (Pages 11 - 36)
8. Such other business as, in the opinion of the Chair of the meeting, is of sufficient urgency to warrant consideration

**Helen Lynch**

Head of Legal and Democratic Services

County Hall

Durham

28 February 2023

To: **The Members of the General Licensing and Registration  
Sub-Committee (1)**

Councillor D Brown (Chair)

Councillors J Griffiths, O Gunn, C Hunt and R Potts

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**Contact: Jill Hogg**

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## DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (1)** held in Council Chamber, County Hall, Durham on **Wednesday 30 November 2022 at 10.00 am**

**Present:**

**Councillor D Brown (Chair)**

**Members of the Committee:**

Councillors T Duffy, J Griffiths and O Gunn

**Apologies:**

Apologies for absence were received from Councillor C Hunt

### **1 Apologies for Absence**

An apology for absence was received from Councillor Cathy Hunt

### **2 Substitutes**

No substitute Members were in attendance

### **3 Minutes**

The minutes of the meeting held on 17 October 2022 were agreed as a correct record and signed by the Chair.

### **4 Declarations of interest**

There were no declarations of interest.

### **5 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 involved the likely disclosure of exempt information as defined in paragraphs 1,2, 3 and 5 of Schedule 12A to the said Act.

### **6 Consideration of the Ongoing Suitability of a Hackney Carriage Driver**

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

The Sub-Committee considered a report of the Corporate Director of Neighbourhoods and Climate Change as to 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 Enforcement Officer presented the report and responded to questions from the parties.

The Licensing Enforcement Officer brought the Complainant into the meeting, the Complainant addressed the Sub-Committee and responded to questions from the parties. The Complainant then left the meeting and took no further part.

The License Holder then addressed the Sub-Committee responded to questions from the parties.

Closing statements were made and the Sub-Committee retired to deliberate the matter in private at 10.50 am.

After re-convening at 11.15 am, the Chair delivered the Sub Committee's decision

**Resolved:**

That no further action be taken.

**7 Consideration of an Application to be licensed as a Private Hire Driver**

The Chair welcomed the Applicant and the Applicant's representative to the meeting and introductions were made.

The Sub-Committee considered a report of the Corporate Director of Neighbourhoods and Climate Change for the grant of a Private Hire Drivers Licence (for copy of report, see file of minutes).

The Licensing Enforcement Officer presented the report and informed Members all references had been verified before responding to questions from the parties.

The Applicants representative then addressed the Sub-Committee, the Applicant and the Applicants representative responded to questions from the parties.

Closing statements were made and the Sub-Committee retired to deliberate the matter in private at 11.52 am.

After re-convening at 11.58 am, the Chair delivered the Sub Committee's decision

**Resolved:**

That the application for a Private Hire Drivers License be granted.

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## **DURHAM COUNTY COUNCIL**

At a meeting of the **General Licensing and Registration Sub-Committee (1)** held in the **Council Chamber, County Hall, Durham** on **Wednesday 30 November 2022** at **1.30 pm**

**Present:**

**Councillor D Brown (Chair)**

**Members of the Committee:**

Councillors T Duffy, J Griffiths and O Gunn

### **1 Apologies for Absence**

Apologies for absence were received from Councillor C Hunt.

### **2 Substitutes**

No substitute members were in attendance.

### **3 Declarations of interest**

No interests were declared.

### **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 of the Act.

### **5 Consideration of an Application to be licensed as a Private Hire Driver**

The Chair welcomed the Applicant to the meeting and introductions were made.

The Sub-Committee considered a report of the Corporate Director of Neighbourhoods and Climate Change for an application to be licensed as a Private Hire Driver (for copy of report, see file of minutes).

The Licensing Enforcement Officer presented the report and questions were invited. The Licensing Enforcement Officer responded to questions from the Council's Lawyer which included clarifying that the date referred to in paragraph 5 of the report was a typographical error and the correct date was 9 May 2022.

The Applicant then addressed the Sub-Committee and answered questions.

The parties were given the opportunity to sum-up and the Sub-Committee retired to deliberate the application, in private, at approximately 1.55 pm. The meeting re-convened at approximately 2.05 pm and the Chair delivered the decision of the Sub-Committee.

**Resolved:**

That the licence be granted.

**6 Consideration of the Ongoing Suitability of a Joint Driver**

The Chair welcomed the Licence Holder to the meeting and introductions were made. The Sub-Committee considered a report of the Corporate Director of Neighbourhoods and Climate Change to consider the ongoing suitability of a joint driver (for copy of report, see file of minutes).

The Licensing Enforcement Officer presented the report and responded to questions.

The Sub-Committee viewed dashcam footage in respect of the first matter under consideration and the Licensing Enforcement Officer clarified that whilst the footage showed the time of the incident as 15:13hrs, the clock in the vehicle was displaying BST and the actual time of the incident was 16:13hrs. The Sub-Committee also viewed CCTV footage in respect of the second matter under consideration.

The Licence Holder then addressed the Sub-Committee and answered questions.

The parties were given the opportunity to sum-up and the Sub-Committee retired to deliberate the application, in private, at approximately 2.50 pm. The meeting re-convened at approximately 3.05 pm and the Chair delivered the decision of the Sub-Committee.

**Resolved:**

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

## **DURHAM COUNTY COUNCIL**

At a **Special Meeting** of the **General Licensing and Registration Sub-Committee (1)** held in the Council Chamber, County Hall, Durham on **Monday 13 February 2023 at 1.30 pm**

**Present:**

**Councillor D Brown (Chair)**

**Members of the Committee:**

Councillors P Atkinson, T Duffy, B Kellett and D Stoker

### **1 Apologies**

No apologies for absence were received.

### **2 Substitutes**

No substitute Members were in attendance.

### **3 Declarations of interest**

No Declarations of Interest were received.

### **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 item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 1,2, 3 and 5 of Schedule 12A to the said Act.

### **5 Consideration of the Ongoing Suitability of a Hackney Carriage and Private Hire Driver and Hackney Carriage Vehicle Licence Holder**

The Chair welcomed everyone to the meeting and introductions were made.

The Sub-Committee considered a report of the Corporate Director of Neighbourhoods and Climate Change for the consideration of the ongoing suitability of a Hackney Carriage and Private Hire Driver and Hackney Carriage Vehicle Licence Holder (copy of report, see file of minutes).

Members were informed the Licence Holder would not be in attendance.

The Team Leader of Licensing Enforcement presented the report and questions were invited. The Team Leader of Licensing Enforcement responded to questions from Members.

The Representative from Durham Constabulary then addressed the Sub-Committee and answered questions from Members and the Councils Solicitor.

The parties were given the opportunity to sum-up and the Sub-Committee retired to deliberate the application, in private, at approximately 1.55 pm. The meeting re-convened at approximately 2.02 pm and the Chair delivered the decision of the Sub-Committee.

**Resolved:**

That the Licence Holders Hackney Carriage and Private Hire Driver Licence be revoked with immediate effect and The Hackney Carriage Vehicle Licence be revoked.

By virtue of paragraph(s) 1, 2, 3, 5 of Part 1 of Schedule 12A of the Local Government Act 1972.

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