



General Licensing and Registration Sub-Committee (2)

Date **Wednesday 2 November 2022**
Time **10.00 am**
Venue **Committee Room 2, County Hall, Durham**

Business

Part A

Items which are open to the Public and Press

1. Apologies for Absence
2. Substitute Members
3. Minutes of the meetings held on 6 July 2022 and 29 July 2022 (Pages 3 - 8)
4. Declarations of Interest (if any)
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 9 - 26)
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
25 October 2022

To: **The Members of the General Licensing and Registration
Sub-Committee (2)**

Councillor L Brown (Chair)

Councillors J Chaplow, L Mavin, D Stoker and D Sutton-Lloyd

Contact: Paula Nicholson

Tel: 03000 269710

DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (2)**
held in Council Chamber, County Hall, Durham on **Wednesday 6 July 2022**
at **9.30 am**

Present:

Councillor L Brown (Chair)

Members of the Committee:

Councillors D Stoker and D Sutton-Lloyd

Also Present:

G Proud – Council’s Solicitor

L Ball – Licensing Enforcement Officer

1 Apologies for Absence

An Apology for absence was received from Councillor L Mavin.

2 Substitutes

There were no substitute Members.

3 Minutes

The minutes of the meeting held on 18 May 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 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.

6 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 the report of the Corporate Director of Neighbourhoods and Climate Change to determine the suitability of the Applicant to be licensed as a Private Hire Driver.

The Licensing Enforcement Officer was in attendance to present the report. In presenting the report, the Licensing Enforcement Officer referred to a typographical error at paragraph 4 and clarified that the date should read 19 February 2009. All parties were invited to ask questions of the Licensing Enforcement Officer.

The Applicant was then 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 9.55 am. After re-convening at 10.15 am the Chair delivered the Sub-Committee's decision.

Resolved: That the application for a Private Hire Driver Licence be refused.

DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (2)**
held in Council Chamber, County Hall, Durham on **Wednesday 6 July 2022**
at **1.30 pm**

Present:

Councillor L Brown (Chair)

Members of the Committee:

Councillors I Cochrane, L Mavin, D Stoker and D Sutton-Lloyd

Also Present:

Ms S Grigor (Council's Solicitor)

Mrs N Anderson (Licensing Enforcement Officer)

1 Apologies for Absence

There were no apologies for absence.

2 Substitutes

There were no substitute Members.

3 Declarations of Interest

There were no declarations of interest.

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 Driver**

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

The Sub-Committee considered the report of the Corporate Director of Neighbourhoods and Climate Change to determine the ongoing suitability of the Licence Holder to continue to be licensed as a Hackney Carriage Driver.

The Licensing Enforcement Officer was in attendance to present the report. All parties were given the opportunity to ask questions of the Licensing Enforcement Officer.

A representative from Durham Constabulary was in attendance and confirmed the information held on their records. There were no questions of the Officer.

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

At 2.05 pm, the Council's Solicitor asked for the Sub-Committee to be adjourned to allow her to give advice to Members.

The meeting re-convened at 2.10 pm and Members were provided with details of information contained on Durham Constabulary's Police National Computer. All parties were given the opportunity to ask questions of the Officer.

After summing up, the Sub-Committee retired to deliberate the application in private at 2.20 pm. After re-convening at 2.35 pm the Chair delivered the Sub-Committee's decision.

Resolved: That the Licence Holder's Hackney Carriage Driver Licence be suspended for one month and a 12-month written warning be issued for the vehicle licenses.

DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (2)**
held in Committee Room 2, County Hall, Durham on **Friday 29 July 2022 at 9.30 am**

Present:

Councillor L Brown (Chair)

Members of the Committee:

Councillors D Brown, O Gunn and D Sutton-Lloyd

Also Present:

S Grigor (Council Solicitor)

L Ball (Licensing Enforcement Officer)

1 Apologies for Absence

There were no apologies for absence.

2 Substitutes

There were no substitute Members.

3 Declarations of Interest

There were no declarations of interest.

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**

The Chair welcomed the Licence Holder who was accompanied by his employer to the meeting and introductions were made.

The Sub-Committee considered the report of the Corporate Director of Neighbourhoods and Climate Change to determine the ongoing suitability of the Licence Holder to continue to be licensed as a Hackney Carriage and Private Hire Driver (for copy see file of minutes).

The Licensing Enforcement Officer presented the report and advised Members that Durham Constabulary had been consulted on the application and had no further information to provide but were unable to carry out a search on PentiP. All parties were given the opportunity to ask questions of the Officer.

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

The Licence Holder's employer left the meeting at 10.00 am.

After summing up, the Sub-Committee retired to deliberate the application in private at 10.05 am. After re-convening at 10.30 am, the Chair delivered the Sub-Committee's decision.

Resolved: (i) That the Licence Holder's Hackney Carriage and Private Hire Driver Licence be suspended for three months but the suspension be suspended.

(ii) The Licence Holder was strongly advised to attend a Child Sexual Exploitation and Safeguarding Course.

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

Document is Restricted

This page is intentionally left blank