



General Licensing and Registration Sub-Committee (3)

Date **Wednesday 17 May 2023**

Time **1.30 pm**

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 5 April 2023 (Pages 3 - 6)
4. Declarations of interest, if any
5. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration
6. Any resolution relating to the exclusion of the public during the discussion of 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 Joint Driver (Pages 7 - 26)
8. Consideration of the Ongoing Suitability of a Joint Driver (Pages 27 - 46)
9. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration

Helen Lynch

Head of Legal and Democratic Services

County Hall
Durham
9 May 2023

To: **The Members of the General Licensing and Registration
Sub-Committee (3)**

Councillor J Blakey (Chair)

Councillors P Atkinson, G Hutchinson, B Kellett and D Stoker

Contact: Jo March

Tel: 03000 269709

DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (3)** held in Committee Room 2, County Hall, Durham on **Wednesday 5 April 2023 at 9.30 am**

Present:

Councillor J Blakey (Chair)

Members of the Sub-Committee:

Councillors C Hunt, B Kellett and M Wilson (Substitute)

Also Present:

G Proud (Council's Solicitor)

M Haigh (Licensing Enforcement Officer)

1 Apologies for Absence

Apologies for absence was received from Councillors P Atkinson and L Mavin.

2 Substitute Members

Councillor M Wilson was substitute Member.

3 Minutes

The minutes of the meetings held on 20 February 2023 were agreed as correct records 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 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 determine the ongoing suitability of the Licence Holder to continue to be licensed as a Joint Driver (for copy see file of minutes).

The Licensing Enforcement Officer presented the report and 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.

After all parties were given the opportunity to make a closing statement, the Sub-Committee retired to deliberate the matter in private at 9.45 am. After re-convening at 9.55 am, the Chair delivered the Sub-Committee's decision.

Resolved:

That the Licence Holder be issued with a three-month written warning and to familiarise herself with the terms of the Council's policy.

7 Consideration of the Ongoing Suitability of a Vehicle Licence Holder

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

The Sub-Committee considered a 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 Vehicle Licence Holder (for copy see file of minutes).

The Licensing Enforcement Officer presented the report and all parties were given the opportunity to ask questions of the Officer.

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

After all parties were given the opportunity to make a closing statement, the Sub-Committee retired to deliberate the matter in private at 10.35 am. After re-convening at 10.45 am, the Chair delivered the Sub-Committee's decision.

Resolved:

That the Licence Holder be issued with a three-month written warning and to familiarise himself with the terms of the Council's policy.

DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (3)** held in Committee Room 2, County Hall, Durham on **Wednesday 5 April 2023 at 1.30 pm**

Present:

Councillor J Blakey (Chair)

Members of the Sub-Committee:

Councillors C Hunt and M Wilson (Substitute)

Also Present:

S Buston (Council's Solicitor)

L Clooney (Licensing Enforcement Officer)

PC A Newcombe (Durham Constabulary)

1 Apologies for Absence

Apologies for absence were received from Councillors P Atkinson, B Kellett and L Mavin.

2 Substitute Members

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 item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 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 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 determine the ongoing suitability of the Licence Holder to continue to be licensed as a Joint Driver (for copy see file of minutes).

The Licensing Enforcement Officer presented the report and indicated that Durham Constabulary had provided additional information that had been circulated to all parties prior to the meeting. All parties were given the opportunity to ask questions of the Officer.

A representative from Durham Constabulary was then invited to address the Sub-Committee and play video footage of the incident. The Licence Holder, Members and Officers were given the opportunity to ask question.

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

After all parties were given the opportunity to make a closing statement, the Sub-Committee retired to deliberate the matter in private at 2.50 pm. After re-convening at 3.15 pm, the Chair delivered the Sub-Committee's decision.

Resolved:

That the Licence Holders Private Hire and Hackney Carriage Driver Licence be revoked with immediate effect as he was not considered to be a fit and proper person to continue to be licensed.

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank