



General Licensing and Registration Sub-Committee (3)

Date **Wednesday 31 January 2024**

Time **9.30 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 20 September and 13 December 2023 (Pages 3 - 10)
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 Hackney Carriage and Private Hire Driver (Pages 11 - 36)
8. Consideration of the Ongoing Suitability of a Hackney Carriage Driver (Pages 37 - 54)
9. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration

Helen Bradley
Head of Legal and Democratic Services

County Hall
Durham
23 January 2024

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

Councillor I McLean (Chair)

Councillors P Atkinson, B Coult, C Hunt and P Sexton

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DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (3)** held in Committee Room 2, County Hall, Durham on **Wednesday 20 September 2023 at 1.30 pm.**

Present:

Councillor I McLean (Chair)

Members of the Sub-Committee:

Councillors A Batey, O Gunn and A Reed

Also Present:

S Grigor (Council's Solicitor)

I Dargue (Licensing Enforcement Officer)

1 Apologies for Absence

There were no apologies for absence.

2 Substitute Members

There were no substitute Members.

3 Minutes

The minutes of the meetings held on 5 July 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 Hackney Carriage and Private Hire 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 respond 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 1:50 pm. After re-convening at 2:20 pm, the Chair delivered the Sub-Committee's decision.

Resolved:

That the Licence Holder's Hackney Carriage and Private Hire Driver Licence be suspended until appropriate training had been carried out.

7 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 to determine the ongoing suitability of the Licence Holder to continue to be licensed as a Hackney Carriage 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 respond 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 2:35 pm. After re-convening at 2:55 pm, the Chair delivered the Sub-Committee's decision.

Resolved:

That the Licence Holder's Hackney Carriage Driver Licence be suspended for four weeks and appropriate training be carried out.

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DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (3)** held in Committee Room 2, County Hall, Durham on **Wednesday 13 December 2023 at 1.30 pm**

Present:

Councillor I McLean (Chair)

Members of the Sub-Committee:

Councillors P Atkinson, A Batey and P Sexton

Also Present:

F Swift – Council's Solicitor

M Haigh – Senior Licensing Officer

S Stoker – Licensing Officer (observer)

1 Apologies for Absence

An apology for absence was received from Councillor A Reed.

2 Substitute Members

There were no substitute Members.

3 Minutes

The minutes of the meeting held on 20 September 2023 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 Hackney Carriage 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 to determine the suitability of the Applicant to hold a Hackney Carriage Driver's Licence following a previous revocation of his Hackney Carriage Driver's Licence in July 2018 (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 Applicant was then invited to address the Sub-Committee and respond 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 1.40pm. After re-convening at 1.50pm, the Chair delivered the Sub-Committee's decision.

Resolved:

That the Licence be granted.

7 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 to determine the suitability of the Applicant to hold a Private Hire Driver's Licence following a number of convictions that had been highlighted on the Disclosure and Barring Service Certificate (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 Applicant was then invited to address the Sub-Committee and respond 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 2.20pm. After re-convening at 2.25pm, the Chair delivered the Sub-Committee's decision.

Resolved:

That the Licence be granted.

8 Consideration of the Ongoing Suitability of a Joint Driver

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

The Licence Holder's representative addressed the Sub-Committee and requested that the hearing be adjourned until the outcome of case be determined by Durham Constabulary in January 2024.

The Sub-Committee retired to deliberate the request for adjournment in private, at 2.45pm. After re-convening at 2.55pm, the Chair delivered the Sub-Committee's decision.

Resolved:

Adjourned until a charging decision had been reached and in any event an update by 1 February 2024. Temporary badge issued further until 1 February 2024.

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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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