



General Licensing and Registration Sub-Committee (3)

Date **Wednesday 30 April 2014**
Time **10.00 am**
Venue **Council Chamber, County Hall, Durham**

Business

Part A

1. Apologies for Absence
2. Substitute Members
3. Declarations of interest, if any.
4. Minutes of the meetings held on 10, 19 and 31 March 2014 (Pages 1 - 10)
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. Application for a Collector's Licence under the Scrap Metal Dealers Act 2013 (Pages 11 - 26)
8. Application for a Collector's Licence under the Scrap Metal Dealers Act 2013 (Pages 27 - 48)
9. Application for a Collector's Licence under the Scrap Metal Dealers Act 2013 (Pages 49 - 62)
10. Application for the Ongoing Suitability of a Hackney Carriage Driver (Pages 63 - 78)
11. Application for the Ongoing Suitability of a Hackney Carriage Driver (Pages 79 - 98)
12. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration.

Colette Longbottom
Head of Legal and Democratic Services

County Hall
Durham
22 April 2014

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

Councillor B Glass (Chairman)

Councillors D Bell, J Blakey, K Hopper and T Nearney

Contact: Kirsty Gray

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DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (3)** held in Council Chamber, County Hall, Durham on **Monday 10 March 2014 at 10.00 am**

Present:

Councillor B Glass (Chairman)

Members of the Committee:

Councillors B Graham, A Hopgood, I Jewell and D Stoker

Also Present:

S Buston (Solicitor), H Johnson (Licensing Team Leader) and Detective Sergeant A Henderson (Durham Constabulary)

1 Apologies for Absence

There were no apologies for absence.

2 Substitute Members

There were no substitute members.

3 Declarations of Interest

Councillor B Glass declared an interest in agenda item no 6 and withdrew from the meeting.

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.

Councillor D Stoker (in the Chair)

5 Application for a Site Licence Under the Scrap Metal Dealers Act 2013

The Chairman welcomed the Applicant and his Daughter to the meeting and introductions took place.

Consideration was given to the report of the Corporate Director, Neighbourhood Services which requested the Sub-Committee to consider an application for a Site Licence under the Scrap Metal Dealers Act 2013 (for copy see file of Minutes).

The Chairman invited the Representative from Durham Constabulary to address the Sub-Committee about the concerns they raised regarding the application.

The Sub-Committee adjourned at 10.20 am to enable Durham Constabulary to ascertain if they could provide further information.

The Sub-Committee reconvened at 10.40 am.

The Applicant was then invited to present his case and responded to questions from Members.

The Sub-Committee retired to deliberate the application in private at 10.50 am. After re-convening at 10.55 am the Chairman delivered the Sub-Committee's decision.

Resolved:

That the applicant be granted a Site Licence without any conditions as the Applicant was deemed to be a suitable person to hold a Site Licence under the Scrap Metal Dealers Act 2013.

Councillor B Glass (in the Chair)

6 Application for a Collector's Licence Under the Scrap Metal Dealers Act 2013

Item deferred to a future meeting.

DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (3)** held in Council Chamber, County Hall, Durham on **Wednesday 19 March 2014 at 2.00 pm**

Present:

Councillor B Glass (Chairman)

Members of the Committee:

Councillors J Blakey, D Hicks and K Hopper

1 Apologies for Absence

Apologies for absence were received from Councillor J Bell.

2 Substitute Members

There were no substitutes.

3 Declarations of interest, if any.

There were no declarations of interest.

4 Minutes

The minutes of the meeting held on 5 February 2014 were agreed as a correct record and signed by the Chairman.

5 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.

6 With the agreement of the Chairman the items of business would be heard in the following order Items 9, 10, 8.

7 Application for the ongoing suitability of a Hackney Carriage/Private Hire Driver

The Chairman welcomed the applicant to the meeting and introductions took place.

Consideration was given to the report of the Corporate Director, Neighbourhood Services which requested the sub-committee to determine the ongoing suitability of a Hackney Carriage / Private Driver (for copy see file of Minutes).

The Licensing Team Leader presented the report and a representative from Durham Constabulary made representations and responded to questions from Members.

The Sub-Committee retired to deliberate the application in private at 2.15 pm and after re-convening at 2.25 pm the Chair delivered the Sub Committee's decision.

Resolved:

That no further action be taken until investigations had concluded.

8 Application for the ongoing suitability of a Hackney Carriage Driver

The Chairman welcomed the applicant to the meeting and introductions took place.

Consideration was given to the report of the Corporate Director, Neighbourhood Services which requested the sub-committee to determine the ongoing suitability of a Hackney Carriage / Private Driver (for copy see file of Minutes).

The Licensing Team Leader presented the report and a representative from Durham Constabulary made representations and responded to questions from Members.

The Sub-Committee retired to deliberate the application in private at 2.35 pm and after re-convening at 2.40 pm the Chair delivered the Sub Committee's decision.

Resolved:

That no further action be taken until investigations had concluded.

9 Application for the ongoing suitability of a Hackney Carriage Driver

The Chairman welcomed the applicant to the meeting and introductions took place.

Consideration was given to the report of the Corporate Director, Neighbourhood Services which requested the sub-committee to determine the ongoing suitability of a Hackney Carriage / Private Driver (for copy see file of Minutes).

The Licensing Team Leader presented the report and a representative from Durham Constabulary made representations and responded to questions from Members.

The Sub-Committee retired to deliberate the application in private at 3.45 pm and after re-convening at 4.15 pm the Chair delivered the Sub Committee's decision.

Resolved:

That the licence be suspended.

10 Application for the ongoing suitability of a Hackney Carriage Driver

The Licensing Officer confirmed Item 7 on the agenda had been postponed and the application would be considered at a later date.

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DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Sub-Committee (3)** held in Council Chamber, Council Offices, Spennymoor on **Monday 31 March 2014 at 2.00 pm**

Present:

Councillor B Glass (Chairman)

Members of the Committee:

Councillors O Gunn, A Hopgood and I Jewell

Also Present:

K Monaghan – Senior Licensing Officer
C Greenlay – Principal Solicitor (Litigation)
DI Dawson – Durham Constabulary

1 Apologies for Absence.

An apology for absence was received from Councillor B Alderson.

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 items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 3 and 5 of Schedule 12A to the said Act.

5 Application for a Site Licence under the Scrap Metal Dealers Act 2013.

Consideration was given to the report of the Corporate Director, Neighbourhood Services which requested the Sub-Committee to consider an application for a Site Licence under the Scrap Metal Dealers Act 2013 (for copy see file of Minutes).

The Chairman invited the representative from Durham Constabulary to address the Sub-Committee about the concerns they had raised regarding the application.

Following questions by the Applicant's representative of Durham Constabulary, the Applicant and his representative were invited to present their case. They then responded to questions from Members.

The Sub-Committee retired to deliberate the application in private at 2.35pm. After re-convening at 2.40pm the Chairman delivered the Sub-Committee's decision.

Resolved:

That the application be granted as the Applicant was deemed to be a suitable person to hold a Site Licence under the Scrap Metal Dealers Act 2013.

6 Application for a Collector's Licence under the Scrap Metal Dealers Act 2013.

Consideration was given to the report of the Corporate Director, Neighbourhood Services which requested the Sub-Committee to consider an application for a Collector's Licence under the Scrap Metal Dealers Act 2013 (for copy see file of Minutes).

The Chairman invited the representative from Durham Constabulary to address the Sub-Committee about the concerns they had raised regarding the application, and responded to questions.

The Applicant was invited to present his case and responded to questions from Members.

The Sub-Committee retired to deliberate the application in private at 3.05pm. After re-convening at 3.15pm the Chairman delivered the Sub-Committee's decision.

Resolved:

That the application be granted as the Applicant was deemed to be a suitable person to hold a Collector's Licence under the Scrap Metal Dealers Act 2013.

7 Application for a Collector's Licence under the Scrap Metal Dealers Act 2013.

Consideration was given to the report of the Corporate Director, Neighbourhood Services which requested the Sub-Committee to consider an application for a Collector's Licence under the Scrap Metal Dealers Act 2013 (for copy see file of Minutes).

Additional information was circulated to the Sub-Committee, Durham Constabulary and the Applicant. The Sub-Committee accepted the information and the Applicant was asked by the Chairman if he wished to adjourn. The Applicant indicated that he wished to proceed with the consideration of his application.

The Chairman invited the representative from Durham Constabulary to address the Sub-Committee about the concerns they had raised regarding the application.

The Applicant was invited to present his case and responded to questions from Members.

The Sub-Committee retired to deliberate the application in private at 3.45pm. After re-convening at 3.55pm the Chairman delivered the Sub-Committee's decision.

Resolved:

That the application be refused as the Applicant was not deemed to be a suitable person to hold a Collector's Licence under the Scrap Metal Dealers Act 2013.

At this point Councillor Hopgood left the meeting.

8 Application for a Collector's Licence under the Scrap Metal Dealers Act 2013.

Consideration was given to the report of the Corporate Director, Neighbourhood Services which requested the Sub-Committee to consider an application for a Collector's Licence under the Scrap Metal Dealers Act 2013 (for copy see file of Minutes).

The Chairman invited the representative from Durham Constabulary to address the Sub-Committee about the concerns they had raised regarding the application.

The Applicant was invited to present his case and responded to questions from Members.

The Sub-Committee retired to deliberate the application in private at 4.15pm. After re-convening at 4.25pm the Chairman delivered the Sub-Committee's decision.

Resolved:

That the application be granted as the Applicant was deemed to be a suitable person to hold a Collector's Licence under the Scrap Metal Dealers Act 2013.

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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.

Agenda Item 7

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Agenda Item 11

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