

North Yorkshire Council

General Licensing and Registration Sub-Committee

Minutes of the meeting held on Wednesday, 19 February 2025 commencing at 10.00 am.

Councillors Tim Grogan (Chair), Andrew Lee and Andy Paraskos.

Officers present: Amy Akhunbay, Regulatory Solicitor, Stephen Pinkney, Licensing Enforcement Officer); and Sharon Cousins, Area Licensing Manager, (Observing only)

Copies of all documents considered are in the Minute Book

1 Election of Chair

Decision

That Councillor Tim Grogan be elected as Chair for the duration of the meeting.

(Councillor Grogan in the Chair)

2 Apologies for absence

There were no apologies for absence.

3 Disclosures of interest

There were no declarations of interest, however, in the interests of transparency, Councillor Grogan advised the sub-committee that he had been present at a previous sub-committee hearing for the licence holder in January 2024, but that this would have no bearing on the decision-making at the hearing today.

4 Procedure for meeting

The decision:

The Sub Committee agreed the procedure for the meeting as outlined by the Chair.

5 Exclusion of the press and public

The decision:

That under Section 100A(4) of the Local Government Act 1972, the press and public were excluded from the meeting during consideration of the item of business at minute no 6 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act as the Panel was satisfied that the public

interest in maintaining the exemption outweighed the public interest in disclosing the information.

6 Review of a Dual Hackney Carriage and Private Hire Driver Licence

The Licensing Enforcement Officer informed the Sub-Committee that the licence holder had confirmed by email that they would not be attending the hearing. The Officer had responded to the email to inform the licence holder that the hearing may still go ahead in their absence and explained the implications of not attending the hearing. As no response to the email had been received, the Officer then attempted to contact the licence holder by telephone, however the licence holder did not answer.

Following discussions, the Sub-Committee were in agreement that the licence holder had been given sufficient notice of the hearing, had been warned that the hearing could go ahead in their absence; and that as it was in the public interest, it would not be unreasonable to determine the case in their absence.

It was proposed, and seconded, and agreed unanimously that the case be determined in the absence of the licence holder.

Resolved

To consider the case in the absence of the licence holder.

The Licensing Enforcement Officer presented the report and appendices of the Corporate Director of Environment, which asked the Sub-Committee to consider whether a licensed Dual Hackney Carriage and Private Hire Driver Licence holder remained a “fit and proper person” to continue to hold a licence in accordance with the Council’s Taxi Licensing Policy.

In making their decision, Members considered the content of the report and appendices, the verbal presentation by the Licensing Enforcement Officer on behalf of the licensing authority, the written representation and email of the licence holder, the relevant legislation and case law, the Council’s Taxi Licensing Policy and the statutory Taxi and Private Hire Vehicle Standards issued by the Department of Transport.

Decision

That the licence holder was not a “fit and proper person” within the meaning of sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 and consequently decided unanimously to revoke the dual Private Hire and Hackney Carriage Licence on the ground of any other reasonable cause under s61(1)(b) of the Act.

The meeting concluded at 10.24 am.