

North Yorkshire Council

General Licensing and Registration Sub-Committee

Minutes of the meeting held on Wednesday, 17 September 2025 commencing at 10.00 am.

Councillors Tim Grogan, Mike Jordan and Andrew Lee.

Officers present: Lynne Ashton, Senior Solicitor, Stephen Pinkney, Licensing Enforcement Officer, Sharon Cousins, Area Licensing Manager (Observing); and Joe Morrison, Trainee Solicitor (Observing).

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.

4 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.

5 Procedure for meeting

The decision

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

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

The Licensing Sub-Committee considered the report and appendices of the Corporate

Director of Environment which asked Members to consider whether the licence holder was a fit and proper person to hold a Dual Hackney Carriage and Private Hire Vehicle Driver's Licence and/or Operators Licenses.

The licence holder attended the hearing, accompanied by two individuals offering support. The Sub-Committee was presented with newly implemented documentation and additional procedural forms which had been recently introduced into the business, aimed at preventing similar oversights in the future. The licence holder was able to respond to questions asked by the Committee concerning the report.

The options available to the Sub-Committee were

- i) The Sub-Committee may conclude that the licence holder was not a fit and proper person to hold either an Operator Licence or Dual Driver Licence in which case, it should suspend/ revoke both of the licences on the grounds of any reasonable cause.
- ii) The Sub-Committee may conclude that the appropriate sanction should be something less than complete revocation. For instance, a suspension may, in the opinion of the Sub-Committee, constitute sufficient sanction to best serve the interests of the public. The Sub-Committee may therefore suspend the licence holders Operator Licence or Dual Driver Licence for a specified period of time on the grounds of any reasonable cause.
- iii) The Sub-Committee may conclude that an informal reprimand would constitute sufficient sanction to best serve the interests of the public. The Sub-Committee may therefore decide to issue a written warning.
- iv) The Sub-Committee may conclude that there was no evidence of any wrongdoing, in which case, it may decide to take no action.
- v) In the event of a suspension or revocation being imposed, the licence holder would have a right of appeal (within 21 days) and the suspension would not automatically take effect until the appeal period had lapsed.
- vi) The Sub-Committee may, however, give immediate effect to the Dual Driving Licence only, to any suspension or revocation if it appeared to members, that the interests of public safety required such a course of action.

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, a verbal presentation by the licence holder, one by the licence holders supporters, the newly provided compliance documentation, 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.

The Sub-Committee Members agreed that no issues of concern had been raised to them in relation to the licence holder's ability as a driver and noted no complaints had been received by the Licensing Authority about their capacity as a driver of licensed vehicles.

Decision

Dual Taxi Drivers Licence

Members were unanimous in their decision that there were grounds to depart from the Council's Taxi Licensing Policy and that the licence holder was a fit and proper person

within the meaning of sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976, to hold a Dual Hackney Carriage and Private Hire Driver's Licence, and therefore decided not to revoke or suspend the licence and to allow the licence holder to continue to hold a Dual Taxi Drivers licence.

Operators Licence

The Licensing Sub-Committee Members were concerned that the licence holder had not demonstrated to them that they had a proper understanding and oversight of which vehicles were being used by the business at any one time and whether these vehicles were licensed at the time of their journeys. For this reason, the Sub-Committee Members were unanimously satisfied that the licence holder's conduct rendered them unfit to hold an operator's licence (as referred in section 62(1)(b) of the Local Government (Miscellaneous Provisions) Act 1976) and consequently the Operator's licence should be suspended for a period of 8 weeks.

Whilst the Licensing Sub-Committee Members were satisfied that the licence holders conduct rendered them unfit to hold an operator's licence, the members believed a suspension of the Operator's licence was a reasonable and proportionate sanction in all the circumstances; the Sub-Committee Members being satisfied that the licence holder's conduct was not so serious as requiring the revocation of their Operator's licence. The Members expressed the hope that the eight-week suspension period would serve to sharpen the licence holder's focus and provide them with sufficient time to bring the business into full compliance.

The meeting concluded at 11.40 am.