

## LICENSING COMMITTEE

<b>Date:</b>	<b>Monday 13th October, 2025</b>
<b>Time:</b>	<b>1.00 pm</b>
<b>Venue:</b>	<b>Mandela Room</b>

## AGENDA

1. Apologies for Absence
2. Declarations of Interest
3. Minutes - Licensing Committee - 22 September 2025 3 - 10
4. Any other urgent items which in the opinion of the Chair, may be considered.
5. Exclusion of Press and Public  
  
To consider passing a Resolution Pursuant to Section 100A (4) Part 1 of the Local Government Act 1972 excluding the press and public from the meeting during consideration of the following items on the grounds that if present there would be disclosure to them of exempt information falling within paragraphs 1, 2, 3 and 7 of Part 1 of Schedule 12A of the Act and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
6. Review of Combined Hackney Carriage and Private Hire Vehicle Driver Licence - Ref: 31/25 11 - 16
7. Review of Private Hire Vehicle Driver Licence - Ref: 32/25 17 - 24
8. Application for Private Hire Vehicle Driver Licence - Ref: 33/25 25 - 32

Charlotte Benjamin  
Director of Legal and Governance Services

Town Hall  
Middlesbrough  
Friday 3 October 2025

**MEMBERSHIP**

Councillors L Lewis (Chair), S Hill (Vice-Chair), J Cooke, J Ewan, P Gavigan, TA Grainge, D Jones, J Kabuye, T Livingstone, J McTigue, M Nugent, J Platt and A Romaine

**Assistance in accessing information**

**Should you have any queries on accessing the Agenda and associated information please contact Joanne Dixon / Scott Bonner, 01642 729713 / 01642 729708, joanne\_dixon@middlesbrough.gov.uk / scott\_bonner@middlesbrough.gov.uk**

## LICENSING COMMITTEE

A meeting of the Licensing Committee was held on Monday 22 September 2025.

**PRESENT:** Councillors L Lewis (Chair), S Hill (Vice-Chair), J Cooke, C Cooper, J Ewan, P Gavigan, TA Grainge, J Kabuye, J McTigue, M Nugent, J Platt and A Romaine

**OFFICERS:** J Dixon, F Helyer, T Hodgkinson, R Johansson and T Durance

**APOLOGIES FOR ABSENCE:** Councillors D Jones and T Livingstone

### 25/33 DECLARATIONS OF INTEREST

There were no Declarations of Interest made by Members at this point in the meeting.

### 25/34 MINUTES - LICENSING COMMITTEE - 1 SEPTEMBER 2025

The minutes of the Licensing Committee held on 1 September 2025 were submitted and approved as a correct record.

### 25/35 LICENSING UPDATES

The Principal Public Protection Officer (Licensing) updated that a Private Hire Vehicle driver licence was recently revoked, with immediate effect, under delegated powers, as he no longer met the Group 2 Medical Standards following a medical incident involving a defibrillator.

**NOTED**

### 25/36 ANY OTHER URGENT ITEMS WHICH IN THE OPINION OF THE CHAIR, MAY BE CONSIDERED.

There were no urgent items.

### 25/37 EXCLUSION OF PRESS AND PUBLIC

**ORDERED** that the press and public be excluded from the meeting for the following items on the grounds that, if present, there would be disclosure to them of exempt information as defined in Paragraphs 1, 2, 3 and 7 of Part 1 of Schedule 12A of the Local Government Act 1972 and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

### 25/38 APPLICATION FOR A PRIVATE HIRE VEHICLE DRIVER LICENCE REF: 29/25

The Director of Environment and Community Services submitted an exempt report in connection with an application for the renewal of a Private Hire Vehicle Driver Licence, Ref: 29/25, where circumstances had arisen which required special consideration by the Committee.

The Chair introduced those present and outlined the procedure to be followed. The applicant, who was in attendance at the meeting accompanied by his representative, verified his name and address and confirmed he had received a copy of the report and understood its contents.

The Principal Public Protection Officer (Licensing) presented a summary of the report outlining the applicant's licensing history. The applicant was first licensed with Middlesbrough Council in 2003 and had previously appeared before Members, as follows:-

- 16 July 2007 – Licence retained but issued with a warning regarding future conduct and required to complete the Driver Improvement Scheme.
- 15 March 2010 – Licence suspended until successful completion of the Driver Improvement Scheme.

- 10 May 2010 – Suspension lifted following successful completion of the Driver Improvement Scheme.
- 5 December 2016 – Licence revoked due to repeated concerns about his driving standards. The applicant appealed the decision to the Magistrates Court and this was dismissed in April 2017.
- 24 April 2023 – Application refused on the grounds that the applicant was not a fit and proper person to hold a licence.

The applicant now appeared before Members with a fresh application, submitted on 3 June 2025, due to the offences at 1) and 2) in the report and other matters recorded against him. It was further highlighted that he had failed to declare his previous refusals and convictions within his application. Whilst a DBS disclosure certificate (dated May 2025), provided by the applicant, showed no convictions recorded against him, a DVLA check by Officers revealed the motoring endorsements set out at 1) and 2).

The applicant was interviewed by Licensing Officers on 14 July 2025 when he provided an explanation in relation to the offences at 1) and 2) and information to support his application, details of which were provided in the report.

Following the interview, it occurred to Officers that the applicant had made no reference to the fact that he had a previous application for a Private Hire Vehicle driver licence refused by the Committee in April 2023 and had also failed to declare any previous convictions in his application. A Licensing Officer followed this up with the applicant by telephone on 5 August 2025 and the applicant advised that his application was completed online by a Training Scheme organisation and that they had not asked him those questions.

The applicant confirmed the content of the report as being an accurate representation of the facts and was invited to address the Committee in support of his case.

The applicant's representative presented the case in support of the applicant and, together with the applicant, responded to questions from Members of the Committee, the Licensing Manager and the Council's Legal Representative.

At this point in the meeting the Chair called a short adjournment in order for the Licensing Manager and Principal Public Protection Officer (Licensing) to make enquiries in relation to the completion of the online application by the training agency and to obtain the wording used in the legal disclaimer on the online application form. The applicant, his representative, and Officers of the Council, other than representatives of the Council's Legal and Democratic Services teams, withdrew from the meeting whilst enquiries were made.

All parties subsequently returned to the meeting and the Licensing Manager advised that he had obtained further clarification from the training scheme's Operations Manager, who recalled speaking to the applicant and confirmed the application was completed online whilst on the telephone with the applicant. The Operations Manager recalled a discussion with the applicant around his previous revocation and convictions and was unable to explain why the answer 'No' had been entered on the form in relation to having previous refusals, revocations and offences. It was highly possible that the discrepancy was attributable to human error.

The Licensing Manager also provided Members with the wording used in the legal disclaimer at the end of the application which should be signed/ticked by the applicant to confirm that the information provided was correct.

It was confirmed that there were no further questions and the applicant, his representative, and Officers of the Council, other than representatives of the Council's Legal and Democratic Services teams, withdrew from the meeting whilst the Committee determined the application.

Subsequently, all parties returned, and the Chair announced a summary of the Committee's decision and highlighted that the applicant would receive the full decision and reasons within five working days.

**ORDERED** that the application for Private Hire Vehicle Driver Licence, Ref No: 29/25, be refused, as follows:-

### Authority to Act

1. Under Section 51 of the Local Government Miscellaneous Provisions Act 1976 ("the Act") the Committee may decide to grant a Private Hire Vehicle driver's licence only if it was satisfied the driver was a fit and proper person to be granted such a licence.
2. The Committee considered Section 51 of the Act, the Middlesbrough Council Private Hire and Hackney Carriage Policy 2022 ("the Policy"), the report and representations made by the applicant and his representative.
3. The application was considered on its own particular facts and on its merits.

### Decision

4. After carefully considering all the information, the Licensing Committee decided to refuse to grant the application for a Private Hire Vehicle driver's licence on the grounds that the Committee was not satisfied the applicant was a fit and proper person to be granted the licence. The reasons for the decision were as follows:-

### Reasons

5. The applicant was convicted of the following offences:-
  - a. Using a vehicle uninsured against third party risks (IN10) - £40 Fine, 6 points endorsed on driving licence – 30 December 2021 date of conviction.
  - b. Exceeding statutory speed limit on a public road (SP30) - £60 Fine, 3 points endorsed on driving licence – 25 April 2024 date of conviction.
6. The Policy confirmed that the Council's licensed drivers should be safe drivers with good driving records and adequate experience, sober, mentally and physically fit, be honest and not persons who would take advantage of their employment to abuse or assault passengers.
7. The Policy on convictions was set out at Appendix G, Policy on the Relevance of Convictions, Cautions, Reprimands, Warnings, Complaints and Character.
8. The Policy further stated that if an applicant for a driver's licence had an endorsement in respect of a major traffic offence, including using a vehicle uninsured against third party risks, then the application would normally be refused until at least five years after the most recent conviction, caution, reprimand, final warning or if the person was disqualified, after the restoration of their driving licence, whichever was the later.
9. In accordance with the Policy, and when considering the applicant's sentence, the relevant period for the applicant to remain conviction free ends on 30 December 2026.
10. The applicant was first licensed as a Private Hire Vehicle driver on 5 June 2003 and upgraded said licence to a Combined Hackney Carriage and Private Hire Vehicle driver licence on 13 September 2005.
11. The applicant continued to be licensed until 5 December 2016, when a Licensing Committee decision was made to revoke the applicant's licenses.
12. The applicant's regulatory history was detailed as part of the report and is as follows:-
  - a. 16 July 2007 – Retained licences with a warning as to future conduct and requirement to attend a driver improvement scheme.
  - b. 15 March 2010 – Licences suspended pending completion of driver improvement scheme.
  - c. 10 May 2010 – following completion of scheme, permitted to retain licences.
  - d. 5 December 2016 – Licences revoked.
13. The applicant appealed the decision to revoke his licenses however, on 7 April 2017, the appeal was dismissed at Teesside Magistrates Court.

14. On 24 April 2023, the Licensing Committee refused to grant the applicant a Private Hire Vehicle driver licence. At the hearing, the Committee considered the applicant's regulatory history, driver history and the insurance offence listed above.
15. An application was submitted for the immediate matter, on 3 June 2025 and when asked whether he had ever been refused a licence or had a licence suspended or revoked by Middlesbrough or any other licensing authority within the last 5 years, the applicant responded 'no'.
16. On 14 July 2025, the applicant attended an interview with Licensing Officers, full details of the interview were contained within the report. At the interview, the applicant was reminded that, in accordance with the Policy, five years had not elapsed since the completion of sentence for the insurance offence.
17. When explaining the circumstances of the offences listed above, the applicant stated that regarding the insurance offence, he was driving a friend's vehicle when he was stopped by Police. He believed that he was covered under his friend's insurance, but this was not the case.
18. Regarding the speeding offence, the applicant recalled that the incident happened in the Leeds area and that he was driving around 37-40mph in a 30mph zone, he attributed the incident to a downhill stretch of road and believed that the speed camera was obscured by a bush and not visible at the time.
19. At the Committee hearing, the applicant's representative stated that he first believed that the applicant had a defence for the insurance offence. However, clarified that this was not the case and that the applicant was driving the vehicle for personal use and not business use.
20. The applicant's representative explained that the friend of the applicant, whose car was used, was the applicant's employer. The fine that the applicant received was paid by the employer as were the storage fees incurred following seizure of the vehicle. It was explained that the employer had not reinsured the vehicle and that unfortunately, this meant that the applicant suffered as a result.
21. The applicant's representative confirmed that there were no further submissions regarding the speeding offence and that the Fixed Penalty Notice (FPN) was accepted at the time of the offence.
22. In relation to the failure to disclose details on the application form, the applicant's representative explained that the form was completed by Real Training Scheme ("RTS"), who were supporting the applicant with each stage of the process and that it was unknown why the information was not provided on the form.
23. A short adjournment was called, where Licensing Officers sought clarity on the application form completion. The Licensing Officer spoke with the individual who had completed the form on the applicant's behalf. The Licensing Officer explained to the Committee that the staff member from RTS recalled the applicant informing him of his history and declaring the revocation and refused applications, but the RTS staff member could not offer an explanation as to why it had not been included on the form but accepted responsibility for the error.
24. The Licensing Officer explained to the Committee that the form was completed by the RTS staff member with the applicant on the phone providing the answers. The Licensing Officer also stated that the form was submitted via a portal system, so the applicant could have viewed the submission at any point. The applicant's representative submitted that the issue was simply a human error and no fault of the applicant.
25. The Committee noted that the applicant had an endorsement for a major traffic offence and that, in accordance with the Policy, an application would normally be refused for a period of five years.
26. The Committee also considered the applicant's regulatory history and that he had

previously been before the Committee on numerous occasions for driver standards. The Committee noted that the applicant had a conviction of speeding, despite two previous driver improvement scheme requirements as well as having his licenses revoked. The Committee did not believe that the applicant had learned from past incidents and that this was evident in his most recent offences.

27. The Committee considered the submissions surrounding the non-disclosure on the application form, and whilst they accepted this was at the fault of the RTS staff member, they did place some responsibility on the applicant. The Committee considered that it was his application and he could have accessed the portal system to ensure everything was correct.
28. For the reasons outlined above, the Committee concluded that the applicant was not a fit and proper person or safe and suitable to be licensed as a Private Hire Vehicle driver in Middlesbrough.
29. Based on the evidence it was presented with, the Committee decided there were no compelling, clear, good or exceptional reasons to depart from the Policy and refused to grant the application for the licence for the reasons set out above.
30. If the applicant was aggrieved by the decision he may appeal to a Magistrates Court within 21 days from the date of the notice of the decision. The local magistrates for the area was Teesside Justice Centre, Teesside Magistrates, Victoria Square, Middlesbrough.
31. If the applicant does appeal the decision and the appeal was dismissed by the Magistrates Court, the Council will claim its costs in defending its decision from the applicant which could be in the region of £1,000.

25/39

#### **APPLICATION FOR A PRIVATE HIRE VEHICLE DRIVER LICENCE REF: 30/25**

The Director of Environment and Community Services submitted an exempt report in connection with an application for a Private Hire Vehicle Driver Licence, Ref: 30/25, where circumstances had arisen which required special consideration by the Committee.

The Chair introduced those present and outlined the procedure to be followed. The applicant, who was in attendance at the meeting, verified his name and address and confirmed he had received a copy of the report and understood its contents.

The Principal Public Protection Officer (Licensing) presented a summary of the report stating that the applicant appeared before Members due to the convictions detailed at 1) to 4) in the submitted report and confirmed that the applicant had disclosed his convictions on his application form.

The applicant was interviewed by Licensing Officers on 12 August 2025 when he provided explanations in relation to the offences at 1) to 4) and confirmed that there were no outstanding matters of which the Council was unaware. It was highlighted that, prior to the interview, Licensing Officers discussed the offences at 1) to 4) with the applicant and advised that, in accordance with Middlesbrough Council's Policy Guidance, a licence would not normally be granted until a period of 10 years had lapsed, however, the applicant still wished to proceed.

The applicant had provided several documents which were attached at Appendix 1, as follows:-

- Rehabilitation Timeline.
- Personal Statement.
- Character Reference from applicant's father.
- Character Reference from applicant's wife.
- Character Reference from applicant's brother.
- Character Reference from a legal advisor.

The report outlined that, in 2017, the applicant had rented a vehicle from a male, who was unknown to him, via an advert on social media site 'Snapchat'. He collected the vehicle from the male, in Bradford, after agreeing a price to rent it for five days. Two days before the

vehicle was due to be returned, the applicant had allowed a friend to use it and his friend was subsequently involved in a road traffic accident causing significant damage to the vehicle.

Due to the applicant being the only one insured to drive the vehicle at the time of the accident, he accepted responsibility for the repairs at a cost of £13,000 - £14,000. The applicant made an agreement with the male from whom he had rented the vehicle to pay back the debt in instalments. The applicant had fallen behind with the agreed payment schedule due to him trying to work whilst studying full time at University.

The applicant informed Officers about an incident that had occurred in November 2017 at his home address, whereby his mother and younger brother had returned home to find three unknown males, wearing balaclavas in their home. One of the males threatened the applicant's mother at knifepoint before leaving. The applicant believes this was connected to the car rental accident. The applicant also received threats to his own phone stating more bad things would happen if he did not pay the money owed.

The applicant subsequently decided to leave Middlesbrough and discontinue his studies. Whilst living out of the area, he met an individual who offered him a way of earning money to pay of his debt. This involved collecting drugs from an unknown individual and delivering them. The applicant advised that he was paid once every two weeks by an unknown male, and that he paid around half of his debt off in respect of the rental vehicle.

The applicant was arrested by Police who subsequently found him in possession of a range of drugs. This resulted in the convictions listed in the report.

The applicant confirmed the content of the report as being an accurate representation of the facts, however, he highlighted that the dates referred to in the report were not correct. In relation to the explanation of Offence 1) it should state 'August 2017' not 2018 and that he was 20 years of age at the time, not 21. The incident involving a knife point robbery was in November 2017 not 2018. The applicant was invited to address the Committee in support of his application.

The applicant addressed the Committee in support of his application and responded to questions from Members and the Council's Legal Representative.

It was confirmed that there were no questions and the applicant, and Officers of the Council, other than representatives of the Council's Legal and Democratic Services teams, withdrew from the meeting whilst the Committee determined the application.

Subsequently, all parties returned, and the Chair announced a summary of the Committee's decision and highlighted that the applicant would receive the full decision and reasons within five working days.

**ORDERED** that the application for a Private Hire Vehicle Driver Licence, Ref No: 30/25, be refused, as follows:-

#### Authority to Act

1. Under Section 51 of the Local Government Miscellaneous Provisions Act 1976 ("the Act") the Committee may decide to grant a Private Hire Vehicle driver's licence only if it was satisfied the driver was a fit and proper person to be granted such a licence.
2. The Committee considered Section 51 of the Act, the Middlesbrough Council Private Hire and Hackney Carriage Policy 2022 ("the Policy"), the report and representations made by the applicant.
3. The application was considered on its own particular facts and on its merits.

#### Decision

4. After carefully considering all the information, the Licensing Committee decided to refuse to grant the application for a Private Hire Vehicle driver's licence on the grounds that the Committee was not satisfied the applicant was a fit and proper person to be granted the licence. The reasons for the decision were as follows:-



Reasons

5. The applicant was convicted, on 23 April 2019, of the following offences:-
  - a. Possessing controlled drug W/I to supply – class A – Cocaine on 26 April 2018 Misuse of Drugs Act 1971 S.5(3) - Suspended imprisonment 24 months wholly suspended 24 months.
  - b. Possess W/I to supply – controlled drug - class B – Cannabis on 26 April 2018 Misuse of Drugs Act 1971 S.5(3) - Suspended imprisonment 8 months wholly suspended 24 months.
  - c. Possess W/I to supply a controlled drug – class B – Ketamine on 26 April 2018 Misuse of Drugs Act 1971 S.5(3) - Suspended imprisonment 8 months wholly suspended 24 months.
  - d. Possessing controlled drug W/I to supply – class A – MDMA on 26 April 2018 Misuse of Drugs Act 1971 S.5(3) - Suspended imprisonment 24 months wholly suspended 24 months.
6. For the above offences, as well as a suspended prison sentence, the applicant was made subject to a curfew monitored by an electronic tag for six months, 15 days rehabilitation activity requirement days, 150 hours of unpaid work and a victim surcharge of £140.00.
7. The Policy on convictions were set out at Appendix G, Policy on the Relevance of Convictions, Cautions, Reprimands, Warnings, Complaints and Character.
8. If a conviction, caution, reprimand or final warning related to the supply of controlled drugs; possession with intention to supply controlled drugs; the production of controlled drugs (for commercial purposes) or importing drugs, then the application would be refused until at least 10 years had elapsed since the completion of any sentence.
9. In accordance with the Policy, and when considering the applicant's sentence, the relevant period for the applicant to remain conviction free ends on 23 April 2031.
10. Licensing Officers interviewed the applicant on 12 August 2025 and he explained the circumstances of his convictions. Full details of the interview were contained within the report.
11. The applicant stated that in August 2017 he had hired a car from an unknown male who had advertised the vehicle on Snapchat. The applicant stated that he had collected the car from Bradford after agreeing a price and stated he would rent the car for five days. The applicant stated that two days before the vehicle was due to be returned, he allowed a friend to drive the vehicle without him present, and the friend was involved in a road traffic accident which caused significant damage to the car.
12. The applicant stated that as he was the only person insured to drive the vehicle, he was informed that he was responsible for the repair costs, which totalled £13/14,000. The applicant stated he had made an arrangement with the car owner to pay the repair debt back in instalments but found it difficult to make payments and struggled to keep up with the arrangement.
13. The applicant told Officers that an incident occurred in November 2017 whereby three unknown males in balaclavas broke into his family home and threatened his mother and younger brother with a knife. The applicant stated that the break-in was related to the car rental and that he was further threatened via a withheld number to keep up with repayments. Officers were informed that the matter was reported to the Police.
14. After this incident, the applicant stopped his studies at Teesside University and moved out of the area to live with friends, where he met someone who offered to help him make money to pay off his debts, this involved collecting and delivering drugs. Officers were informed that the applicant did not collect money, he collected drugs and then delivered them to people, mostly students. The applicant stated he was paid once every two weeks.
15. The applicant explained that he was arrested by the Police in the Quayside area of Newcastle and was convicted of the aforementioned offences.

16. At the Committee hearing, the applicant stated that his offending was not motivated by greed but rather by fear for the safety of him and his family. The applicant accepted full responsibility for his offences and at the time of his arrest was fully preparing himself for a prison sentence.
17. The applicant stated he wanted to provide for his wife and young child and that obtaining his licence would help him save the money required for future courses. The applicant stated that he wanted to finish a course to become a qualified gas engineer and that he had unfortunately missed exams in the past as he was stuck in Pakistan due to the Covid-19 pandemic.
18. The applicant was asked whether he had signed a contract or had documents for the rental of the car, to which he stated he had not and that he simply made the arrangements through Snapchat.
19. When questioned on the offences and how frequently he was involved in drug dealing, the applicant answered honestly stating that it was daily and that he would collect certain small quantities of drugs each time, usually enough for one delivery or two if locations were close by, and that on the particular occasion he was arrested he was in possession of a larger quantity. In total, the applicant believed he paid around £6,700 of the debt off and that he was receiving around £1,000 every two weeks for being involved in drug dealing.
20. The applicant informed the Committee that he completed all of the unpaid work and rehabilitation requirement activities within two months and that he had subsequently changed his life around.
21. Whilst it did consider the circumstances leading to the offences being committed, the Committee had concerns as to the applicant's responses, specifically how he had rented a car via Snapchat and received no documentation or contract. Further thought was given as to the level of insurance covering the applicant on the rental car.
22. Based on the evidence it was presented with, the Committee found that the applicant was not a fit and proper person to hold a Private Hire Vehicle licence in Middlesbrough. Whilst the Committee considered the age of the applicant when the offences were committed, it determined that the nature of the applicant's offences were extremely serious in nature.
23. The Committee determined that, despite the time elapsed since the convictions, there were no compelling, clear, good or exceptional reasons to depart from the Policy and refused the licence for the reasons set out above. In accordance with the Policy and statutory taxi and private hire vehicle standards, the relevant period for the applicant to remain conviction free will end on 23 April 2031.
24. If the applicant was aggrieved by the decision he may appeal to a Magistrates Court within 21 days from the date of the notice of the decision. The local magistrates for the area was the Teesside Justice Centre, Teesside Magistrates, Victoria Square, Middlesbrough.
25. If the applicant does appeal the decision and the appeal was dismissed by the Magistrates Court, the Council would claim its costs in defending its decision from the applicant which could be in the region of £1,000.

By virtue of paragraph(s) 1, 2, 3, 7 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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