

LICENSING COMMITTEE

Date:	Monday 24th November, 2025
Time:	1.00 pm
Venue:	Mandela Room

AGENDA

1. Welcome and Fire Evacuation Procedure

In the event the fire alarm sounds attendees will be advised to evacuate the building via the nearest fire exit and assemble at the Bottle of Notes opposite MIMA.

2. Apologies for Absence

3. Declarations of Interest

4. Minutes - Licensing Committee - 3 November 2025

3 - 18

5. Licensing Updates

The Licensing Officer will provide a verbal update, if applicable, on any licensing appeals/revocations since the last meeting of the Committee.

6. Any other urgent items which in the opinion of the Chair, may be considered.

7. 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.

8. Application for Private Hire Vehicle Driver Licence Ref:- 38/25

19 - 30

Charlotte Benjamin
Director of Legal and Governance Services

Town Hall
Middlesbrough
Friday 14 November 2025

MEMBERSHIP

Councillors L Lewis (Chair), S Hill (Vice-Chair), J Cooke, J Ewan, 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 / Rachael Johansson, 01642 729713 / 01642 726421, joanne_dixon@middlesbrough.gov.uk / rachael_johansson@middlesbrough.gov.uk

LICENSING COMMITTEE

A meeting of the Licensing Committee was held on 3 November 2025.

PRESENT: Councillors: Lewis (Chair), Hill (Vice Chair), Ewan, Gavigan, Grainge, Jones, Kabuye, Livingstone, McTigue, J Platt and A Romaine.

OFFICERS: V Alexander, J Dixon, T Durance, T Hodgkinson and R Johansson.

An APOLOGY FOR ABSENCE was submitted on behalf of Councillor J Cooke.

PRESENT AS AN OBSERVER: K Allan – Democratic Services.

WELCOME AND FIRE EVACUATION PROCEDURE

The Chair welcomed those present and highlighted the Council's Fire Evacuation Procedure.

**** DECLARATIONS OF MEMBERS' INTERESTS**

Name of Member	Type of Interest	Item/Nature of Business
Councillor T Livingstone	Non-pecuniary	Agenda Item 9 – Review PHVDL Ref 34/25 – Witness known to Councillor.
Councillor J Ewan	Non-pecuniary	Agenda Item 11 – Application PHVDL Ref 36/25 – Applicant lives within Councillor's Ward but not known to her.

MINUTES - LICENSING COMMITTEE – 13 OCTOBER 2025

The minutes of the Licensing Committee held on 13 October 2025 were submitted and approved as a correct record.

LICENSING UPDATES

The Licensing Manager advised Members that since the previous Committee meeting, under Delegated Powers, Officers had revoked two Private Hire Vehicle driver licences, with immediate effect.

The first driver's licence was revoked on 20 October 2025 following notification from Cleveland Police that the driver had been arrested in connection with an alleged sexual assault of a female passenger.

The second driver's licence was revoked on 29 October 2025 following notification from Cleveland Police that the driver had been arrested in connection with cannabis production and money laundering offences.

In response to a query, it was confirmed that taxi driving was a notifiable occupation, therefore, the Police automatically notified the Licensing Department of any arrests made of taxi drivers.

NOTED

ANY OTHER URGENT ITEMS WHICH, IN THE OPINION OF THE CHAIR, CAN BE CONSIDERED

There were no urgent items to be considered.

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.

APPLICATION – PRIVATE HIRE VEHICLE DRIVER LICENCE – REF: 28/25

The Licensing Manager advised that the applicant was not in attendance and had notified the Licensing Department that he now wished to withdraw his application, therefore, there was no application to be considered.

NOTED

**** ORDER OF BUSINESS - SUSPENSION OF COUNCIL PROCEDURE RULE No. 4.13.2**

ORDERED: that in accordance with the Council's Constitution Procedure Rules, paragraph 4.30.1(c), the Committee agreed to vary the order of business to consider the agenda items as follows: Agenda items 10, 9, 11 and 12.

APPLICATION – PRIVATE HIRE VEHICLE DRIVER LICENCE – REF: 35/25

The Director of Environment and Community Services submitted an exempt report in connection with the review of Private Hire Vehicle Driver Licence, Ref: 35/25, 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 Licensing Manager presented a summary of the report outlining that the applicant was previously licensed with Middlesbrough Council from August 2018 until 5 December 2022 when his licence was revoked by Officers following his arrest for cannabis possession on 23 November 2022.

In summary, the applicant was stopped by Police on 23 November 2022 whilst driving a Private Hire Vehicle and was carrying one adult male passenger. Upon stopping the vehicle, Police Officers detected the smell of cannabis, and a subsequent search of the vehicle discovered approximately 22kg of cannabis.

Following receipt of the Police disclosure, a Licensing Officer contacted the driver by telephone on 28 November 2022 to discuss the matter before the decision was taken to revoke his Private Hire Vehicle driver licence with immediate effect.

A copy of the Police disclosure, dated 25 November 2022, and revocation letter, dated 5 December 2022, were attached at Appendices 1 and 2.

On 10 January 2023, the driver received notification from Cumbria Police that no further action would be taken against him in relation to the offence. A copy was attached at Appendix 3.

The applicant now appeared before Members with a fresh application.

The applicant was interviewed by Licensing Officers on 14 August 2025 when he confirmed that there were no other outstanding matters of which the Council was unaware and provided an explanation in relation to his arrest in November 2022.

During interview, the applicant stated that when he was stopped by the Police, he had been unable to smell cannabis in the vehicle due to suffering from a virus causing him to lose his sense of smell. He advised Officers that he had previously visited his GP on 14 and 17 November 2022 in connection

with these symptoms and provided a letter from his GP, dated 1 March 2023, in support of his application. This was attached at Appendix 4.

The applicant also highlighted that he had emailed the Licensing Department, on 15 February 2023, highlighting a number of factual errors within the revocation letter (dated 5 December 2022). A copy of which was attached at Appendix 5.

The applicant confirmed the content of the report as being an accurate representation of the facts but wished to point out that, in relation to the incident in 2022, the passenger had asked him for his telephone number.

In response to a query on the report regarding the date of the application being made on 12 August 2024, it was confirmed that this was correct and that the delay in the applicant being interviewed was due to the applicant not completing the required taxi tests and processes sooner.

With the Chair's permission, the applicant circulated print outs of his earnings for the three-week period in 2022 at the time he was arrested. The applicant stated that he had not been earning much at that time which had influenced his decision to take the passenger to Scotland, for an agreed fee, without booking the journey through his operator.

The applicant was invited to address the Committee in support of his application.

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

It was confirmed that there were no further 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 Private Hire Vehicle Driver Licence, Ref No: 35/25, 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 licence only if it was satisfied the applicant 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 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 Policy on Convictions was set out at Appendix G, Policy on the Relevance of Convictions, Cautions, Reprimands, Warnings, Complaints and Character.
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 confirmed that criminal convictions were not the only criteria used when considering whether an individual was a fit and proper person to be licensed. The Council could consider circumstances of concern even though a conviction had not been obtained or the conduct did not amount to a criminal offence. In assessing the action to take, the safety of the travelling public must be the paramount concern.
8. The applicant was previously licensed as a Private Hire Vehicle driver with the Council, from August 2018 until his licence was revoked by Officers on 5 December 2022, following his arrest in connection with the offence of 'Possess with intent to supply controlled drug – class B'.
9. The disclosure that Licensing Officers received at the time was that on 23 November 2022, the applicant had been stopped by Police in Cumbria. The Police detected the smell of cannabis and, upon searching the vehicle, discovered approximately 22kg of cannabis.
10. Following the receipt of a new application on 12 August 2024, the applicant was interviewed by Licensing Officers on 14 August 2025. A full summary of the interview was detailed in the report.
11. The applicant informed Officers that he had received a call from a male who had previously been a passenger in his vehicle. The applicant agreed to take him on a return journey from Middlesbrough to Glasgow for an agreed fare of £600.00. The applicant admitted that he was aware that accepting a direct booking from the customer was unlawful and a big mistake.
12. The applicant explained that at the time, he was not receiving much work from his Private Hire Operator and felt that the Operator was favouring certain drivers when allocating bookings. He, therefore, agreed to take the illegal booking to earn extra income.
13. Officers were told by the applicant that he had previously taken the passenger on a short trip and had provided his phone number when asked by the passenger to do so.
14. The applicant stated that he was completely unaware of the cannabis contained in his passenger's bags. He further detailed how, at the time, he was suffering from viral related symptoms and had lost his sense of smell and, as a result, was unable to smell the cannabis in the vehicle. The applicant asserted that he had visited his GP on 14 and 17 November 2022 in connection with the symptoms and provided a letter dated 1 March 2023 in support of this assertion.
15. During the Committee hearing, the applicant and Licensing Officer clarified that the gap in dates between his application being made and his interview were correct and due to him not sitting the relevant tests and completing the relevant parts of the process.
16. At Committee, the applicant stressed that he had made a mistake accepting the direct booking and had taken responsibility for this. The applicant provided printed copies of booking transactions and fees for a period and stressed to the Committee that he was earning low amounts, reiterating why he had taken the direct booking.
17. When asked if he had accepted unlawful bookings before the incident, the applicant stated he had not and emphasised that should he obtain his licence, he would not do it again. The applicant also stated that he had never given a passenger his number before and would not do it again, even if asked.
18. The Committee asked the applicant to explain in further detail the passenger's request. The applicant stated that the passenger had asked him to make a round trip to Glasgow. Upon their arrival the passenger asked the applicant to wait in the car park for an hour or two. The applicant explained that the passenger returned to the car park driving a white van and unloaded two bags from the van into the applicant's vehicle. When asked if he was suspicious of this, the applicant stated he was not.
19. The Committee queried why the applicant was pulled over by Police during the return journey. The Licensing Officer clarified that this was detailed in Appendix 1 to the report, informing the Committee that the applicant was pulled over for the manner in which the vehicle was being driven.
20. The applicant was asked whether he knew the passenger and responded that he had only met the passenger once prior to the incident. It was noted that the Committee found the answer to this question evasive.

21. Based on the evidence presented, the Committee found that the applicant was not a fit and proper person to hold a Private Hire Vehicle driver licence in Middlesbrough. The Committee was extremely concerned that the applicant had taken an unlawful booking and had also previously provided his personal phone number to the passenger in order to be contacted to arrange future journeys.
22. The Committee was also concerned that the applicant did not find the job itself suspicious. The Committee found it difficult to understand how the applicant had not questioned why he had waited in a car park for an hour and why the passenger would return driving a white van, unloading bags from the van into the taxi vehicle.
23. The Committee did not find the applicant's version of events to be believable and was suspicious of the circumstances. The Committee found it difficult to accept that this was a one-time unlawful job and that he happened to be taking a passenger involved in the transportation of drugs. This was of further concern to the Committee following the evasive response the applicant provided when discussing how many times he had met the passenger.
24. The Committee gave consideration to the applicant being pulled over by Police for the manner in which he was driving.
25. The Committee reviewed the letter the applicant had provided from the GP and did not feel it offered any real support to the applicant's reported symptoms. The Committee noted that the applicant claimed he had had a positive Covid test, this could not be verified as there was no evidence of the applicant registering the test on the NHS app. The letter appeared, to the Committee, to be a character reference rather than confirmation of specific symptoms. In consideration, the Committee found it difficult to believe that the applicant could not smell the vast amount of cannabis found in the vehicle.
26. The Committee, for the reasons above, could not be satisfied the applicant was a fit and proper person or safe and suitable to be licenced as a Private Hire Vehicle driver in Middlesbrough.
27. 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 Court, Victoria Square, Middlesbrough, TS1 2AS.
28. If the applicant did 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.

REVIEW – PRIVATE HIRE VEHICLE DRIVER LICENCE – REF: 34/25

The Director of Environment and Community Services submitted an exempt report in connection with the review of Private Hire Vehicle Driver Licence, Ref: 34/25, where circumstances had arisen which required special consideration by the Committee.

The Chair introduced those present and outlined the procedure to be followed. The driver, 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 Licensing Manager presented a summary of the report stating that the driver appeared before Members for review of his licence due to information received on 9 September 2025 from an off-duty Chief Inspector at Cleveland Police in relation to an incident on 7 September 2025.

The report detailed the driver's history and showed that he first applied to Middlesbrough Council for a Private Hire Vehicle driver licence in June 2014. Due to information disclosed at the time, his application was referred to the Licensing Committee on 11 August 2014, when his licence was granted.

It was highlighted that, on 1 October 2021, the driver had notified the Licensing Department that he had received six penalty points on his DVLA licence for poor driving standards. On 22 October 2021, the driver completed a driver improvement scheme which included additional training around road traffic conditions, speed limits and road signs.

On 12 May 2023, Officers suspended the driver's licence due to concerns around his health in

accordance with the DVLA Medical Group 2 Standards, the details of which were outlined in a letter attached at Appendix 1.

Officers contacted the driver on 1 June 2023 regarding a letter received from his GP. As Officers were satisfied that all matters leading to the suspension had been resolved, and as a result of the information contained in the letter from his GP, the suspension was lifted that same day.

The driver now appeared before Members in relation to an incident on 7 September 2025 which was reported to the Licensing Department by an off-duty Police Chief Inspector. The Chief Inspector had observed the driver, sitting in the driver's seat of his taxi, parked in a public parking space, with another male in the passenger seat. Both appeared to be inhaling what he believed to be Nitrous Oxide from balloons.

The Chief Inspector provided the Licensing Department with a statement and photographs of the driver and his vehicle. These were attached at Appendix 2.

The driver was invited to attend an interview with Licensing Officers on 17 September 2025 but Officers were subsequently informed that he was unable to attend as he had been the victim of an assault. A further appointment was made and the driver was interviewed on 19 September 2025 when he provided explanations in relation to the incident on 7 September and the assault on 17 September 2025. He confirmed that there were no outstanding matters of which the Council was unaware.

In relation to the incident on 7 September, the driver stated that he was not working at the time and had picked up a male who was known to him to give him a lift to his family's house. After travelling a short distance, the male began filling balloons with Nitrous Oxide. The driver parked his vehicle in a public parking space and stated that he began to help the male to blow up the balloons. The front vehicle window was open and they were playing music. When advised about the complaint made against him by a trained professional who was able to identify nitrous oxide abuse, the driver conceded that the behaviours demonstrated by himself and the other male may have appeared questionable, however, maintained that he was not inhaling the gas himself.

The driver refused to name the other male and offered to undergo a drugs test. The driver completed a negative drugs test on 25 September 2025, however, it was highlighted that nitrous oxide was not detectable on a routine drugs test.

In relation to the assault against the driver on 17 September, he stated that he had just returned home from working in his taxi when two males appeared and got into the rear of his vehicle asking for a lift to a late-night garage. One of the males was the same male involved in the incident on 7 September. The other male was unknown to the driver and had remained in the vehicle whilst the other male went to buy alcohol at the garage. When the first male got back into the vehicle, the driver stated that whilst driving, without warning, the unknown male attacked him from the rear with a large nitrous oxide cannister and hit him about the head. The driver stated that both males had been inhaling the nitrous oxide during the journey. The driver stopped his vehicle within the grounds of the hospital and fled the vehicle in fear for his safety. The driver had run to the hospital where he was helped by security staff and received medical attention. When he returned to his vehicle, the rear windows had been vandalised. He had called the Police who were investigating the assault and vehicle damage.

The driver confirmed the content of the report as being an accurate representation of the facts, however, stated that the description of the second male who had assaulted him, was incorrect.

At this point, the witness joined the meeting. The Chief Inspector confirmed the contents of his statement as being correct and provided Members with his version of events in relation to the incident on 7 September and responded to questions from Members, the driver and the Council's Legal Representative. It was confirmed that there were no further questions and the Chief Inspector left the meeting.

The driver was invited to address the Committee in support of his case and responded to questions from Members of the Committee, the Licensing Manager and the Council's Legal Representative.

It was confirmed that there were no further questions and the driver, 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 review.

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

ORDERED that Private Hire Vehicle Driver Licence, Ref No: 34/25, be revoked, with immediate effect, as follows:-

Authority to Act

1. Under Section 61 of the Local Government Miscellaneous Provisions Act 1976 ("the Act") the Committee may revoke or suspend a Private Hire/Hackney Carriage Vehicle driver's licence on the grounds that:
 - Since the grant of the licence the driver had been convicted of an offence involving dishonesty, indecency or violence;
 - Since the grant of the licence the driver had committed an offence or breached the Act or the Town Police Clauses Act 1847;
 - for any other reasonable cause.
2. Under Section 61(2B) of the Act, if it appeared to be in the interests of public safety, the Committee could decide that the revocation was to have immediate effect.
3. The Committee considered Section 61 of the Act, the Middlesbrough Council Private Hire and Hackney Carriage Policy 2022 ("the Policy"), the report, the account of the witness and representations made by the driver.
4. The review of the licence was considered on its own particular facts and on its merits.

Decision

5. After carefully considering all of the information, the Licensing Committee decided to revoke the driver's Private Hire Vehicle driver licence on the grounds of any other reasonable cause. It decided that the revocation was to have immediate effect in the interests of public safety under section 61(2B) of the Act.

Reasons

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 confirmed that criminal convictions were not the only criteria used when considering whether an individual was a fit and proper person to be licensed. The Council could consider circumstances of concern even though a conviction had not been obtained or the conduct did not amount to a criminal offence. In assessing the action to take, the safety of the travelling public must be the paramount concern.
8. The Policy on Convictions was set out at Appendix G, Policy on the Relevance of Convictions, Cautions, Reprimands, Warnings, Complaints and Character.
9. The driver first applied for a licence on 9 June 2014 and, due to information disclosed at the time, the application was referred to the Licensing Committee. On that occasion the Committee determined that the driver was a fit and proper person and, therefore, granted the licence on 11 August 2014.
10. On 1 October 2021, the driver contacted Licensing Officers to advise that he had received six points endorsed on his DVLA licence for poor driving standards. As a result, the driver was required to attend a driver improvement scheme.

11. On 12 May 2023, the driver's Private Hire Vehicle licence was suspended due to concerns around his health and following guidance taken from the Medical Group 2 DVLA Standards. On 1 June 2023, following receipt of a letter from the driver's GP, Licensing Officers were satisfied that the suspension could be lifted.
12. On 9 September 2025, the Licensing Department received a report from a Chief Inspector of Cleveland Police. The report related to an incident whereby the Chief Inspector, whilst off duty, had witnessed the driver and passenger of a Private Hire Vehicle (confirmed as being the driver's vehicle - registration supplied), holding inflated balloons between their lips, inhaling what he believed to be Nitrous Oxide from the balloons.
13. The Chief Inspector provided a witness statement and exhibited two photographs he had taken, showing the individuals involved.
14. The driver was invited to attend an interview scheduled for 17 September 2025, however, on the day of the scheduled interview, Officers were contacted by the driver's mother informing them that the driver could no longer attend as he had been the victim of an assault. The Licensing Department received information from the driver's Operator, the same day, confirming their knowledge and information of the assault.
15. On 19 September 2025, the driver attended an interview with Licensing Officers. A full summary of the interview was contained in the Committee report. The driver admitted to Officers that he was sat in the driver's seat of the vehicle observed by the Chief Inspector.
16. The driver stated that he had picked up the individual, who he believed to be homeless. The driver stated he was not working at the time and stated that whilst they were parked up talking, the individual began to fill balloons with nitrous oxide and inhale them. The driver stated he was not inhaling them but that he was blowing the balloons up to stretch them out so that they did not pop when being filled with nitrous oxide. The driver refused to provide the name of the passenger and when questioned why, stated "I just don't want to say his name".
17. The driver reiterated that he was not inhaling nitrous oxide and that he was not a drug user. The driver completed a drugs test which was confirmed as negative, however, nitrous oxide was undetectable on a routine drugs test.
18. The driver then provided an account of the incident that occurred on 17 September 2025. The driver stated that, following work, he had arrived at his home address when two men jumped out from the bushes and entered the rear of his vehicle. One of the males was the passenger from the 7 September 2025 incident and the driver stated he did not know the other individual.
19. The driver stated that the males requested to be taken to buy alcohol and as he feared the males would disturb his family, he agreed to the request. During the journey the passengers were inhaling nitrous oxide. The driver stated that following the shop visit he was driving towards Marton Road, when the unknown male attacked him without warning. The driver stated he was hit approximately six times with the nitrous oxide cannister.
20. The driver stated he stopped his vehicle in Roseberry Park and fled due being fearful for his life. He received medical treatment which involved having sutures, and when he returned to his vehicle the rear windows had been vandalised. The driver reported the incident to the Police.
21. At the Committee hearing, when questioned if the Committee report was accepted as a true reflection, the driver stated that he had found an error. When asked what the error was, he stated that he did not inform Licensing Officers in interview that the unknown male was around 50 years old.
22. The Committee heard from the Chief Inspector who provided a first-hand account of what he had witnessed. He confirmed his statement and clarified that he saw the driver with a balloon to his lips. He stated that whilst he could not be sure the driver was inhaling from the balloons, the situation and circumstances associated led him to believe that the two individuals were inhaling nitrous oxide.

23. The driver informed the Committee that he had no previous complaints about his driving or character since he started driving taxis in 2014 and that the drugs test he had completed was negative. The driver also reiterated the account he had given in his interview, contained within the report.
24. When asked by the Committee why he had not asked the individual to leave his vehicle when he had begun to inhale nitrous oxide, the driver stated that the passenger was known to him as being temperamental and that he was fearful. When further asked why he would go out of his way to pick up a person he was fearful of, the driver responded stating that the individual was crying and visibly upset, so he wanted to take him home.
25. The Committee queried whether he could see the individual carrying a cannister, as cannisters are noticeably large. The driver responded and recalled that the individual had it concealed up his clothing. He was asked why he would then drive to a library and park up, but the driver stated he did not know where else to go as the passenger's family had said he could not return home.
26. The Committee queried the second incident and asked why the driver would report the incident to the Police but refuse to give the names of those involved. The driver stated he could not provide the Police with the name of the passenger he knew as he feared for his life and feared reprisals.
27. The Committee found the driver's demeanour and attitude at the hearing to be poor and confrontational. On occasion, the driver became agitated about being asked certain questions and his answers to those questions were short and hostile.
28. The Committee found the Chief Inspector to be a credible witness and found that the evidence he gave was clear and concise. The Committee further found the photographs provided, showing the driver with an inflated balloon to his lips, to be extremely useful in supporting the account provided by the witness.
29. The Committee determined that the driver was not a fit and proper person. The Committee found that the driver's account was unlikely and considered that there appeared to be a link between the driver and the passenger that went further than what the driver had identified. The Committee did not believe that the driver was being completely honest.
30. The Committee was extremely concerned regarding the nitrous oxide incident and believed that it was more likely than not that the driver had engaged in that behaviour. At the very least, if the driver's version of events was accepted by the Committee, which it was not, the Committee was appalled that the driver would openly be sat outside of a public library in his marked vehicle with an individual who was engaging in drug activity, assisting the individual with the commissioning of this act. The Committee discussed the public perception of a driver involved in this behaviour. The driver was brazen, with his windows open and playing loud music.
31. The Committee was also extremely alarmed by who he associated with. The Committee was fearful that a member of the public could be a passenger in his vehicle and an incident could happen whereby associates jumped into the car. The Committee found that it would not feel comfortable allowing a loved one, or someone for whom they cared for, in the taxi with this driver.
32. The Committee found it difficult to accept that the driver would fail to name one of the attacker's associates, who he admitted to knowing. The Committee felt that should an incident arise, and a passenger was injured, they would not have confidence that the driver would properly report this to the Police.
33. The Committee also gave consideration to the driver's regulatory history and noted that he had received six points in the past for poor driving standards.
34. The Committee felt that the driver failed to accept any responsibility for the incident on 7 September 2025 and instead appeared to make excuses and not tell the whole truth.

35. In line with the Policy, the Committee deemed that due to the incidents, specifically the involvement in and probably partaking in drug taking, the driver was not a 'fit and proper' person and, therefore, the decision was made to revoke the driver's licence with immediate effect for the safety of the public.
36. If the driver 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, TS1 2AS.
37. If the driver 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 driver which could be in the region of £1,000.

APPLICATION – PRIVATE HIRE VEHICLE DRIVER LICENCE – REF: 36/25

The Director of Environment and Community Services submitted an exempt report in connection with an application for a Private Hire Vehicle Driver Licence, Ref: 36/25, 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 attended the meeting, verified his name and address and confirmed he had received a copy of the report and understood its contents.

The Licensing Manager presented a summary of the report stating that the applicant appeared before Members due to convictions at 1) in the submitted report.

The applicant was interviewed by Licensing Officers on 3 September 2025. During the interview the applicant confirmed that there were no outstanding matters of which the Council was unaware.

In relation to the convictions at 1), the applicant explained that on 1 January 2021, he had been at a friend's house and, whilst driving home, at approximately 02:00, he was followed and subsequently stopped by the Police. The Police Officer informed him that he had been stopped due to the manner of his breaking and initially thought he was a food delivery driver.

The applicant reported that he provided his details and driving licence and undertook a breathalyser test. He claimed that the Police Officer became forceful and requested a second test, at which point he panicked and fled, returning to his friend's house and leaving his car behind.

At approximately 04:00 the Police Officer attended the applicant's home address and spoke to his mother, requesting that the applicant contact him upon his return. The applicant stated that he later called the Police Officer, who was off duty, and they agreed to meet in four days when the Police Officer returned to work. The applicant attended the police station as agreed and admitted, due to the police officer's attitude with his mother, he displayed some attitude during the meeting. He stated that he was not arrested at the time and could not recall being charged or informed of prosecution.

In May 2021, the applicant received a letter from the Magistrates Court requiring him to attend a hearing. At the hearing, he was advised that the matter was serious and would be referred to Crown Court. At Crown Court, the police officer alleged that the applicant had evaded police for four days, which the applicant disputed, providing text messages showing he had agreed to attend the police station once the Police Officer was back on duty. The applicant stated that the Crown Court imposed a 12-month driving ban because he had evaded custody, despite not being prosecuted for drink driving. He expressed regret for running away, explaining that he panicked at the time.

The applicant also advised that he was currently unemployed and wished to become a taxi driver because he enjoyed driving, wanted to work independently, and preferred flexible hours.

Following the interview, the Licensing Officer conducted an internet search regarding the applicant's Crown Court case. This revealed several newspaper articles reporting that the applicant had failed a breathalyser test with a reading of 82 micrograms of alcohol per 100 millilitres of breath, more than twice the legal limit. Reports stated that the applicant had told Police Officers he had only consumed

half a pint of beer. After being placed in a police vehicle, he fled while the Police Officer secured his car. The Police Officer attempted to locate him at his home address without success and returned at 04:00, but the applicant was still absent. He was arrested on 5 January 2021 when Police Officers returned to his home. The applicant reportedly told the Police he could not explain his actions on the night he fled. He pleaded guilty to escaping lawful custody and was sentenced to five months in a young offender's institute, suspended for eighteen months. He was also banned from driving for twelve months and ordered to complete 150 hours of unpaid work.

On 4 September 2025, a Licensing Officer contacted the applicant to discuss the media reports. When asked why he had not disclosed that he was twice over the legal limit, the applicant stated that the Police Officer had not informed him that he was over the limit but had 'blown 82'.

The Licensing Officer advised the applicant that his application would be referred to the Licensing Committee to determine his suitability to hold a Private Hire Vehicle Driver Licence and that given the circumstances there was a strong possibility of refusal. The applicant confirmed that he wished to proceed with his application.

The applicant was invited to address the Committee in support of his application and admitted he had not been fully truthful during his initial interview with Licensing Officers. The applicant responded to questions from Members, the Council's Legal Representative and the Licensing Manager.

It was confirmed that there were no further 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 a full decision and reasons within five working days.

ORDERED that the application for Private Hire Vehicle Driver Licence, Ref No: 36/25, 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 applicant 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 Policy on Convictions was set out at Appendix G, Policy on the Relevance of Convictions, Cautions, Reprimands, Warnings, Complaints and Character.
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 confirmed that criminal convictions were not the only criteria used when considering whether an individual was a fit and proper person to be licensed. The Council could consider circumstances of concern even though a conviction had not been obtained or the conduct did not amount to a criminal offence. In assessing the action to take, the safety of the travelling public must be the paramount concern.
8. On 25 May 2021, the applicant was convicted of escaping from lawful custody and sentenced to five months imprisonment, suspended for 18 months, as well as being disqualified from driving for 12 months, a victim surcharge of £128.00 and 150 hours unpaid work.
9. The applicant was interviewed by Licensing Officers on 3 September 2025, a full summary of the interview was contained within the report.
10. The applicant informed Officers during interview, that he had been travelling home from a friend's house at around 2.00am on 1 January 2021 when a Police car pulled him over. It was explained that he had been pulled over due to the manner of his braking.
11. The applicant stated that he undertook a breathalyser test and passed but that the Police Officer had become forceful with him and asked him to do it again. He informed Officers that at this point he panicked and ran away, returning to his friend's house and leaving his vehicle at the scene.
12. The applicant stated that at 4.00am the same day, the Officer had searched for him at his home address, speaking to his mother as the applicant was not in. The applicant stated he was required to call the Officer back, which he did and he stated they agreed to meet in four days time when the Officer returned to duty. The applicant stated he attended the Police Station four days later.
13. The applicant stated he was not arrested at that time but was notified in writing at a later date that his case had been referred to the Crown Court, where he was sentenced as aforementioned.
14. After the interview, Officers carried out an internet search on the individual and found an article in relation to the applicant's offence. It stated in the article that the applicant had failed a roadside breath test and was more than twice the legal limit, despite informing Police Officers he had only consumed half a pint of beer.
15. Licensing Officers contacted the applicant again and questioned why he had failed to mention the above in his interview. The applicant stated that the Police Officer had not informed him he was over the limit. He was also asked why he had answered 'no' to having any previous convictions, the applicant was unable to provide an answer.
16. At Committee, the applicant stated from the outset that he had lied to the Licensing Officers and that he had 'smudged over' certain aspects of the offence for which he was charged. The applicant apologised and stated that he came to Committee wanting to be fully honest about the circumstances leading to his arrest and sentence.
17. The applicant accepted that he had been drink driving and had failed a breathalyser test. He further stated that whilst he was in the back seat of the Police vehicle, he climbed to the front seats and exited through the front door before absconding. The applicant stated he was not prosecuted for drink driving.
18. The applicant informed the Committee that he regretted his actions that night and was apologetic for this. He stated that he was from the town and knew the roads, attributing his love of driving as the reason he for making an application to become a licenced driver. The applicant further informed the Committee that he was a people person with good manners and strong morals.
19. 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 driver licence in Middlesbrough. The Committee was extremely concerned that the applicant had lied on his application form as well as to Licensing Officers during his interview. The Committee found that the applicant had numerous opportunities to be honest during the process but had not been.

20. The Committee was further concerned as to the nature of the offence the applicant had been convicted of. Not only had the applicant accepted that he was driving whilst over the limit, but he further fled the scene and escaped custody.
21. Whilst the applicant did not have a conviction for drink driving, he did admit to driving whilst under the influence during the Committee hearing. The Committee gave consideration to the Policy on drink driving convictions whereby it stated a licence would usually be refused until the applicant remained conviction free for at least seven years from completion of any sentence or driving ban.
22. The decision to refuse to grant the licence was in accordance with the Policy and the Committee considered there were no good or exceptional reasons to depart from it. The Committee, for the reasons above, could not be satisfied the applicant was a fit and proper person or safe and suitable to be licenced as a Private Hire Vehicle driver in Middlesbrough.
23. 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 Court, Victoria Square, Middlesbrough, TS1 2AS.
24. If the applicant did 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.

APPLICATION – PRIVATE HIRE VEHICLE DRIVER LICENCE – REF: 37/25

The Director of Environment and Community Services submitted an exempt report in connection with an application for a Private Hire Vehicle Driver Licence, Ref: 37/25, 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 attended the meeting, verified his name and address and confirmed he had received a copy of the report and understood its content.

The Licensing Manager presented a summary of the report stating that the applicant appeared before Members due to offences at 1) to 4) in the submitted report. Those offences were declared by the applicant on his application form.

The applicant was interviewed by a Licensing Officer on 10 September 2025. At that time, he confirmed that there were no outstanding matters of which the Council was unaware and provided an explanation in relation to the offences at 1) to 4) in the report.

The applicant had explained that all four offences arose from a single incident on 26 February 2017 when he had travelled with his wife and young daughter to attend a family wedding. He highlighted that the wedding was a non-alcoholic event due to religious observance.

After returning to the hotel, in the early hours of the morning, his wife experienced breathing difficulties and could not locate her inhaler. Concerned for her health, given her history of severe asthma and previous collapse requiring emergency services, he contacted his sister, who confirmed that the inhaler had been left at her home, around ten minutes away by car.

The applicant stated that, acting out of urgency, he drove his wife's vehicle to retrieve the inhaler, despite not being insured to do so. While unfamiliar with the area, he became lost and was subsequently stopped by the police. He explained that while the police officers conducted checks, he attempted to contact his wife but received no response, which caused him to panic. He claimed that he requested police assistance to return to the hotel, which was refused, and as a result, he became uncooperative, telling police officers not to touch him and refusing to provide a breath specimen.

The applicant was arrested and held overnight. He confirmed that he did not physically resist arrest but admitted to being emotionally unresponsive. He refused legal assistance and was later charged with multiple offences. He explained that he missed his initial court date due to international travel

for a family funeral in Rwanda but attended court immediately upon his return, where he pleaded guilty to all charges and accepted full responsibility.

The applicant expressed deep remorse for his actions and acknowledged his emotions compromised his judgement. He stated that he completed a four-week rehabilitation programme through probation services, which included legal education and behavioural training. He confirmed that he had no further contact with the police since the incident and had lived in the United Kingdom for 23 years with no other arrests.

At the time of the incident, the applicant was employed as a support worker for a housing association. Since March 2025, he had been employed at a secure unit for young people involved in crime. His role involved managing challenging behaviour, including verbal and physical abuse, and required professionalism, emotional regulation, and adherence to legal standards. He stated that he was trained in corporate parenting and behaviour management.

The applicant explained that he worked shifts and sought to use his days off to earn supplementary income as a licensed private hire driver to better support his family. He stated that his professional experience and rehabilitation had equipped him with skills to remain calm and law-abiding in stressful situations. He confirmed that he understood the responsibilities of a licensed driver and was committed to public safety. He accepted his past actions posed a risk and expressed willingness to comply with any conditions or monitoring periods imposed on a granted licence.

He asked Members to consider his remorse, rehabilitation, and current conduct when determining his suitability. He confirmed his commitment to upholding the standards expected of a licensed driver and ensuring public safety and trust. He also provided evidence that he had completed a rehabilitation programme on 7 July 2017, with a copy of the certificate attached in the submitted report.

The driver 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 application. The applicant addressed the Committee and responded to questions from Members of the Committee, the Licensing Manager and the Council's Legal Representative.

It was confirmed that there were no further 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 a full decision and reasons within five working days.

ORDERED that the application for Private Hire Vehicle Driver Licence, Ref No: 37/25, be granted, 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 applicant 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 grant the application for a Private Hire Vehicle Driver's Licence on the grounds that it was satisfied the applicant was a fit and proper person to be granted such a licence.

Reasons

5. On 28 April 2017, the applicant was convicted of the following offences:-

- i) Resist or obstruct constable on 26 February 2017 Police Act 1996 S.89(2).
- ii) Failing to provide a specimen for analysis (driving or attempting to drive) on 26 February 2017 road traffic act 1988 S.7(6).
- iii) Using vehicle while uninsured on 26 February 2017 road traffic act 1988 S. 143(2).
- iv) Failing to surrender to custody at appointed time on 05 April 2017 Bail Act 1976 S.6(1).

The applicant received a community order which was subsequently revoked due to good behaviour and progress. The applicant's driving licence was endorsed.

6. The applicant was interviewed by Licensing Officers on 10 September 2025, a full summary of the interview was contained within the report.
7. The applicant informed Officers that all four of the offences related to the same incident. He stated that he was attending a family wedding with his pregnant wife and three year old daughter, the wedding was a non-alcohol event due to religious observance.
8. The applicant stated that at around 1am after the wedding, he was woken by his wife who was experiencing breathing difficulties and could not locate her inhaler. The applicant stated that he was concerned due to her medical history involving asthma, his wife had previously collapsed and required emergency services.
9. The applicant informed Officers that due to his concern and panic, he decided to drive his sister-in-law's vehicle to his sister's house to retrieve the inhaler, she had confirmed that they had left it at her house. The applicant explained that he was not insured to drive the vehicle.
10. The applicant explained that, due to it being dark, he had found himself lost when he was pulled over by Police Officers. Whilst the Officers were conducting checks, he tried to call his wife but became extremely panicked when she did not pick up or respond. He stated that he asked for Police assistance to return to the hotel, but this was denied, he therefore became non-cooperative refusing to take a breathalyser. The applicant said that he had not become physical but did become emotionally unresponsive.
11. The applicant was arrested and held in custody overnight. Upon his release, he refused legal assistance and missed the first court hearing to travel abroad for a family funeral. When the applicant returned, he pled guilty to all the charges.
12. At Committee, the applicant stressed that this was a standalone incident and that it was more than eight years ago. He stated that he was extremely sorry for his actions that day and was regretful of his behaviour. The applicant stressed how the situation with his wife caused him extreme panic and that was why he acted in the manner he did.
13. The Committee also heard that the applicant completed an intense rehabilitation course whereby he attended for around four hours a day for four weeks. The course centred around his behaviour and emotional reaction to incidents. The applicant referred the Committee to the certificate of achievement confirming his completion, annexed to the report.
14. When asked by Committee Members why he had not taken his wife to his sister's house to get to the inhaler, the applicant stated that he panicked and he had his three year old child at the hotel too, he stated he did not want to disturb or upset her.
15. The Committee heard honestly from the applicant when he explained that he had been banned from driving for 17 months and fined £250.00, which he believed was for the insurance offence and failing to provide a specimen. The applicant stressed, he did not drink and drive.

16. The applicant also spoke about his current employment, that he was a residential support worker in a secure centre for youths who had been involved in criminality.
17. The Committee determined that, on this occasion, the offence was not one of a violent nature. Further, when looking at the Policy, the Committee considered that the applicant satisfied the five years conviction free period for a major traffic offence, specifically driving with no insurance.
18. The Committee considered that the applicant had learned from this incident and that he had taken full responsibility for his actions. The Committee also considered the course completed by the applicant and found this further showed that he was remorseful and willing to work with services to rehabilitate.
19. The Committee believed the applicant was a fit and proper person to hold a licence and, therefore, decided to grant the licence.

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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