

LICENSING COMMITTEE

A meeting of the Licensing Committee was held on Monday 23 February 2026.

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

OFFICERS: J Dixon, T Durance and S Wearing

APOLOGIES FOR ABSENCE: Councillor TA Grainge

25/81 **WELCOME AND FIRE EVACUATION PROCEDURE**

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

25/82 **DECLARATIONS OF INTEREST**

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

25/83 **MINUTES - LICENSING COMMITTEE - 2 FEBRUARY 2026**

The minutes of the Licensing Committee held on 2 February 2026 were submitted and approved as a correct record.

25/84 **LICENSING UPDATES**

The Principal Licensing Officer advised Members that since the previous Committee meeting, under Delegated Powers, Officers had revoked three Private Hire Vehicle driver licences, with immediate effect, as follows:-

1. As a result of information received from Cleveland Police that the driver had been arrested in relation to a domestic violence incident.
2. As a result of disqualification from driving by the Courts due to dangerous driving.
3. As a result of the driver being found to be taking controlled drugs.

NOTED

25/85 **ANY OTHER URGENT ITEMS WHICH IN THE OPINION OF THE CHAIR, MAY BE CONSIDERED.**

There were no urgent items to be considered.

25/86 **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.

**** 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 item 9 then 8. This was to afford the witness in relation to Agenda Item 8, additional time in which to arrive.

25/87 **APPLICATION FOR PRIVATE HIRE VEHICLE DRIVER LICENCE REF: 2/26**

The Corporate Director of Regeneration and Housing submitted an exempt report in connection with an application for a Private Hire Vehicle Driver Licence, Ref: 2/26, 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 Licensing Officer presented a summary of the report stating that the driver appeared before Members as a result of the offences detailed at 1) to 5) in the submitted report.

The applicant was previously licensed with Middlesbrough Council from January 2016 until January 2025 when his licence was revoked, with immediate effect, by Officers, following his disqualification from driving. A copy of the revocation letter was attached at Appendix 1.

The applicant was interviewed by Licensing Officers on 22 January 2026, when he confirmed that there were no outstanding matters of which the Council was unaware. It was highlighted that, prior to interview, the applicant was reminded of the Council's Policy in relation to disqualification from driving and that an application would not normally be considered until a DVLA licence had been restored and there was a conviction-free period of at least five years. The applicant confirmed he was aware of this but still wished to proceed with his application.

During the interview, the applicant offered explanations for the offences detailed at 1) to 5).

The report also highlighted two further relevant incidents. In May 2018 a complaint was received from a member of the public who observed the driver mounting the pavement in his Private Hire vehicle and proceeding to drive along a pedestrianised area before parking his car. As a result of the incident, the driver was issued with a warning and ordered to complete a Driver Awareness Course which he completed in October 2018. A copy of the warning letter was attached at Appendix 4.

In November 2018, the driver was issued with a warning regarding use of inappropriate, offensive language to a passenger. A copy of the letter was attached at Appendix 5, however, there were no further details on Council record relating to the incident.

The report also highlighted that, in June 2025 when the applicant submitted his fresh application, he failed to declare any previous criminal or motoring convictions. In addition, when asked whether he had any previous licences suspended, revoked or refused, he replied 'no'. When this was queried later by Officers, he stated he had not consciously intended to conceal his record.

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 application. The applicant responded to questions from Members of the Committee 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: 2/26, 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 referred to Licensing Committee as a result of his previous convictions detailed as follows:
 - 04/09/2016 – Speeding (SP30) – FPN and 3 Points
 - 24/01/2021 – Speeding (SP30) – FPN and 3 Points
 - 07/11/2021 – Speeding (SP30) – FPN and 3 Points
 - 20/05/2024 – No Insurance – FPN, 6 Points and £300 Fine
 - 05/12/2024 – Speeding (SP30) & Totting up 13 Points – 6 Month Driving Ban and £350.00 Fine.
6. On 8 May 2018, the applicant was the subject of a complaint from a member of public regarding his driving standards. The applicant was issued a warning and asked to complete a Driver Awareness Course.
7. On 4 November 2018 the applicant was issued with a warning due to using inappropriate and offensive language to a passenger.
8. On 5 December 2024, the applicant was disqualified from driving for six months under the totting up procedure, (a TT99 offence).
9. The Policy on convictions were set out at Appendix G, Policy on the Relevance of Convictions, Cautions, Reprimands, Warnings, Complaints and Character.
10. The Policy stated that if an applicant for a driver's licence had an endorsement in respect of a major traffic offence, then the application will 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.
11. The Policy confirmed that a TT99 offence was deemed a major traffic offence and confirmed that it signified a disqualification under the totting-up procedure following receipt of 12 or more penalty points within a three year period.
12. The Policy further stated that if an applicant had a significant history of offences, showing a disregard for safety or had been disqualified, for example through the totting up process, an application would not normally be considered until their DVLA licence had been restored and a conviction free period of at least five years, depending on the severity of the risk, had lapsed since the date of conviction or reinstatement of the DVLA Licence, whichever was the latter.
13. In accordance with the Policy, and when considering the applicant's disqualification, the relevant period for the applicant to remain conviction free would end on 6 June 2030.
14. The applicant was previously licensed as a Combined Private Hire Vehicle and Hackney Carriage driver from 14 January 2016 until 17 January 2025 when his licence was revoked by Officers, with immediate effect, as a result of his disqualification from driving.
15. The applicant was interviewed, for this application process, by Licensing Officers on 22 January 2026, a full summary of the interview was contained in the committee report.
16. During interview, the applicant explained the offences listed above. In relation to the offences listed at 1, 2 and 3 above, the applicant could not fully recall the circumstances. In relation to offence at number 4, the applicant stated he was stopped by Police whilst

using his father's vehicle. He believed he was insured under his father's policy but that actually he was not. In relation to offence number 5, the applicant stated he could not remember the specific location but that he was travelling around 40mph in a 30mph zone due to being unfamiliar with the speed limits.

17. During the Committee hearing, the Licensing Officer clarified that the applicant failed to notify the Licensing Department within 48 hours as required by the Policy, when he was disqualified. The applicant emailed the Licensing Department on 10 December 2024 whereas he was disqualified on 5 December 2024.
18. The applicant informed the Committee that having a licence would help him care for his son who suffered a major brain injury following a hit and run incident.
19. The applicant stated he would be able to work when he wanted to and could be involved more in day-to-day care for his son.
20. 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.
21. The Committee determined that the applicant had shown a clear propensity to offend having been convicted of speeding on four separate occasions over a period of time as well as an insurance offence, and believed that on balance, it was likely he would continue to do so.
22. The Committee found the interview explanations, when reading them, to be evasive. The Committee further believed that the applicant had failed to take accountability for his continual driving offences.
23. The Committee found it unacceptable that the applicant had failed to notify Licensing Officers within 48 hours of his disqualification.
24. The Committee was clear that it could not go behind the disqualification and felt the explanations given by the applicant did not satisfy it to depart from the Policy.
25. The Committee determined that the applicant was not a fit and proper person to be licensed as a taxi driver in Middlesbrough.
26. 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.
27. 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.

25/88

REVIEW OF PRIVATE HIRE VEHICLE DRIVER LICENCE REF: 3/26

The Corporate Director of Regeneration and Housing submitted an exempt report in connection with the review of Private Hire Vehicle Driver Licence, Ref: 3/26, 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 Principal Licensing Officer updated the Committee that a Licensing Officer had contact the driver, via telephone, on 17 February 2026, in order to obtain clarification on several points raised during the driver's interview (on 3 December 2025). An email outlining that conversation and findings was sent to the Principal Licensing Officer and would be referred to in due course. The Committee was advised that the driver had been provided with a copy of the email prior to today's meeting and that a copy of the email would also be circulated to Members.

The Principal Licensing Officer presented a summary of the report outlining that the driver had been licensed with Middlesbrough Council since March 2025. His current licence was due to expire on 28 February 2026 and whilst he had applied to renew his licence, this had yet to be processed due to the current review.

The driver appeared before Members for review of his licence as a result of safeguarding concerns raised by the step-mother of a 16-year-old autistic female student following a journey on 25 November 2025 from her home address to a local college.

On 28 November 2025 the Licensing Department received a report from the driver's operator notifying them of an incident on 25 November 2025 involving the student and the driver. It was alleged that the driver made inappropriate sexual comments to the student during the journey and a copy of the report was attached at Appendix 1.

A Tutor at the college subsequently notified the Licensing Department of the incident, stating that a member of staff had overheard a conversation between the student and another student regarding the incident and had obtained an account from the student. The Tutor provided an email on 3 December 2025 outlining the college's findings. A copy of the email was attached at Appendix 2.

The driver was interviewed by Licensing Officers in relation to the allegations on 3 December 2025. A copy of the interview note was attached at Appendix 3.

On 17 December 2025, Officers obtained a statement from the student, in the presence of her step-mother, detailing her recollection of the incident. A copy of the statement was attached at Appendix 4. The witness and her step-mother had been invited to attend the Licensing Committee.

The report also outlined details of an incident on 6 November 2025 when Officers issued the driver with a warning following a complaint by a resident in relation to inappropriate parking on 13 September 2025. The driver was also warned against his use of foul and abusive language to the complainant and a copy of the warning letter was attached at Appendix 5.

Reference was made to the email containing additional information following a Licensing Officer's telephone conversation with the driver on 17 February 2026 and a copy was circulated to Members with time afforded to read it. Clarification had been sought from the driver in relation to information he had provided during his interview, particularly in relation to safeguarding training and his use of facebook.

It was confirmed that the driver had completed the required Barnardos safeguarding training in January 2025, however, during his interview when asked about vulnerable passengers he had stated that he could not recall the training particularly covering vulnerable young people in any detail. The circulated email provided an outline of the content of the safeguarding training that the driver had completed in relation to young people.

During the telephone conversation, the driver was reminded that during his interview he had stated he did not have a facebook account, however, an account linked to him had since been identified and he was asked why he had not disclosed this. The driver stated he could not remember what he had said during the initial interview and must have forgotten about the account as he rarely used it and had now deleted the account due to friend requests from a number of strangers.

It was confirmed that there were no questions from Members on the report and the driver confirmed the content of the report as being an accurate representation of the facts.

At this point, the witness, accompanied by her grandmother, joined the meeting. The Chair welcomed them to the meeting, made introductions, and explained the procedure to be followed.

The Chair invited the witness to provide her version of events in relation to the incident. The witness provided her version of events and responded to a question from a Member. The driver was afforded the opportunity to ask questions of the witness and confirmed he had no questions.

The Chair thanked the witness and her grandmother for attending and they left the meeting at this point.

The driver was asked to present his case in support of the review and provided his version of events in relation to the incident. The driver responded to questions from Members 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 applicant would receive the full decision and reasons within five working days.

ORDERED that the Private Hire Vehicle Driver Licence, Ref No: 3/26, be retained, 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 Vehicle/Hackney Carriage 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. The Committee considered Section 61 of the Act, the Middlesbrough Council Private Hire and Hackney Carriage Policy 2022 ("the Policy"), the report and representations made by the driver and the student (complainant).
3. The review of the licence was considered on its own particular facts and on its merits.

Decision

4. After carefully considering all the information, the Licensing Committee decided, on this occasion, to permit the driver to keep his licence.

Reasons

5. The Policy on convictions were set out at Appendix G, Policy on the Relevance of Convictions, Cautions, Reprimands, Warnings, Complaints and Character.
6. The Policy stated that 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.
7. The driver had been licensed as Private Hire Vehicle driver since 13 March 2025, with the licence expiring on 28 February 2026. An application to renew the licence was made by the driver but this was on hold pending the outcome of this licence review.
8. On 28 November 2025, Licensing Officers received a report from the driver's operator (Complaints Team) notifying them of an incident on 25 November 2025 involving a student and the driver. It was alleged that the driver had made inappropriate sexual comments to the student during a journey.
9. Licensing Officers contacted the student's college tutor to enquire as to whether the College was aware of the allegation. The tutor advised that a member of staff had overheard a conversation between the student and another student about the allegation and that staff had intervened and obtained an account from the student.
10. The driver was interviewed on 3 December 2025 and completely denied the allegations.

A full summary of the interview was annexed to the report.

11. On 17 December 2025, Licensing Officers obtained a statement from the student, in the presence of her stepmother (appropriate adult) detailing her recollection of the incident.
12. At Committee, the student attended, alongside her grandmother and gave evidence. In essence, the student repeated the assertions made in her statement of 17 December 2025.
13. The driver refuted the allegations and stated that he recalled a journey whereby the student had got into his taxi on a rainy day. He stated that the student had put her feet up on the chair and he subsequently asked them to remove them as it would make a mess of the seats. The driver stated that he believed the student took a disliking to him following this.
14. The driver informed the Committee that he had only received one minor complaint in the past for which he was warned, as detailed in the report, and explained that the resident in question was abusive to him whilst his child was in the car. The driver stated he used foul language in response to the resident.
15. The driver informed the Committee that he had near enough full stars on his operator's driving app since he started driving with them and this included many instances of positive feedback.
16. The Committee considered all the information before them and the verbal accounts provided by the student and the driver.
17. Following consideration of all the evidence, the Committee deemed that the driver was a fit and proper person and that he should retain his licence.