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LICENSING COMMITTEE

A meeting of the Licensing Committee was held on Monday 11 May 2026.

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

OFFICERS: J Dixon, C Cunningham, S Wearing and V Alexander

APOLOGIES FOR ABSENCE: Councillors D Jones and T Livingstone

25/108 WELCOME AND FIRE EVACUATION PROCEDURE

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

25/109 DECLARATIONS OF INTEREST

Name of Member	Type of Interest	Nature of Interest
Councillor J Platt	Non-pecuniary	Agenda Item 8 – Review of PHVDL Ref 10/26 – complainant known to Councillor

25/110 LICENSING UPDATES

The Principal Licensing Officer advised Members that two drivers had appealed the decision by the Licensing Committee held on 29 April 2026 to revoke their licences. The first driver's licence was revoked by the Committee following overpayments made to him by the Transport Unit and the second driver's licence was revoked following CCTV footage showing him to pick up an alleged sex worker.

The Chair asked that the Committee be kept updated with regard to the outcome of both appeals.

NOTED

25/111 ANY OTHER URGENT ITEMS WHICH IN THE OPINION OF THE CHAIR, MAY BE CONSIDERED.

There were no other urgent items.

25/112 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.

25/113 APPLICATION - PRIVATE HIRE VEHICLE DRIVER LICENCE - REF: 15/26

The Corporate Director of Regeneration and Housing submitted an exempt report in connection with an application for renewal of a Private Hire Vehicle Driver Licence, Ref: 15/26, 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.

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The Principal Licensing Officer presented a summary of the report, highlighting that the applicant was first licensed with Middlesbrough Council in April 2024, with such licence expiring on 31 March 2025.

The applicant appeared before Members due to the conviction outlined at 1) in the submitted report. It was noted that in March 2025, the applicant applied to renew his PHVDL for a period of one year, however, due to an issue with the electronic recording system within the Licensing Team, Officers were unable to retrieve previous renewal applications submitted by drivers. To date, it had not been possible to retrieve the applicant's renewal application, or its contents, from March 2025.

During a routine DVLA licence check on 28 March 2025, Licensing Officers discovered no endorsements at that time. As all other application requirements had been met by the applicant, a PHVDL was issued for the period up to 31 March 2026.

On 19 April 2026, the applicant submitted a late application to renew such licence and had declared receiving six penalty points within his application submission.

Whilst carrying out a DVLA licence check on 20 April 2026, Officers noted the offence of using vehicle uninsured against third party risks (IN10) on 5 January 2025, for which the applicant had received six penalty points. It also showed his driving licence was valid from 3 March 2026. There was no record of the applicant having notified the Licensing Department about the motoring conviction at the time it had occurred.

The applicant was interviewed on 20 April 2026 and was asked to explain the circumstances of the conviction detailed at 1) in the report and to explain why he failed to notify the Licensing Department as required by condition of his licence.

The applicant provided an explanation in relation to the offence and stated that it had been a protracted process in relation to the fine and issue of penalty points and that he had declared the offence on his application form.

On 24 April 2026 a Licensing Officer contacted the applicant to ascertain why the applicant's DVLA licence was only valid from 3 March 2026. The applicant explained he had changed address, however, the Licensing Department had no record of this information being submitted which was a further breach of the conditions of his licence.

In addition, the Committee was also made aware of information received, on 22 September 2025, from Darlington Borough Council, showing a photograph of the applicant's Private Hire Vehicle parked at the train station without his rear licence plate on display. His Private Hire Vehicle applicant licence was suspended until the vehicle was subsequently inspected with the rear licence plate correctly fitted.

The applicant confirmed the content of the report as being an accurate representation of the facts and was invited to address the Committee. The applicant addressed the Committee in support of his renewal application and responded to questions from Members.

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 for renewal.

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 to renew Private Hire Vehicle Driver Licence, Ref No: 15/26, be refused, as follows:-

Authority to Act

1. Under Section 61 of the Local Government Miscellaneous Provisions Act 1976 ("the Act") the Committee may suspend or revoke or refuse to renew a Private Hire/Hackney Carriage Vehicle driver's licence on the grounds that:

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- 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 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 renew the Private Hire Vehicle Driver's licence under the grounds of any other reasonable cause. The reasons for the decision were as follows:

Reasons

5. On 5 January 2025, the applicant was convicted of 'Using a vehicle uninsured against third party risks' (IN10), fined £300 and his licence endorsed with six penalty points.
6. The Policy stated that if an application for a driver's licence had an endorsement in respect of a major traffic offence, 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. 'IN10' - using a vehicle uninsured against third party risks was categorised as a major traffic offence.
7. The applicant failed to notify the Council in writing of the motoring offence within 48 hours of the conviction, arrest or charge. A condition on the applicant's Private Hire Vehicle driver's licence stated if a driver was cautioned for, or convicted of, any motoring or criminal offence or made subject to a Crasbo, ASBO or injunction or arrested or charged with any motoring or criminal offence, they must notify the Council, in writing, within 48 Hours. This was also a requirement in the Department of Transport Statutory taxi and private hire standards to which the Committee must have regard.
8. The applicant failed to inform the Council of the change to his address. A condition on the applicant's Private Hire Vehicle driver's licence stated drivers must notify the Council, in writing, within seven days if they changed their home address or name.
9. On 19 September 2025 the applicant's Private Hire Vehicle, of which he was the driver at the time, had no rear licence plate correctly displayed. The licence was suspended until the plate was correctly fitted. A condition on the applicant's Private Hire Vehicle driver's licence stated drivers should check that the appropriate signage and plates were affixed to the vehicle. A condition of the Private Hire Vehicle licence was to display the Council's plates, which must be securely attached to the exterior front and rear of the vehicle as prescribed by a condition of the licence. It was also an Offence under Section 48(6) the Act.
10. The applicant did tick the box on his renewal form in March 25 and April 26 that he had previous motoring convictions, he stated he had six penalty points but did not state what the offence was.
11. The Committee noted the applicant's explanations to the conviction of having no insurance, in summary that it was a one-off silly mistake and he had no other convictions and had been driving for a year without any driving incidents. The Committee noted that the vehicle being driven was a licensed Private Hire Vehicle and was concerned that the applicant was aware that the insurance had expired but decided to drive whilst uninsured. Although the applicant said it was a private journey, he drove whilst uninsured, knowing there was no insurance in place, in a licensed Private Hire Vehicle. The Committee noted the Policy categorised driving whilst not insured to be serious and a major motoring offence. The Committee considered that driving uninsured, particularly whilst being licensed as a Private Hire Vehicle driver, and within a period of eight months from obtaining the licence and in a Private

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Hire Vehicle, showed a disregard for safety and posed a risk to passengers and other road users.

12. Although the Committee noted the licence was previously renewed, it noted Officers were not aware of the actual major motoring offence – which was using a vehicle without insurance.
13. The applicant explained he did not report the offence within 48 hours because the paperwork regarding his penalty points did not come through for several weeks and he disclosed his points when he applied to renew his licence in March 2025 and that he was not trying to deceive the Licensing Authority as it was declared in his application. However, the Committee considered the Police gave the applicant the fine and notified him of the fixed penalty points for the offence of having no insurance at the time of the incident, that would have been clear, and the applicant failed to notify the Council which was in breach of the condition on his licence. The Committee considered that failing to report motoring offences posed a significant risk to public safety as it prevented Licensing Officers from quickly assessing whether a driver was safe and suitable to be licensed. The application form to renew required the convictions to be specified and the applicant failed to state the offence was for driving without insurance.
14. In addition, the applicant had failed to inform the Council of his change of address which was a further breach of a condition of his licence. The applicant also drove a Private Hire Vehicle without properly displaying the plate.
15. The Committee, therefore, considered there were no good reasons to depart from its Policy, in that to protect the public there should be a conviction-free period of five years from 5 January 2025. In view of the above reasons, the Committee considered that the application to renew the Private Hire Vehicle driver's licence should be refused.
16. 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.
17. 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 excess of £1,000.

**** DECLARATION OF INTEREST**

Councillor J Platt declared a non-pecuniary interest in relation to the following item as the complainant was known to him. Councillor Platt withdrew from the meeting and took no part in consideration of the item.

25/114

REVIEW - PRIVATE HIRE VEHICLE DRIVER LICENCE - REF: 10/26

The Corporate Director of Regeneration and Housing submitted an exempt report in connection with the review of Private Hire Vehicle Driver Licence, Ref: 10/26, where circumstances had arisen which required special consideration by the Committee.

The Principal Licensing Officer advised the Committee that the driver was not in attendance, despite a hand-delivered letter inviting him to attend Committee being delivered to his home address. In addition, the invitation letter had been emailed to the driver and several voice mails had been left for him.

The Council's legal representative advised given that the driver had failed to attend despite numerous attempts made by Licensing Officers to contact the driver, to which he failed to respond, in the interests of public safety the Committee may wish to proceed in the driver's absence.

The Committee subsequently unanimously agreed to proceed with hearing the matter in the driver's absence.

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The Principal Licensing Officer presented a summary of the report outlining that the driver had been licensed with Middlesbrough Council since September 2024 and that the purpose of the hearing was to review the driver's licence following a complaint, dated 22 January 2026, from a licensed Private Hire Operator regarding his conduct. A copy of the complaint was attached at Appendix 1.

The complainant stated that the Private Hire Operator would no longer allow the driver to work for their company due to his dishonesty and cited several incidents, full details of which were included in the report. In summary the incidents were as follows:-

- 15 December 2025 – Driver failed to pay for fuel. The garage contacted the Private Hire Operator who instructed the driver to return to pay, however, he failed to do so.
- 23 December 2025 – Driver failed to pay for fuel at a different garage. The Private Hire Operator paid the amount and recharged the debt to the driver on this occasion.
- 5 January 2026 – School transport contract. The driver falsely claimed to have transported a child to school despite the child not attending on that date.
- 27 August 2025 – NHS booking. NHS contacted the Private Hire Operator to ascertain the whereabouts of a patient who had failed to attend an appointment. When questioned, the driver stated he had dropped the patient off and this information was relayed to the NHS. As the NHS were unable to locate the patient, they were reported as missing to the Police. During interview with his Private Hire Operator, but only after he was made aware they had been reported missing to the Police, the driver admitted to lying about dropping off the patient so that he would be paid for the booking.

An investigation into the matters raised was undertaken by Licensing Officers, however, this was delayed until March 2026 due to heavy workloads. A Licensing Officer initially attempted to contact the driver by phone on 11 March 2026 and left a voicemail requesting a call back as it was unanswered.

The same day the Licensing Officer emailed the driver requesting that he attend for interview at the Licensing Office on 16 March 2026, copy attached at Appendix 2. The Licensing Officer also emailed the Private Hire Operator requesting further evidence in relation to the complaint.

On 16 March 2026, the driver emailed the Licensing Officer to advise he would be unable to attend the planned interview, copy attached at Appendix 3.

Attached at Appendix 4 was further information received from the Private Hire Operator, including subsequent documents relating to the incident on 5 January, attached at Appendix 5.

On 17 March 2026 the Licensing Officer sent a further email to the driver inviting him to a rearranged interview on 24 March 2026 and a hard copy of the invitation was sent to the driver's home (Appendix 6).

The driver again failed to attend the interview on 24 March. The Licensing Officer contacted the driver who advised he was unable to attend as he was busy. The Licensing Officer agreed to reschedule the interview to 25 March. A confirmation email was sent to the driver, however, he again failed to attend.

A further interview was arranged for 7 April and an email was sent to the driver with the details on 26 March 2026, adding that this would be his final invitation to an interview and that failure to attend may result in his case being heard at Committee in his absence without his comments being taken into account. A copy was attached at Appendix 7.

On 7 April, the driver emailed the Licensing Officer to advise he was too busy to attend the interview but asking if an alternative could be arranged (attached at Appendix 8), however, the Licensing Officer was on annual leave until 14 April and did not see the email until then. The Officer did, however, have an out of office message activated with alternative contact arrangements which were not acted upon by the driver.

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The Licensing Officer emailed the driver on 16 April 2026 with a final opportunity to attend an interview on 23 April (attached at Appendix 9), with a hard copy sent to the driver's home address. No response was received from the driver and he, again, failed to attend the interview.

In view of the driver's failure to respond to reasonable requests by Officers to attend for interview, the Licensing Manager decided to refer the matter to the Licensing Committee for review of the driver's licence.

Officers were aware of the possibility that the driver may have undertaken private hire work for another Operator and contacted them with a formal request for any information they held regarding complaints against the driver. The Operator responded on 29 April 2026 (copy attached at Appendix 10), outlining six complaints received between 8 January 2025 and 7 March 2025 regarding the driver. The complaints included speeding, unsafe driving, use of mobile phone, moving off before the passenger was fully inside the vehicle, appearing too tired to drive safely and aggressive driving towards other road users.

In addition, Licensing records showed that on 24 October 2025, the driver was issued with a written warning following a complaint made against him by a member of the public when it was alleged the driver was involved in a collision. He became involved in a confrontation with the other driver and his elderly, vulnerable passenger was not acknowledged or engaged with during the journey nor offered assistance when the journey concluded.

When interviewed by a Licensing Enforcement Officer, the driver explained the circumstances of the incident and acknowledged he had not engaged with the passenger stating he was tired and stressed.

Members were afforded the opportunity to ask questions in relation to the report. It was confirmed that there were no further questions 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, in writing, within five working days.

ORDERED that Private Hire Vehicle Driver Licence, Ref No: 10/26 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 suspend or revoke or refuse to renew 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 a revocation or suspension 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"), and the report.
4. The review of the licence was considered on its own particular facts and on its merits.

Decision

5. After carefully considering all the information the Licensing Committee decided to revoke the Driver's Private Hire Vehicle driver's licence on the grounds of any other reasonable cause. It decided that the revocation was to have immediate effect in the

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interests of public safety under section 61(2B) of the Act. The reasons for the decision were as follows:

Reasons

6. The Committee decided to proceed with the review in the driver's absence. In making this decision the Committee considered that, despite numerous attempts by Licensing Officers, as set out in the report, for the driver to attend an interview in respect of the complaints made against him, the driver failed to fully respond or attend the interviews arranged. It also considered that Licensing Officers had hand delivered the invitation to the Committee hearing, with a copy of the report to the driver's address and sent it by email. Two follow up telephone calls and voicemail messages were left, together with a follow up email informing the driver of the Committee date and the requirement for him to attend. The Committee, therefore, considered that the driver had ample opportunity to attend and as the Committee considered the review should not be further delayed in the interests of protecting the public, the Committee considered it was justified in proceeding in the driver's absence.
7. The driver had received the following complaints involving dishonesty:
 - On 27 August 2025, the driver falsely stated he had picked up a patient and dropped them off at hospital. Only when the patient was reported to the Police as missing did the driver admit that he had lied to be paid for the booking.
 - On 1 December 2025, the driver made off from a garage at Hutton Rudby without paying for fuel.
 - On 15 December 2025, the driver made off from BP Wolviston Services without paying for fuel.
 - On 5 January 2026, the driver claimed he had taken a child to school, but the child was not attending on that date and the GPS tracking system confirmed the driver did not go to the school gates.
8. The driver's employer provided the complaints and confirmed he was no longer permitted to work for them due to his dishonesty.
9. The Policy confirmed that as a licensed driver was in an extreme position of trust, a serious view is to be taken of any complaint involving dishonesty. The Policy states that for an isolated offence of dishonesty a licence will not be granted until at least seven years had elapsed since the completion of any sentence imposed. However, it further confirmed that a licence will not be granted (meaning irrespective of any conviction free period), if a driver had more than one conviction for dishonesty showing they were likely to be continually dishonest. Although there were no convictions, the driver had on numerous occasions acted dishonestly and lied for monetary gain.
10. The driver had received the following complaints regarding unsafe driving and aggressive behaviour:
 - On 8 January 2025, the driver was reported to his private hire operator for speeding and driving unsafely.
 - On 17 January 2025, the driver was reported to his private hire operator for speeding, harsh braking, using a mobile phone and moving off before the passenger was safely inside the vehicle.
 - On 22 January 2025, the driver was reported to his private hire operator for speeding and unsafe driving.
 - On 27 February 2025, the driver was reported to his private hire operator for speeding.
 - On 7 March 2025, the driver was reported to his private hire operator for unsafe driving and being tired.
 - On 7 March 2025, the driver was reported to his private hire operator for unsafe and aggressive driving towards other road users.
 - On 22 September 2025, a complaint was received by the Council that the driver had been involved in a collision, and that he became confrontational with the other driver whilst having a vulnerable passenger in his vehicle. The driver received a warning.

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11. The Policy stated if a Licensee had driven unsafely as a result of complaints about his driving standards, putting the public at risk, the Council may revoke the licence and, as unsafe driving was a risk to public safety, a revocation may take immediate effect. The Policy also stated if an applicant had a significant history of offences, showing a disregard for safety, an application would not normally be considered until a conviction-free period of at least five years had lapsed since the date of conviction.
12. The Committee considered that the driver had only been licensed as a Private Hire Vehicle driver since 24 September 2024 and, within a short period of time whilst being in a position of trust as a licensee, the driver was continually dishonest whilst acting as a Private Hire Vehicle driver and had a clear pattern of unsafe driving putting his passengers and road users at significant risk to their safety. The driver also failed to respond to requests from Licensing Officers which could amount to an offence under Section 73(1)(b) of the Act. The Committee was therefore satisfied the licence should be revoked under any other reasonable cause and the decision to revoke was in accordance with its Policy.
13. The driver's dishonesty, wholly unsafe driving, and failure to respond and engage with Licensing Officers' requests was a significant risk to public safety and the Committee was satisfied the licence should be revoked with immediate effect.
14. 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.
15. If the driver 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 excess of £1,000.