

LICENSING COMMITTEE

Date: Monday 24th August, 2026 Time: 1.00 pm Venue: Mandela Room
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AGENDA

1. **Welcome, Fire Evacuation and Recording of Meetings**

In the event the fire alarm sounds for more than 10 seconds attendees will be advised to evacuate the building via the nearest fire exit and assemble at the Bottle of Notes opposite MIMA.

Members of the public have the right to film, record or photograph public meetings. If you intend to do so, please advise the Chair of this intention. You may be asked to stop filming, photographing or recording a meeting if the Chair feels that the activity is disrupting the meeting.

2. **Apologies for Absence**

To receive any apologies for absence.

3. **Declarations of Interest**

Members are asked to declare any interests in the items under consideration and in doing so state:

(1) the type of interest concerned:

- *Disclosable Pecuniary Interest (DPI) or*
- *Non-Pecuniary Interest (including personal or prejudicial interest)*

(2) the nature of the interest concerned.

If any member requires advice on declarations of interests, they are advised to contact the Monitoring Officer in advance of the meeting.

4. **Minutes - Licensing Committee - 22 June 2026**

5 - 14

To receive the minutes of the Licensing Committee held on 22 June 2026.

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. Request for Delegated Authority - Private Hire/Hackney Carriage Vehicle Licence - Wheelchair Accessible Vehicles - Ref 25/26 15 - 20

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

8. 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.

9. Review of Private Hire Vehicle Driver Licence - Ref: 23/26 21 - 42

10. Review of Private Hire Vehicle Driver Licence - Ref: 24/26 43 - 54

Charlotte Benjamin
Corporate Director of Legal and Corporate Services

Town Hall
Middlesbrough, Friday 14 August 2026

MEMBERSHIP

Councillors L Lewis (Chair), S Hill (Vice-Chair), J Cooke, C Cooper, P Gavigan, D Jones, T Livingstone, M Nugent, J Platt, A Romaine and M Saunders

Assistance in accessing information

The documents referred to on this agenda may be downloaded from the Council's Website: [Committee structure](#) | [Middlesbrough Council](#)

Should you have any queries on accessing the Agenda and associated information, such as alternative formats, please contact Joanne Dixon / Claire Jones, 01642 729713 / 01642 729112, joanne_dixon@middlesbrough.gov.uk / claire_jones@middlesbrough.gov.uk

INFORMATION ABOUT MIDDLESBROUGH COMMITTEE MEETINGS

Venue Accessibility

All Committee Rooms are located on the first floor of Municipal Buildings (Town Hall). There is restricted disabled access to the first floor via a lift.

There is no on-site parking at Municipal Buildings. A map of town centre parking is attached below. A full map of town centre parking can be found on the Council's website: [Middlesbrough town centre parking plan - October 2025](#)



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LICENSING COMMITTEE

A meeting of the Licensing Committee was held on 22 June 2026.

PRESENT: Councillors: Lewis (Chair), Hill (Vice Chair), Cooper, Cooke, Gavigan, Livingstone, Nugent, J Platt, Romaine and Saunders.

OFFICERS: C Cunningham, J Dixon and T Hodgkinson.

PRESENT AS OBSERVERS: A Wilson – Head of Legal Services
L Clode – Senior Public Health Officer
F Helyer – Principal Licensing Officer

An APOLOGY FOR ABSENCE was submitted on behalf of Councillor Jones.

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	Nature of Interest
Councillor Lewis	Non-pecuniary	Agenda Item 11 – applicant known to Councillor.
Councillor Saunders	Non-pecuniary	Agenda Item 11 – applicant's representative known to Councillor.
Councillor Saunders	Non-pecuniary	Agenda Item 12 – driver known to Councillor.

MINUTES - LICENSING COMMITTEE – 29 APRIL 2026

The minutes of the Licensing Committee held on 29 April 2026 were submitted and approved as a correct record.

MINUTES - LICENSING COMMITTEE – 11 MAY 2026

The minutes of the Licensing Committee held on 11 May 2026 were submitted and approved as a correct record.

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

There were no other urgent items.

APPOINTMENT OF CHAIRS TO THE FOLLOWING SUB COMMITTEES

- a) Licensing Sub Committee B
- b) Licensing Sub Committee C

Nominations were sought for the appointment of Chairs to Licensing Sub Committees B and C. Nominations were received and seconded.

In respect of the following, it was proposed that the appointments be deferred until such time that a Casino Licensing Sub Committee was required:-

- c) Appointment of three named Members of Licensing Committee to Casino Licensing Sub Committee
- d) Appointment of three named substitutes (who must be Members of Licensing Committee) to the Casino Licensing Sub Committee.

ORDERED as follows:-

1. Councillor Hill be appointed Chair of Licensing Sub Committee B.
2. Councillor Gavigan be appointed Chair of Licensing Sub Committee C.
3. The appointment of three Members and three named substitutes, from the Licensing Committee, to the Casino Licensing Sub Committee, be deferred until such time that a Casino Licensing Sub Committee was required.

COUNCIL APPOINTMENT OF CHAIRS TO THE FOLLOWING SUB COMMITTEES

Members were asked to note that the following appointments were made by Full Council at its Annual General Meeting on 20 May 2026:-

- a) Licensing Sub Committee A – Chair of Licensing Committee, Councillor Lewis, (or the Vice Chair in her absence).
- b) Licensing Sub Committee (General) – Chair of Licensing Committee, Councillor Lewis.

NOTED

LICENSING UPDATES

There were no licensing updates in relation to appeals or revocations since the previous meeting of the Committee.

NOTED

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.

**** DECLARATIONS OF INTEREST**

Councillor Lewis, Chair of the Licensing Committee, declared a non-pecuniary interest in relation to the following item as the applicant was known to her. She withdrew from the meeting and took no part in the consideration or determination of the item.

Councillor Saunders declared a non-pecuniary interest in relation to the following item as the applicant was known to him. He withdrew from the meeting and took no part in the consideration or determination of the item.

**** VICE CHAIR IN THE CHAIR**

As the Chair had declared an interest in relation to the following item, Councillor Hill, Vice Chair, took the Chair for the following item.

APPLICATION FOR RENEWAL – HACKNEY CARRIAGE VEHICLE LICENCE (WHEELCHAIR ACCESSIBLE VEHICLE) - REF: 17/26

The Corporate Director of Regeneration and Housing submitted an exempt report in connection with an application to renew Hackney Carriage Vehicle Licence, Ref: 17/26, 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, accompanied by a representative, verified his name and address and confirmed he had received a copy of the report and understood its contents.

The Licensing Manager wished to highlight a typographical error in relation to the applicant's address and stated the correct address and postcode for the applicant.

The Licensing Manager presented a summary of the report, highlighting that a request was received, on 2 June 2026, from the applicant, a Hackney Carriage Vehicle proprietor, to consider extending his licensed Hackney Carriage wheelchair accessible vehicle for a period of one year.

The applicant's vehicle was due to be taken off the road on 30 June 2026, when the vehicle would become 12 years of age, due to the age restrictions within the Council's Policy. The applicant advised that the vehicle was in good working condition and continued to provide a reliable service to passengers including those dependent on wheelchair accessible transport.

The applicant had highlighted awareness of neighbouring local authorities' policies, including Stockton Council, who did not currently impose an age limit on wheelchair accessible vehicles and believed this demonstrated a more flexible approach to support both drivers/proprietors and service provision for wheelchair users.

The applicant also stated that there were growing concerns amongst members of the taxi trade in Middlesbrough regarding the limitations and age restrictions for licensed vehicles imposed by Middlesbrough Council.

On 4 June 2026, the applicant submitted an application to renew his vehicle licence (vehicle details provided within the report). The vehicle was first licensed with Middlesbrough Council on 29 July 2014.

The report summarised Middlesbrough Council's current Policy for the licensing of Hackney Carriage wheelchair accessible vehicles, effective from 1 March 2022. The Policy provided that the number of existing licensed saloon-type vehicles be limited to 190, however, to promote the licensing of wheelchair accessible vehicles, the Policy also provided for no restrictions on the number of wheelchair accessible vehicles that could be licensed subject to specific requirements as outlined in the report.

The current age policy stated that "Vehicles in respect of new and replacement applications must be no more than five years of age from the date of first registration on the date of the initial application. The vehicle must be licensed within 28 days of the initial application. The licence of any vehicle will terminate not more than ten years from the date of first registration. This will be extended to 12 years for London-style Cabs and side loading wheelchair accessible vehicles approved by the Council."

The report also provided details regarding European Emissions Standards, highlighting that many local authorities in the UK had more recently moved away from imposing vehicle age limits and introduced emissions standards as a determining factor in licensing vehicles.

Further information was provided in relation to the Taxi and Private Hire Vehicle Licensing Best Practice Guidance (November 2023) which stated (8.4) that "... Licensing authorities should not impose age limits for the licensing of vehicles and instead should consider more targeted requirements to meet their policy objectives on emissions, safety rating and increasing wheelchair accessible provision where it was low."

The Licensing Manager added that Officers were aware that there had been a significant reduction in the number of wheelchair accessible hackney carriage vehicles licensed by Middlesbrough Council – with a decline from approximately 150 vehicles in 2020 to 30 at the present time. The 30 vehicles currently licensed consisted of 12 larger side loading vehicles and 18 smaller back and side loading vehicles.

The Licensing Manager advised the Committee that Middlesbrough Council was considering a review of its taxi licensing policies later this year which would include consideration and consultation regarding removing the age restriction and adopting the European Emissions Standards. Consideration would also be given to exempting wheelchair accessible vehicles as an incentive for the taxi trade. Officers had consulted with Middlesbrough's Hackney Carriage Association who

confirmed they would welcome the Council's intention to carry out a full review of its Taxi Licensing Policies and that they fully supported the applicant with his current application.

Officers' opinion, under the circumstances and in this case, was that Members may wish to depart from the Council's current policy regarding age limits for wheelchair accessible vehicles and would support a one-year extension of the applicant's vehicle licence. It was also suggested that Members may wish to consider imposing a condition that the vehicle be subject to three vehicle tests per year rather than the current six-monthly tests required by the current policy.

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's representative presented the case in support of the applicant and, with the Chair's permission, circulated a letter of support for the applicant from a customer who was a wheelchair user. The applicant and his representative 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, his representative, and Officers of the Council, other than representatives of the Council's Legal and Democratic Services teams, withdrew from the meeting whilst the Committee determined the application.

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

ORDERED that the application to renew Hackney Carriage Vehicle Licence, Ref No: 17/26, be granted, for a period of one year, on condition that the vehicle undergoes, and passes, vehicle testing three times during the year, at four-monthly intervals, as follows:-

Authority to Act

1. Under Section 37 of the Town Police Clauses Act 1847 the Council may licence Hackney Carriage vehicles.
2. Under Section 47 of the Local Government (Miscellaneous Provisions) Act 1976 the Council may attach to the grant of a licence of a Hackney Carriage such conditions as the Council may consider reasonably necessary.
3. The Committee considered the Acts, the Middlesbrough Council Private Hire and Hackney Carriage Policy 2022 ("the Policy"), the report and representations made by the applicant and his representative.
4. The application was considered on its own particular facts and on its merits.

Decision

5. After carefully considering all the information, the Licensing Committee decided to grant a renewal of a Hackney Carriage vehicle licence to the applicant in respect of a specific vehicle (registration and plate numbers supplied), for a period of one year, subject to the vehicle undertaking and passing three vehicle tests, at four monthly intervals, over the licence period of one year.

Reasons

6. The Hackney Carriage Vehicle ("HCV") licence was due to expire on 30 June 2026, when the vehicle would be twelve years of age.
7. The Policy had an age limit of twelve years for London style cabs and side loading wheelchair accessible vehicles.

8. The Licensing Manager confirmed the age limit restrictions in the Policy relating to wheelchair accessible vehicles would be reviewed later in the year, particularly considering the reduction in numbers and the low availability of wheelchair accessible Hackney Carriage vehicles in Middlesbrough. The Licensing Manager supported the Committee to consider a departure from the Policy in this particular case, for a period of one year, whilst the Policy was being reviewed, subject to the condition of testing the vehicle three times per year as opposed to six monthly tests which was standard under the Policy.
9. The Committee did consider that the vehicle had high mileage but also considered that the applicant had always attended the tests for the vehicle which had passed the majority first time with only minor faults being identified and rectified on a retest. The Committee, therefore, considered, to ensure the safety of the travelling public and in view that the licence was to be extended for one year past the age limit, the additional testing of three times per year would mitigate that risk.
10. The Committee considered that for this particular application the advantage of the availability of the applicant's wheelchair accessible Hackney Carriage warranted an extension of the licence for one year and the risks were mitigated by the imposition of additional testing, during a period when the Licensing Team would be reviewing the merits of the age restriction for such vehicles.
11. If the applicant was aggrieved by the imposition of the condition of additional testing, 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.

**** Councillor Lewis returned to the meeting and resumed the Chair.**

**** Councillor Saunders returned to the meeting.**

**** DECLARATION OF INTEREST**

Councillor Saunders declared a non-pecuniary interest in relation to the following item as the driver was known to him. He withdrew from the meeting and, therefore, took no part in the consideration or determination of the item.

REVIEW – PRIVATE HIRE VEHICLE DRIVER LICENCE – REF: 09/26

The Corporate Director of Regeneration and Housing submitted an exempt report in connection with the review of Private Hire Vehicle Driver Licence, Ref: 09/26, 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 accompanied by his representative, 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 and highlighted that the matter was due to be considered by the Licensing Committee on 13 April 2026, however, prior to the meeting a decision was taken to postpone consideration of the matter pending further enquiries being made in relation to a complaint made against the driver.

The Licensing Manager stated that the driver had been licensed with Middlesbrough Council since February 2023 and appeared before Members following a complaint made raising safeguarding concerns in relation to a Private Hire journey undertaken on a home to school transport contract.

Full details of the complaint were contained in the report, but in summary, a complaint was received by the Licensing Manager on 24 February 2026 from the Council's Local Authority Designated Officer (LADO), attaching a neighbouring local authority's LADO referral form received the previous day. The referral was made by the Head Teacher of an education establishment stating that a student, with special needs, had alleged that in January and February 2026, the driver had made comments that were not acceptable. A copy of the form was attached at Appendix 1.

The LADO referral form identified the driver in connection with the complaint and it was noted that the driver's employer had been notified.

The driver was interviewed by his employer on 2 March 2026 in relation to the complaint and a copy of the interview notes were attached at Appendix 2.

The driver was interviewed by a Middlesbrough Council Licensing Enforcement Officer on 3 March 2026 to respond to the complaint made against him. During the interview, the driver stated he did not recall any complaints made against him whilst he was driving taxis between 1995 and 2002. The driver stated that he worked within a management role in the private hire trade for more than 20 years until he began driving again in January 2024.

The driver also provided an explanation in relation to the speeding conviction detailed at 1) in the report, and that he had notified the Council of the offence, once reminded to do so by a colleague.

The driver was also asked about his understanding of the drivers' Code of Conduct when working with vulnerable passengers, and how he might identify vulnerable passengers or whether they had additional needs and how he would respond to this.

On 4 March 2026, an Allegations Management Meeting was held to discuss the complaint and was attended by the neighbouring local authority's LADO, Officers from the neighbouring local authority's transport team, Head Teacher from the school and Middlesbrough Licensing Officers.

A Licensing Enforcement Officer obtained a witness statement from the mother of one of the young people who had travelled in the vehicle and made the allegations. A copy was attached at Appendix 3. The witness had been invited to attend the Committee meeting but was not in attendance and had not made further contact to confirm whether they would be attending.

It was noted that, despite attempts from the Licensing Enforcement Officer, it had not been possible to obtain statements from the parents of the other young people who had been travelling in the vehicle at the time.

The driver was contacted by Officers on 1 April 2026 on a point of clarity in relation to a variation of explanations provided by him during the interview with Officers and the interview with his employer, which he responded to.

On 19 May 2026 a witness statement was provided by the neighbouring local authority's LADO which was attached at Appendix 4, together with notes of the Allegations Management meeting.

On 27 May 2026, Officers obtained a witness statement from the Head Teacher of the school, attached at Appendix 5.

The report also provided details of several further contacts made by Officers with the driver to seek further clarification/explanation in relation to his speeding conviction in 2024 and the reason as to why the driver had previously stopped driving.

Prior to agreeing the content of the report as being correct, the driver's representative challenged the comment in relation to the driver not challenging one of the young people in vehicle regarding their use of bad language and submitted that the Council's policy, in relation to dealing with vulnerable passengers, gave no direction on challenging passengers on their use of bad language. The Licensing Manager confirmed that this was correct.

The driver's representative also challenged the reference to the driver not notifying the Council of his speeding offence within the required timescales and set out mitigation.

The driver's representative presented the case in support of the driver and he and the driver responded to questions from Members of the Committee.

It was confirmed that there were no further questions and the driver, his representative, and Officers of the Council, other than representatives of the Council's Legal and Democratic Services teams,

withdrew from the meeting whilst the Committee determined the application.

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

ORDERED that Private Hire Vehicle Driver Licence, Ref No: 09/26 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 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;
 - Since the grant of the licence, the driver had been convicted of an immigration offence or required to pay an immigration penalty; or
 - 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"), the report and representations made by the driver and his representative.
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 interests of public safety under section 61(2B) of the Act. The reasons for the decision were as follows:-

Reasons

6. The driver was licensed by Middlesbrough Council as a Private Hire Vehicle driver from 13 April 2023 and was operated by a local Private Hire Operator.
7. The driver was contracted by Redcar and Cleveland Council's transport team to transport four children, with special educational or complex needs, to and from a school in Middlesbrough over a period during January and February 2026.
8. A complaint was received on 24 February 2026 via Middlesbrough Council's Local Authority Designated Officer (LADO) from the Head Teacher of the school, who had completed a "LADO" referral.
9. The Head Teacher explained that on 20 February 2026, Child A, alleged that the driver had, on a several occasions, used racist, offensive and abusive language whilst driving, made derogatory comments about members of the public, mocked a vulnerable child travelling in the vehicle and made inappropriate comments of a sexual nature. Child A stated that these comments made them feel uncomfortable.
10. Concern was expressed that the driver was from the same Private Hire Company where other drivers had been abusive towards Child B in recent months.

11. The Head Teacher and the Redcar and Cleveland Borough Council's (RCBC) Local Authority Designated Officer (LADO) confirmed that RCBC's Transport Team, after receiving the information, immediately suspended the driver from transporting children to and from the school.
12. The LADO confirmed the referral met the threshold and criteria for management under LADO procedures as the driver worked directly with children, in a position of trust, and the allegations indicated behaviour that may have harmed children and suggested unsuitability to work with them. An Allegations Management Meeting was convened on 4 March 2026 with the LADO, Head Teacher, Officers from the RCBC's Transport Team and Middlesbrough Council Licensing Officers.
13. After considering the information, including the representations made by the driver to his operator on 2 March 2026 and comments by Licensing Officers in relation to his interview with them on 3 March 2026, the agreed action of the Allegations Management Meeting was to end the driver's contract with the neighbouring local authority's transport team; that Local Authority Transport Teams be informed and the matter be reviewed by Licensing.
14. At that meeting, the Head Teacher stated that the children's accounts were felt to be fully credible, that they had learning needs and were vulnerable children and this behaviour had worried them. That they were spoken to alone, and nothing would indicate the accounts were not factual. That one child had not raised anything until another child had, and then when spoken to alone confirmed the behaviours of the driver.
15. The minutes of the meeting stated, "the driver was noted to have been using inappropriate language, racist, mocking a vulnerable child which was also very unkind behaviour and very worrying and issuing an inconsistent account to his operator to what he had issued licensing."
16. The conclusion of Officers at the meeting was that "On the basis of all the concerns detailed it is felt these matters are substantiated. On the balance of probability, we have no reason to feel the children have been dishonest and the driver's own credibility is called into question in the responses he has issued." There was also concern for Child B that this was the second time in a month that she had been ridiculed by a driver operated by the same Private Hire Operator.
17. The driver was interviewed by the Operator on 2 March 2026 and by Licensing Officers on 3 March 2026. The driver denied the allegations, except for admitting to swearing at the person who pulled out in front of him.
18. The following is a summary only of the driver and his representative's case, however, the Committee considered all the representations before reaching its decision.
19. The representative confirmed that the driver admitted to swearing on a one-off occasion when a female pulled out in front of him. That he was not inconsistent, he was not asked this question when interviewed by his Operator. He denied swearing in the vehicle generally.
20. The representative explained one child swears, but there was nothing in the policy that required a driver to intervene if a passenger was swearing.
21. The representative explained that, on reflection, although the driver did not consider he was ever bad tempered with Child B, vulnerable children may perceive mannerisms differently. The representative asserted Child A would be referring to the one incident where a member of staff had spoken to the driver and it did not happen again. The driver denied all other allegations regarding Child B.
22. The representative asserted that the driver's previous revocation related to protected convictions and should not be disclosed, and that the previous revocation should not be considered by the Committee. However, the Committee noted that, the driver was deemed to not be fit and proper when he was previously licensed.

23. The representative disputed that the report of the driving conviction in 2024 was late, in view of the time it takes for such notices to be sent through the post, which was accepted by the licensing officer. However, the Committee noted the driver still had to be reminded by a colleague in the office to report it.
24. That the driver denied the other allegations. The representative asserted that the accounts were inconsistent, there were no statements from the children. The representative asserted that Child D's mum said he wears headphones during the journey and would not hear. Child C would not make a statement, and Child B was not questioned. That the statements were made a long time after the event. The representative asserted inconsistencies in the information provided by Child A's mother and the Head Teacher regarding how the concerns came to be reported and the wording of the comments allegedly made by the driver; that there was no consistency in the statements received but the driver was consistent in his responses.
25. The Committee noted the driver's explanations but considered his accounts were inconsistent. When asked if he swore (generally) the driver told his operator he would never swear in front of children. In interview with Licensing Officers the driver admitted to swearing on one occasion when the children were in the car. He told his operator that the driver of the vehicle that pulled out was white, but then told licensing officers "he could not really see but thought she was mixed race". The driver had said he had never become frustrated with Child B even when he had asked her not to slam the door and denied all other allegations in relation to her. However, his behaviour towards Child B on one occasion at school was so inappropriate that it required intervention by a staff member. The staff member said the driver was bad tempered and rude when Child B was slightly late and slammed the car door a little too hard. The driver then, at Committee, after receiving that information, considered his behaviour may have been perceived differently than he intended.
26. The Committee considered that vulnerable children generally would not make statements themselves or come to Committee to be questioned when reviewing a licence. The Head Teacher had spoken to the children to ask their accounts who was in a senior position with appropriate experience and knowledge of her pupils and their special needs.
27. The Committee considered both the Head Teacher and the LADO, who have experience and knowledge dealing with vulnerable children and consideration of risks, were satisfied that the children had no reason to lie, were credible and Child A's concerns were supported. The Committee noted that although Child C did not make a statement, the Head Teacher confirmed Child D had confirmed inappropriate behaviour and the Committee put weight on the LADO and Head Teacher's conclusions. It also considered the matters raised being multifarious in nature and the terminology used would be unlikely to be fabricated by a child of that age with learning difficulties. Any discrepancies mentioned in the mother's and Head Teacher's statements did not detract that Child A had raised concerns to his mother and also told his Head Teacher about them when asked. The Committee also took into consideration that the Head Teacher, LADO and Redcar and Cleveland Transport Officers, due to the risk posed by the driver, considered it necessary to end the driver's contract and to inform other Local Authority Transport Teams.
28. The Committee considered that the driver held a licence from 1995 to 2002 until that licence was revoked. He then worked as a manager for a Private Hire Operator for 21 years until he obtained a licence and stated he started driving again in 2024. It, therefore, considered the driver should be fully aware of the Council's policy and duty to safeguard vulnerable people.
29. The Committee considered the driver had been placed in an extreme position of trust over vulnerable children, it gave weight to the views of the Head Teacher and LADO, it considered all of the information and found that the driver was not safe or suitable or fit and proper to hold the position of trust of a licensee. The behaviour towards vulnerable children cannot be permitted and was a risk to safety.
30. The Committee noted the representative's reference to the Statutory Taxi and Private Hire Vehicle Standards. Those standards reiterated the purpose of the Committee and the primary

objective was to protect the public. The standards stated the importance of ensuring that the licensing regime protected the vulnerable cannot be overstated. The standards also confirm the safeguarding of the public was paramount. "All decisions on the suitability of a licensee should be made on the balance of probability. This means that an applicant or licensee should not be given the benefit of doubt. If the committee is only 50/50 as to whether the applicant or licensee is fit and proper, they should not hold a licence."

31. For the reasons set out above, the Committee considered the driver's Private Hire Vehicle driver's licence should be revoked and that revocation should have immediate effect in the interests of public safety.
32. 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.

MIDDLESBROUGH COUNCIL

COMMITTEE REPORT

LICENSING COMMITTEE

24 AUGUST 2026

REPORT OF DIRECTOR OF REGENERATION AND HOUSING

REQUEST FOR DELEGATED AUTHORITY FOR GRANT OF PRIVATE HIRE/HACKNEY CARRIAGE VEHICLE LICENCE WHEELCHAIR ACCESSIBLE VEHICLES - REF: 25/26

PURPOSE OF THE REPORT

The purpose of this report is to seek Members' approval to delegate authority to Licensing Officers to determine applications for exemptions from the Council's vehicle age policy in respect of wheelchair accessible hackney carriage and private hire vehicles, where such applications fall outside the Council's current policy requirements.

BACKGROUND

Members are reminded that the Council's current Hackney Carriage and Private Hire Licensing Policy, implemented on 1 March 2022, limits the number of licensed saloon-type private hire vehicles to 190. However, in recognition of the need to promote accessible transport provision, no numerical restrictions are placed on the licensing of wheelchair accessible vehicles (WAVs), subject to the vehicle meeting the following requirement:

"The vehicle shall accommodate a passenger with a disability confined to a wheelchair and shall be either purpose built or converted prior to its first registration and have as a minimum inspection standard, the Vehicle Certification Agency Ministers Approval Certificate for a Low Volume Motor Vehicle or European Small Series Type Approval."

The above requirement has been in place since approximately 2001 and was reviewed as part of the wider consultation undertaken prior to the implementation of the current policy in March 2022.

Members will appreciate that the purpose of setting standards and requirements for licensed hackney carriage and private hire vehicles is to ensure that vehicles used to transport fare-paying passengers are safe, suitable and maintained to a high standard.

In respect of wheelchair accessible vehicles, the requirement for Vehicle Certification Agency (VCA) approval ensures that such vehicles meet nationally recognised safety standards for the transport of wheelchair users and ambulant passengers.

Wheelchair accessible vehicles approved under a national type approval scheme will have satisfied relevant safety standards, including strength testing of key vehicle components, seat fixings and wheelchair restraint and anchorage systems. Applicants seeking to licence a wheelchair accessible vehicle that has been converted prior to first registration must therefore provide an EC Certificate of Conformity for Completed Vehicles approved by the Vehicle Certification Agency.

Consequently, the purchase and maintenance costs associated with wheelchair accessible vehicles are significantly higher than those of standard saloon vehicles.

CURRENT VEHICLE AGE POLICY

The Council's current policy for the licensing of private hire and hackney carriage vehicles states:

"Vehicles in respect of new and replacement applications must be no more than five years of age from the date of first registration on the date of the initial application. The vehicle must be licensed within 28 days of the initial application.

The licence of any vehicle will terminate not more than ten years from the date of first registration. This will be extended to 12 years for London Style Cabs and side-loading wheelchair accessible vehicles approved by the Council."

The current age policy was introduced to ensure that licensed vehicles remain safe, reliable and of a suitable standard for public use.

EUROPEAN EMISSIONS STANDARDS

In recent years, many Local Authorities have moved away from vehicle age restrictions and have instead adopted vehicle emissions standards as a means of regulating licensed hackney carriage and private hire vehicles.

The current European emissions standards applicable to passenger vehicles are:

- Euro 1 – mandatory from 1993
- Euro 2 – mandatory from 1997
- Euro 3 – mandatory from 2001
- Euro 4 – mandatory from 2006

- Euro 5 – mandatory from 2011
- Euro 6 – mandatory from 2015

The vast majority of Local Authorities across the North-East have now adopted the Euro 6 emissions standard as part of their licensing policies.

TAXI AND PRIVATE HIRE VEHICLE LICENSING BEST PRACTICE GUIDANCE (NOVEMBER 2023)

The Department for Transport's Taxi and Private Hire Vehicle Licensing Best Practice Guidance (November 2023) states:

"8.4 Licensing authorities should not impose age limits for the licensing of vehicles; instead they should consider more targeted requirements to meet their policy objectives on emissions, safety rating and increasing wheelchair accessible provision where this is low."

The guidance also recognises the importance of wheelchair accessible vehicles in ensuring inclusivity within taxi and private hire services and states:

" 8.9 Wheelchair accessible vehicles are essential for wheelchair users who are unable to transfer from their wheelchair to the vehicle, or who prefer to travel in their wheelchair."

The guidance further recommends that licensing authorities understand local demand for wheelchair accessible vehicles and consider measures to incentivise their provision where demand is not being met. Suggested measures include licence fee rebates, priority access arrangements, relaxation of licensing requirements where appropriate, and other incentives designed to increase the availability of wheelchair accessible vehicles.

LOCAL AUTHORITY APPROACHES

A number of Local Authorities across the North-East have reviewed their taxi licensing policies to incentivise the licensing and retention of wheelchair accessible vehicles.

For example, Stockton-on-Tees Borough Council, which has adopted Euro 6 emissions standards, has exempted wheelchair accessible vehicles from those requirements due to the relatively low number of such vehicles available within its licensed fleet.

Similar approaches have been adopted by both Durham County Council and Darlington Borough Council in order to support and maintain wheelchair accessible transport provision.

INFORMATION

Officers are aware that there has been a significant decline in the number of wheelchair accessible private hire and hackney carriage vehicles licensed by Middlesbrough Council since 2020, with proprietors regularly citing the significantly higher purchase and operating costs associated with these vehicles as a contributing factor.

In 2020 there were approximately 150 licensed wheelchair accessible private hire and hackney carriage vehicles operating within the Middlesbrough licensed fleet.

The Council currently licenses 32 wheelchair accessible vehicles, comprising:

- 14 larger side-loading vehicles; and
- 18 smaller rear and side-loading vehicles.

A recent review of licensed wheelchair accessible vehicles has identified that several vehicles will reach the Council's maximum permitted age within the next 12 months. In line with the current policy, these vehicles will not be eligible for licence renewal and will therefore be removed from the licensed fleet.

Without suitable replacement vehicles being introduced, this is likely to have a significant impact on the availability of wheelchair accessible transport services within Middlesbrough.

Officers will be considering a wider review of the Council's taxi licensing policies later this year. As part of that review, consideration will be given to replacing vehicle age limits with emissions-based requirements, in line with the approach adopted by many neighbouring authorities and national best practice guidance.

Officers are also considering the introduction of specific exemptions and incentives for wheelchair accessible vehicles as a means of supporting and increasing their availability within the licensed fleet.

Members recently considered an application relating to a licensed wheelchair accessible vehicle that had reached the Council's maximum vehicle age limit and would otherwise have been removed from the licensed fleet.

Having considered the circumstances of the case and the potential impact on wheelchair accessible transport provision, Members exercised their discretion and granted a one-year extension to the vehicle licence.

To ensure the continued safety and suitability of the vehicle, Members attached a condition requiring the proprietor to present the vehicle for three compliance inspections during the 12-month extension period.

Officers are aware that there are other proprietors who are considering similar applications may arise before the wider policy review has been concluded. In such circumstances, requiring every application to be referred to Committee may result in unnecessary delays and administrative burden.

Officers therefore recommend that delegated authority be granted to Licensing Officers to determine applications for exemptions from the Council's vehicle age policy where the application relates to a wheelchair accessible hackney carriage or private hire vehicle and where officers are satisfied that:

- the vehicle remains safe and mechanically fit for purpose;

- the vehicle passes any additional compliance inspections required by the Council;
- enhanced testing requirements are imposed where considered necessary; and
- the exemption would support the continued availability of wheelchair accessible transport within Middlesbrough.

RECOMMENDATION

Members are requested to approve the delegation of authority to Licensing Officers to determine applications for exemptions from the Council's vehicle age policy in respect of wheelchair accessible hackney carriage and private hire vehicles, where such applications fall outside existing policy requirements.

This would allow applications to be considered on a case-by-case basis, subject to enhanced testing and safety requirements, whilst helping to maintain the availability of wheelchair accessible vehicles within the licensed fleet pending the outcome of the wider taxi licensing policy review.

The proposed delegation would provide greater flexibility in responding to the declining number of wheelchair accessible vehicles within Middlesbrough, support the continued provision of accessible transport services for disabled passengers, and ensure that public safety remains paramount through the application of robust inspection and compliance requirements.

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