

**LICENSING COMMITTEE**

A meeting of the Licensing Committee was held on Monday 15 December 2025.

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

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

**APOLOGIES FOR ABSENCE:** Councillors J Cooke and M Nugent

25/66 **WELCOME AND FIRE EVACUATION PROCEDURE**

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

25/67 **DECLARATIONS OF INTEREST**

There were no declarations of interest received at this point in the meeting.

25/68 **MINUTES - LICENSING COMMITTEE - 24 NOVEMBER 2025**

The minutes of the Licensing Committee held on 24 November 2025 were submitted and approved as a correct record.

25/69 **LICENSING UPDATES**

The Licensing Manager updated that a Private Hire Vehicle Driver Licence was recently revoked with immediate effect, following information from Cleveland Police that the driver was arrested, charged for the possession of class A drugs and for profiting from the proceeds of crime.

25/70 **ANY OTHER URGENT ITEMS WHICH IN THE OPINION OF THE CHAIR, MAY BE CONSIDERED.**

There were no urgent items.

25/71 **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.

25/72 **APPLICATION FOR PRIVATE HIRE VEHICLE DRIVER LICENCE REF: 40/25**

The Director of Environment and Community Services submitted a report in relation to the application for a Private Hire Vehicle Driver Licence, Ref: 40/25, highlighting the circumstances that required the Committee's special consideration.

The Chair introduced those present and outlined the procedure to be followed. The applicant, who attended the meeting, verified his name, address, and confirmed he had received a copy of the report, but had not brought it with him to the meeting. He raised concerns regarding the accuracy and content of the report.

The Licensing Manager provided the applicant with a copy of the report and circulated an email from the applicant dated 9 December 2025, in which the applicant disputed the accuracy of the report and indicated that he wished to withdraw his application.

The Committee was informed that the Principal Public Protection Officer (Licensing) had

responded to the applicant advising that any concerns could be raised at the Committee meeting. Subsequent correspondence from the applicant indicated that he wished to withdraw the application. However, the applicant attended the Committee meeting on the day without prior notification to Licensing Officers.

The Committee considered the circumstances and agreed to proceed to hear the application.

The Licensing Manager presented the report, which outlined that the applicant had previously been licensed as a private hire driver from January 2015 to May 2018, when his licence was revoked with immediate effect following a failed drugs test.

The applicant's original licence had been granted by the Licensing Committee after consideration of previous offences, which were deemed too old to be relevant at the time. He later appeared before Members on 24 June 2024 in connection with a further application. On that occasion, Members considered his previous licensing history, including complaints from members of the public and an allegation of drug use which had resulted in the revocation of his licence in May 2018. Following the consideration of the report and the applicant's representations, the application was refused.

The report detailed several complaints recorded during the applicant's previous period of licensing. These included a complaint in September 2017 relating to smoking in a licensed vehicle, a warning issued in November 2017 in relation to driver conduct, and a further complaint in March 2018 concerning inappropriate behaviour towards another motorist. The applicant either could not recall the incidents or stated that he could not remember receiving the warnings, although he accepted remembering some aspects of the events.

The report also set out the circumstances surrounding the failed drugs test in May 2018. The applicant had previously stated that he had taken cocaine while on a night out, which resulted in a positive test for cocaine and amphetamines. His licence was revoked with immediate effect, and he did not appeal the decision.

Following the revocation, the application changed employment and worked within the security industry. During an interview with Licensing Officers on 25 September 2025, the applicant stated that his earlier explanation regarding drug use was incorrect. He said that he did not knowingly take drugs and believed that he may have been spiked while out drinking alcohol. He stated that he should not have previously said that he had taken cocaine and that this was not what he had meant to convey at the time.

The applicant stated that he no longer used drugs or drank alcohol and had not done so for several years. He indicated that he would be willing to undertake drug testing at any time and expressed remorse for his past actions. He also stated that he had not been in trouble for many years and that earlier incidents occurred when he was younger.

The report noted that the applicant stated that he was seeking to regain a licence to improve his financial circumstances and to support his family. He asked Members to consider granting a licence, including the possibility of a time-limited or trial period.

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

The applicant raised a query regarding information in the report which stated that he was employed but clarified that he had been undertaking voluntary work. The applicant also advised that the report incorrectly named his prospective employer and corrected this. The Principal Public Protection Officer (Licensing) advised the Committee that this error had been amended following circulation and publication of the report.

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: 40/25, be refused, as follows:

Authority to Act

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

Decision

4. After carefully considering all the information, the Licensing Committee decided to refuse to grant the Application for a private hire vehicle driver's licence on the grounds that the Committee was not satisfied the Applicant was a fit and proper person to be granted the licence. The reasons for the decision were as follows:

Reasons

5. The Policy on convictions was set out at Appendix G, Policy on the Relevance of Convictions, Cautions, Reprimands, Warnings, Complaints and Character.
6. The Policy confirmed that the Council's licensed drivers should be safe drivers with good driving records and adequate experience, sober, mentally and physically fit, be honest and not persons who would take advantage of their employment to abuse or assault passengers.
7. The Policy was clear in that it stated a positive drug test result would result in the revocation of the driver's licence with immediate effect, as on the balance of probability it was considered that the driver presented a risk to public safety.
8. Criminal convictions were not the only criteria used when considering whether an individual was a fit and proper person to be licensed. Other factors, including the applicant's demeanour, appearance and conduct during the application process may be considered in determining fitness and propriety.
9. The Council can consider circumstances of concern even though a conviction had not been obtained, or the conduct did not amount to a criminal offence.
10. Applicants or existing licence holders that were found to have intentionally misled the Council, or lied as part of the application process, would not be issued with a licence.
11. The applicant was previously licensed by Middlesbrough Council from January 2015 until May 2018 when his licence was revoked by Officers with immediate effect due to a failed drugs test.
12. The applicant appeared before the Licensing Committee on 24 June 2024 for a Private Hire Driver Licence. On that occasion Members decided to refuse his licence.
13. On 25 September 2025, Licensing Officers interviewed the applicant. A full summary was detailed in the report.
14. The applicant confirmed his explanations from the committee report in 2024 regarding three complaints for smoking in a vehicle and two driver conduct complaints. The applicant could not recall the incidents.
15. In respect of the failed drugs test, the applicant had originally explained to Officers, in

2018, that he had been having a night out drinking in Middlesbrough. He stated that he was offered a line of cocaine by someone which he foolishly took as he was drunk.

16. The licensing report in 2024 stated that the applicant emphasised to Officers that he was sorry for the things he had done in his past and no longer associated with those people. He also stated he no longer took drugs or drank alcohol.
17. During the applicant's latest interview, he clarified that his last explanation regarding drug taking was wrong. The applicant wanted to change his version of events and recalled that he must have been spiked and that he knew he would not have taken drugs of his own accord. When questioned by Officers why he had previously admitted to drug taking, the applicant stated that he should not have said this as it was not what he meant.
18. Despite this, the applicant told the Officers that he had not been in trouble for many years and that the earlier incidents occurred when he was young, daft and associating with people he should not have been.
19. It was noted that prior to the date of this Committee, the applicant had emailed Licensing Officers to inform them that he was not attending. In one of the two emails sent by the applicant, that was subsequently circulated at the Committee hearing, the applicant referred to two individuals as clowns. When questioned by Members who he was referring to, he confirmed he aimed the remark at two of the Licensing Officers.
20. Despite withdrawing from the application process, the applicant turned up to the Committee hearing on the day, explaining that he withdrew because the report 'made him out to be a drug monster who goes around town sniffing drugs'. He further confirmed that he had ripped up the report and did not have a copy with him at the Committee hearing.
21. At the Committee hearing, the applicant further explained his version of events. He stated that he was working on the night in question and that as it was his friend's birthday, he was guilted into visiting Middlesbrough town centre. He had learned over the years that one of his friends had spiked him for a laugh and that the friend in question had since passed away. However, when questioned whether he had reported being spiked to the Police, the applicant stated he did not as he did not know who it was who had spiked him.
22. The applicant stressed that he would not take drugs and denied doing so. Members questioned why he had not appealed the decision in 2018 when his licence was revoked. The applicant stated he did not know he could. Members also questioned why in the 2024 Committee process, he initially accepted snorting a line of cocaine, before changing his story at the hearing. The applicant stated he did know why, and that he told a lie about taking drugs, but that it wasn't true.
23. The applicant also stated that nobody had witnessed him taking drugs as it had not happened, and whoever made this complaint had fabricated a story. When asked why he was subsequently invited for a drugs test following the complaint and provided a positive result, the applicant could only provide a vague response which avoided the question.
24. Members asked the applicant if he had ever taken drugs in the past, to which he responded 'no'. However, the applicant was referred to the wording from his past interview in 2024 with Licensing Officers, whereby he stated he 'no longer takes drugs'. The applicant stated that the 2024 report was inaccurate and it is not what he said. He was asked by Members why he did not query that part of the 2024 report in the past if this was the case, to which he responded, 'I'm querying it now because I need a bloody job'.
25. The Committee, based on the information they were presented with, as well as the applicant's explanations and answers to questions, determined that he was not a fit

and proper person to hold a taxi licence in Middlesbrough.

26. The Committee found that the applicant's verbal testimony and new version of events in the report were extremely unreliable. The Committee considered that the applicant had completely changed his story from 2018 and his interview in 2024 and that this appeared to be an attempt to deceive Officers and the Members. The Committee found it extremely concerning that the applicant stated he actively lied to Licensing Officers when informing them that he had willingly taken drugs and were puzzled as to why anyone would lie about taking drugs.
27. The Committee further determined that trained Licensing Officers had questioned him in 2018 and then again in 2024 and that it was unlikely that the information they had documented was inaccurate and incorrect.
28. The Committee determined that the applicant was dishonest and continually made false statements during the application process.
29. The Committee found that the applicant's inconsistencies throughout the process made him unbelievable. The Committee also considered the applicant's constant evasion of questions, as well as his demeanour in the Committee hearing.
30. The Committee were appalled that the applicant would label Officers of the Council as 'clowns'.
31. The Policy stated, where an applicant has made a false statement or given a false declaration on their application, the licence will normally be refused. Applicants or existing licence holders that are found to have intentionally misled the Council, or lied as part of the application process, will not be issued with a licence.
32. The Committee was satisfied that the applicant had lied. The applicant himself admitted to telling the Licensing Officers lies, which evidently put him in a worse position at the time. Despite this, the Committee felt that the original version of events was the true account of what had happened and that the applicant was now being dishonest with his change of account.
33. The Committee believed that the applicant had numerous chances to challenge decisions if he genuinely believed that he had not willingly taken drugs but did not do so. The Committee felt the story had only changed in attempt for Members to look more favourably on him.
34. The decision to refuse to grant the licence was in accordance with the Policy and the Committee considered there were no good or exceptional reasons to depart from it. The Committee, for the reasons above, could not be satisfied the applicant was a fit and proper person or safe and suitable to be licenced as a Private Hire Vehicle driver in Middlesbrough.
35. If the applicant was aggrieved by the decision he may appeal to a Magistrates Court within 21 days from the date of the notice of the decision. The local Magistrates for the area was Teesside Justice Centre, Teesside Magistrates Court, Victoria Square, Middlesbrough, TS1 2AS.
36. 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.

25/73

**APPLICATION FOR PRIVATE HIRE VEHICLE DRIVER LICENCE REF: 41/25**

The Director of Environment and Community Services submitted a report in relation to an application for a Private Hire Vehicle Driver Licence, Ref: 41/25, highlighting the circumstances that required the Committee's special consideration.

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

The Principal Public Protection Officer (Licensing) presented a summary of the report stating that the applicant appeared before Members due to convictions detailed at 1) in the submitted report.

The report stated that the offence had not been declared at the time of application. The applicant was interviewed by Licensing Officers on 19 November 2025, when he confirmed that there were no outstanding matters of which the Council was unaware. He provided an explanation for the non-disclosure, stating that he had been assisted in completing the online application by a representative of his prospective employer and believed the question only related to convictions within the previous five years. He stated that the omission was a genuine mistake and that he had not intended to mislead the Council.

The applicant provided details of the circumstances leading to a conviction for driving with excess alcohol in December 2019. The applicant explained that he had been experiencing personal difficulties at the time, including medical issues and being made unemployed.

The applicant also provided details of the events leading to the conviction and highlighted that his 14 month driving ban was later reduced by 14 weeks following completion of a Drink Driving Awareness Course. He added that he had not consumed alcohol since the incident, and he no longer placed himself in situations where alcohol was present and frequently declined social invitations involving alcohol.

The applicant spoke in support of his application and 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: 41/25, be refused, as follows:

Authority to Act

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

### Decision

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

### Reasons

5. The policy on convictions was set out at Appendix G, Policy on the Relevance of Convictions, Cautions, Reprimands, Warnings, Complaints and Character.
6. The Policy confirmed that the Council's licensed drivers should be safe drivers with good driving records and adequate experience, sober, mentally and physically fit, be honest and not persons who would take advantage of their employment to abuse or assault passengers.
7. The Policy was clear where it stated that an applicant who has a conviction for drink driving must show at least seven years free from conviction since the completion of any sentence or driving ban imposed before their application will be considered.
8. The applicant was convicted on 30 December 2019 of driving a motor vehicle with excess alcohol. The applicant was subsequently sentenced to a £120 fine, £85 costs, £32 victim surcharge and disqualification from driving for 14 months. The disqualification was reduced by 14 weeks following the completion of a drink driving awareness course.
9. The applicant failed to declare the conviction on the application form. When asked by Licensing Officers, during interview on 19 November 2025, why he had failed to disclose the offence, the applicant stated that it was a genuine mistake, and he was not trying to mislead the Council.
10. A full summary of the interview with Licensing Officers was contained within the report. The applicant stated that he and a friend had decided to go for a drive to discuss some personal issues that the applicant was experiencing. The applicant stated that he had undergone a hip replacement and lost his job around the time, as well as also finding out that his mother, who lived overseas, had undergone heart surgery following a heart attack.
11. The applicant informed Officers that he had spent several hours talking with his friend and that during that time he had two cans of high strength beer. The applicant recalled driving home and being stopped by the police after travelling around 40mph in a 30mph area. The applicant explained that there was a temporary 30mph speed limit, down from 50mph, due to roadworks. The applicant stated that he failed the specimen test as his breath showed 50 micrograms of alcohol. The limit was 35 micrograms.
12. The applicant reiterated that he had pleaded guilty at the first attempt and that he had received the mentioned penalty.
13. At the Committee hearing, the applicant stressed how he made a mistake and that he had learned from doing so. He continued, when questioned on whether he still consumed alcohol, that he used to be a social drinker but since the incident and the birth of his two children he did not drink at all now.
14. The applicant told the Committee that he wanted to provide for his wife and two children and that being able to drive taxis would provide him the opportunity to be flexible in his work life.
15. The Committee considered the offence and the circumstances that led to the same. The Committee felt that despite the applicant's unfortunate situation at the time the offence was committed, the offence was extremely serious.

16. The Committee also considered the applicant's admission of speeding, and did not look favourably on this, especially as the applicant was over the legal limit when speeding.
17. The Policy was clear on drink driving whereby it expressly stated that an applicant must show a period of 7 years free from conviction since the completion of any sentence or driving ban imposed before their application will be considered. When applied to the immediate matter, this period will end in November 2027.
18. The Committee's decision to refuse to grant the licence was in accordance with the Policy. The Committee concluded that given the expectations of a licensed driver and how there was a need to protect the public, there was no good or exceptional reasons to depart from the Policy on this occasion.
19. 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 Court for the area was, Teesside Justice Centre, Teesside Magistrates Court, Victoria Square, Middlesbrough, TS1 2AS.
20. 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.