

LICENSING AND REGULATORY SUB-COMMITTEE

WEDNESDAY, 18 FEBRUARY 2026

Present:

Councillors Bradford, Rollason (Vice-Chair) and Horner

Members Attendance:

Councillors Hayes

Officers in Attendance:

Solicitor

Legal Assistant

Licensing Officer

259. APOLOGIES

None.

260. DECLARATIONS OF INTEREST (IF ANY)

None.

261. REQUEST FOR PRIVATE HIRE VEHICLE EXTENSION FOR FURTHER 12 MONTHS - HY65 KHH

The Sub-Committee noted the information provided by way of the report. In particular the Sub-Committee noted that the vehicle's MOT certificate expires in November 2026, with no advisories. The vehicle initially failed its annual taxi inspection test but then passed a retest on 30 January 2026. The Applicant was in attendance and was given a chance to address the Sub-Committee.

The Sub-Committee commented that the vehicle appeared to be kept in a good and sound condition although noted the age of the vehicle was now above the Council's Hackney Carriage and Private Hire vehicle licensing policy.

The Sub-Committee were satisfied that the vehicle was in a good and sound condition and that public safety would not be compromised by the granting of the licence sought.

Decision

Accordingly, the Sub-Committee granted the Private Hire Vehicle Licence Extension as detailed in the report with the additional condition that the vehicle undergoes a six-month vehicle test to monitor the condition of the vehicle due to its age.

262. REQUEST FOR HACKNEY CARRIAGE VEHICLE EXTENSION FOR FURTHER 12 MONTHS - KN64 THV

The Sub-Committee noted the information provided by way of the report. In particular the Sub-Committee noted that the vehicle's MOT certificate expires in October 2026, with one advisory. The vehicle initially failed its annual tax inspection test but then passed a retest on 12 February 2026. The Applicant was in attendance and was given a chance to address the Sub-Committee and confirmed that the advisories had now been fixed.

The Sub-Committee commented that the vehicle appeared to be kept in a good and sound condition although noted the age of the vehicle was now above the Council's Hackney Carriage and Private Hire vehicle licensing policy.

The Sub-Committee were satisfied that the vehicle was in a good and sound condition and that public safety would not be compromised by the granting of the licence sought.

Decision

Accordingly, the Sub-Committee granted the Hackney Carriage Vehicle Licence Extension as detailed in the report with the additional condition that the vehicle undergoes a six-month vehicle test to monitor the condition of the vehicle due to its age.

263. REQUEST FOR HACKNEY CARRIAGE VEHICLE LICENCE - LN68 NSU

The sub-committee noted that the application had been withdrawn.

264. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - EXCLUSION OF PRESS AND PUBLIC

It was proposed by Cllr Bradford and seconded by Cllr Horner that the meeting move into Part II for the next agenda items due to the likely disclosure of exempt information, and;

Resolved: unanimously that the meeting move into Part II due to the likely disclosure of exempt information.

265. HACKNEY CARRIAGE DRIVER LICENCE REVIEW

The Applicant did not attend the meeting and did not send a representative. The Sub-Committee noted that whilst the Applicant was not in attendance, the seriousness of the allegations meant that they felt they had no choice but to continue with the review of the licence in his absence due to concerns for public safety.

Arising from consideration of the report, evidence presented and in accordance with the Council's procedure for hearings, it was moved by Councillor Rollason and seconded by Councillor Horner, and

RESOLVED that the Hackney Carriage Drivers Licence be revoked under Section 61 of the Local Government (Miscellaneous Provisions) Act 1976, so as to promote public safety. The Sub-Committee felt that the conduct of the Driver as set out in the Report, supported its view that they are not a fit and proper person to hold such a Licence.

Reasons for the decision:

Members noted the information set out in the report and read out by the Licensing Officer who highlighted that the Sub-Committee and the Licensing Authority have a duty towards the public in ensuring licensed drivers are fit and proper. This is considered under the balance of probabilities test and if there is any doubt as to the Applicant's fitness to be a taxi driver then a licence should not be given.

The Licensing Officer continued and explained that a licence has been granted in February 2024, and between July 2024 and August 2025, 7 complaints had been received. These complaints related to dangerous and erratic driving, incorrectly displaying plates and signage and parking on a rank in Exeter. After the first two complaints the Driver was met with and stated he was unaware that he had been driving inappropriately. He did acknowledge he was aware of the complaint relating to being incorrectly parked on a rank in Exeter. The Driver was informed that if further complaints were received CCTV footage would have to be requested and reviewed.

Following a further two complaints another meeting was held with the Driver, and a warning letter was issued setting out expectations of a professional driver and confirming the licence would be reviewed by the Licensing and Regulatory Committee if any further complaints were received.

The Driver then failed to attend a vehicle inspection with the Licensing Officer in August 2025, which had been arranged following complaints that the vehicle plates were not displayed correctly. The Driver confirmed he had not been working since 23 July 2025, due to insurance issues. Two further complaints were then received in August 2025, relating again to dangerous driving and incorrectly displayed signage.

A request from the police was then received on 28 August 2025, for further information and the issues raised by the police were 3 offences for speeding which the Driver nominated another person as being the driver at the time of the offences. A further 10 speeding offences in the Driver's private vehicle had also been written off as the person who had been nominated had a foreign licence. The police were unable to identify the existence of this nominated driver.

A request was made to the Driver's employer and work records were received for shifts between 19 May 2025 and 1 July 2025. The Driver was then invited for a further meeting in October 2025, to discuss the various issues that were causing concern. The Driver explained that he had been away at the time of the speeding offences and believes the person he lived with had been using his car as a taxi during this time. He had left his work badge and work mobile in his vehicle. The Driver could not provide evidence of him being away on these dates. He also had not reported the unlicensed driver to his employer. He confirmed to the Licensing Officer he had not yet read the Licensing

Authority's Hackney Carriage and Private Hire Policy, and he was still a new driver and learning.

Following this meeting the Driver provided additional information relating to the nominated driver and also how he intended to make improvements.

The Sub-Committee had no further questions for the Licensing Officer and felt that all factors combined meant that they did not consider the Driver was a fit and proper person to hold a licence.

The Sub-Committee noted that there were several concerning issues raised by the Driver's previous conduct as had been set out in the report. The Sub-Committee were concerned by the number of dangerous driving complaints and that these had continued even after the Driver had been spoken to by the Licensing Officers. There appeared to be no evidence of the Driver modifying his behaviour.

There were also serious concerns relating to the Driver's honesty and integrity regarding the number of speeding offences and the person being nominated by the Driver as having committed these offences. The police had been unable to trace the nominated driver, and a French address had been provided which the police were unable to use. The police also did financial checks on the nominated driver which there were no records of.

There were also further repeated failures to correctly display signage even when given instruction from Licensing Officers. The Sub-Committee again felt this showed a pattern of unwillingness to learn and modify behaviours.

The Sub-Committee noted that the Driver had not attended to provide an explanation for the concerns raised and there also seemed to be no real explanation provided by the Driver during his meeting with Licensing Officers other than blaming another person for many of the issues which they felt showed a lack of accountability.

Applying the test of whether Members of the Sub-Committee would be happy for a person they cared about or a vulnerable person to travel alone in a vehicle with the Driver, it was concluded after significant deliberation that they would not. The Sub-Committee noted its overriding duty to the public, and of the importance of public safety and considered that, on balance, there was significant cause to show that the Driver was not a fit and proper person to hold a Licence due to the factors as set out in the report and presented to them at the sub-committee.

The Sub-Committee therefore considered given the circumstances of this case that it be reasonable and proportionate to revoke the Hackney Carriage Drivers Licence with immediate effect.

266. APPLICATION FOR COMBINED HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE

The Applicant attended the meeting in person and did not bring a representative and he answered questions put to him by the Sub-Committee.

Arising from consideration of the report, evidence presented and in accordance with the Council's procedure for hearings, it was moved by Councillor Rollason and seconded by Councillor Horner, and

RESOLVED that the application for a new combined Hackney Carriage / Private Hire Drivers Licence be refused under Sections 51(1)(a) and 59(1)(a) of the Local Government (Miscellaneous Provisions) Act 1976, so as to promote public safety. The Sub-Committee felt that the conduct of the Applicant as set out in the Report, supported its view that they are not a fit and proper person to hold such a Licence.

Reasons for the decision:

Members noted the information set out in the report and read out by the Licensing Officer who highlighted that the Sub-Committee and the Licensing Authority have a duty towards the public in ensuring licensed drivers are fit and proper. This is considered under the balance of probabilities test and if there is any doubt as to the Applicant's fitness to be a taxi driver then a licence should not be given.

The Licensing Officer continued and explained that a licence has been applied for in August 2025 and the DBS showed that the Applicant had convictions for unlicensed soliciting persons for hire car services, using a motor vehicle without third party insurance and making provisions for invitation/acceptance of/accept private hire booking without holding a licence. The offences were committed on 2 consecutive days and penalties included fines and disqualification from driving.

In September 2025, the Applicant was interviewed as is the practice for all new applicants and he maintained that he had been set up on each occasion by the police. The Licensing Officer continued and confirmed that the recommendation to the Sub-Committee is to refuse the licence request as it is felt the Applicant does not meet the standard required to be considered a 'fit and proper person' due to these convictions. The DBS was then passed around for Members to consider, and they had no further questions for the Licensing Officer.

The Sub-Committee then heard from the Applicant who explained that the two allegations had happened when he was in London and he does not understand why he would have been caught twice. The Applicant explained that he had only been dropping a friend off and had not taken any money, he was simply serving his community. The undercover police officer had misunderstood and due to this he had gone to court and paid the penalty. This was three years ago, and up until the conviction he was an experienced driver, and he has a family to support so needs the licence to be able to get a job.

In response to questioning from the Sub-Committee the Applicant clarified he did not have taxi insurance; however, he was insured normally and as he was not taxiing he feels this conviction is also incorrect.

Further questions were then asked by the Sub-Committee in relation to the refusal of a licence renewal by Transport for London in 2022. The Applicant explained that customers had complained and said he had been going the wrong way however he disputes this. He is unsure how many complaints in total he received when working for TFL. He further explained that TFL had not really explained why his licence renewal had been refused.

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The Sub-Committee thanked the Applicant for appearing before them but felt that all factors combined meant that they did not consider he was a fit and proper person to hold a licence.

The Sub-Committee noted that there were several concerning issues raised by the Applicant's previous conduct as had been set out in the report. The Sub-Committee could not understand how he had been caught twice by the police and convicted in front of a judge if he had only been taking a friend home and offering someone a lift without asking for payment. It seemed unlikely that he was set up on both occasions and subsequently caught two days running. There also seemed to be no real explanation provided by the Applicant other than his claim he was set up and the Sub-Committee were concerned by what appeared to be a lack of accountability.

The Sub-Committee also considered it concerning that the Applicant had had a licence refused by TFL the year before the convictions due to complaints from customers. They again felt that this supported the view that the Applicant is not a fit and proper person to hold a licence and did not feel any real explanation had been provided or accountability taken for these complaints.

The Sub-Committee empathised with the Applicant that he needed a job but noted this could not override the Licensing Authority's duty to members of the public and their safety. Taxi drivers are held to a higher standard, and it was not considered that the Applicant had been free from these convictions for a significant period of time and they therefore remained relevant.

The Sub-Committee also had concerns about the Applicant's honesty and integrity due to his claims he was set up by the police without any supporting evidence, along with the history of complaints from a previous licensing authority, again without any real explanation.

Applying the test of whether Members of the Sub-Committee would be happy for a person they cared about or a vulnerable person to travel alone in a vehicle with the Applicant, it was concluded after significant deliberation that they would not. The Sub-Committee noted its overriding duty to the public, and of the importance of public safety and considered that, on balance, there was cause to show that the Applicant was not a fit and proper person to hold a Licence at this time due to the factors as set out in the report and presented to them at the sub-committee.

The Sub-Committee therefore considered given the circumstances of this case that it be reasonable and proportionate to refuse the application for a new combined Hackney Carriage / Private Hire Drivers Licence.

Cllr D Rollason
Chair