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# **JUDICIAL COMMITTEE (PRIVATE HIRE AND HACKNEY CARRIAGE LICENSING)**

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**Thursday, 5th June, 2025**

**Present:** Councillor Bernard Dawson MBE (in the Chair), Councillors Danny Cassidy, Vanessa Alexander, Heather Anderson, Dave Parkins and Judith Addison

**Apologies** Kimberley Whitehead, Marlene Haworth and Melissa Fisher

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**26 Appointment of Chair**

The Committee had to appointment a Chair to take this meeting.

**Resolved – Councillor Bernard Dawson was appointed the Chair.**

**27 Apologies for absence, Substitutions, Declarations of Interest and Dispensations**

Apologies for absence were submitted on behalf of Councillor Kimberley Whitehead, Councillor Melissa Fisher and Councillor Marlene Haworth.

Councillor Heather Anderson, Councillor Dave Parkins and Councillor Judith Addison acted as substitutions for the above.

There were no interests or dispensations declared at the meeting.

**28 Minutes of Last Meeting**

The Minutes of the Judicial Committee (Private Hire and Hackney Carriage) held on 17<sup>th</sup> January 2025, were submitted for approval as a correct record.

**Resolved – That the Minutes be received and approved as a correct record.**

**29 Licensing Procedures for Meetings of the Committee**

The Licensing Procedure to be followed at the meeting in relation to Hackney Carriage and Private Hire driver's licences was submitted.

A copy of the procedure was included within the agenda and the respective Licensing Procedure had been provided to each driver.

**Resolved – That the Procedure be noted.**

**30 Licensing Guidelines**

The Institute of Licensing Guidelines for Hackney Carriage and Private Hire Trades was submitted, which was used to assist Hyndburn Borough Council when determining the suitability of applicants and licensees in the Hackney Carriage and Private Hire trades.

**Resolved – That the Guidance be noted.**

**31 Exclusion of the Public**

**Resolved – That, in accordance with Section 100A(4) Local Government Act 1972, the public be excluded from the meeting during the following items, when it was likely, in view of the nature of the business to be transacted, or the nature of the proceedings, that there would otherwise be disclosure of exempt information within the Paragraphs at Scheduled 12A of the Act, specified at the items.**

**32 Report Relating to a Licensed Private Hire Driver (MA)**

The Licensing Enforcement Officer, on behalf of the Executive Director (Legal and Democratic Services), submitted a report to the committee to enable members to consider what action to take, if any in respect of the drivers (MA) private hire and hackney carriage joint driver's licence.

Options presented to Members were; suspend or revoke the hackney carriage and private hire joint drivers licence, issue a warning or to take no further action.

The drivers history was discussed as set out in the report, which referred to offences committed at the present time and also previous offences in 2012.

The committee was reminded of the Council's Policy on determining the suitability of those in the hackney carriage and private hire trade and were advised that the policy should only be departed from in exceptional circumstances and for justifiable reasons.

The driver attended the committee and informed the committee that a driver awareness course had been completed in January 2024. The driver apologised for the offences committed and took full responsibility for them.

Members were given the opportunity to ask questions of both the officers and the driver before retiring to consider a decision.

**Resolved – That, having considered the drivers history and the offences committed, the committee decided this does not deem any exceptional circumstances to justify departing from the Council's Policy, therefore the committee has determined that the driver is not a fit and proper person to hold a hackney carriage and private hire joint driver's licence, and, accordingly, has resolved to revoke the licence and in the interests of public safety to do so with immediate effect.**

**33 Report Relating to a Licensed Private Hire Driver (MI)**

The Licensing Enforcement Officer, on behalf of the Executive Director (Legal and Democratic Services), submitted a report to enable members to consider what action to take, if any in respect of the drivers (MAI) private hire and hackney carriage joint driver's licence.

Options presented to Members were; suspend or revoke the hackney carriage and private hire joint drivers licence, issue a warning or to take no further action.

The driver's history was discussed at the committee, which was detailed in the report, and the offence committed.

The driver did inform the Licensing department of the offence committed at the time, however he did not report the subsequent conviction to Hyndburn Borough Council.

The driver had also licenced a vehicle with another authority, which does not adhere to the Council's Policy.

The driver had also been involved in a road traffic collision which was not reported, which does not adhere to the Council's Policy.

The driver and a representative (Mr Mike Thorpe) attended the committee to discuss the offence, the driver's employment history was discussed and two character references and one professional reference were read out to the committee. There were mitigating circumstances put forward by the representative as to why the offence was committed by the driver and the reasoning behind it.

Members were given the opportunity to ask questions of both the officers and the driver before retiring to consider a decision.

**Resolved – That, having considered all of the issues raised at the meeting, the committee notes that the driver has prior to the offence held a clean driving record, and took into consideration the facts submitted from the representative, therefore the members wish to depart from the Council's Policy and the committee has determined that the drivers private hire and hackney carriage joint driver's licence is to be suspended for 3 months and in the interests of public safety that is with immediate effect. The committee would like the driver to reflect on the seriousness of the offence and hope that there will be no cause to question that the driver is a fit and proper person in the future.**

#### **34 Report Relating to a Licensed Private Hire Driver (AM)**

The Licensing Manager, on behalf of the Executive Director (Legal and Democratic Services), submitted a report informing the committee of relevant issues relating to an existing hackney carriage and private hire joint licence for driver (AM).

Options presented to Members were; suspend or revoke the hackney carriage and private hire joint drivers licence, issue a warning or to take no further action.

The driver's history was discussed with the committee as set out in the report, Hyndburn first issued the driver a private hire driver's licence in 2017, and the driver had a private hire driver's licence with another authority in 2022, which was revoked in 2025 due to dishonesty and inappropriate conduct towards female passengers. In 2024 the driver had also been permanently removed from UBERs operating platform as he had been subject to three independent complaints submitted to UBER from lone female customers claiming inappropriate conduct, and later an attempt to reactivate his account was made by a third party on his behalf using a falsified DVLA licence.

The driver and a representative (Mr Mike Thorpe) attended the committee to discuss the circumstances leading up to attending the committee today. The driver had held a clean driving licence throughout his time as a private hire and hackney carriage driver. The driver felt he did not receive confirmation as to why his licence was revoked from Wolverhampton Licensing Authority. The driver also confirmed he did not attend the appeal meeting at Wolverhampton Licensing Authority. The driver also confirmed that following the revoke of the licence he then tried to reactivate his private hire account with UBER through a third party.

Members were given the opportunity to ask questions of both the officers and the driver before retiring to consider a decision.

**Resolved – That, having considered the issues raised at the meeting, the committee felt the actions the driver had taken and the complaints lodged against him questioned his trustworthiness when dealing with members of the public and the dishonesty shown in an application submission did not warrant any justifiable reasons to depart from the Council’s Policy. Therefore, the committee determined that the driver was not a fit and proper person to hold a hackney carriage and private hire joint driver’s licence and revoked the licence and in the interests of public safety did so with immediate effect.**

**35 Report Relating to a Licensed Private Hire Driver (AsM)**

The Licensing Manager, on behalf of the Executive Director (Legal and Democratic Services) submitted a report outlining the details of the driver (AsM) and their private hire and hackney carriage joint driver’s licence.

The Licensing Manager apologised to the driver, as there had been some errors in the report where reference was made to a different driver, and these were corrected for the record.

The driver had held a licence with Hyndburn Borough Council since 2002 and is due to expire in January 2028.

The driver had recently contacted the Licensing department to inform them of a conviction on his licence, was subsequently interviewed by the department, and discussed the circumstances of the incident.

Mr Munsif Dad represented the driver who is a constituent in his ward. He confirmed the driver had held a licence since 1996, (unfortunately the Council records only refer back to 2002), and it had been clean to date, very honest contacting the Licensing department and the conviction being an error in judgement. A character reference was supplied on behalf of the driver.

The driver spoke at the committee to explain the circumstances and apologised, as he felt shameful it had come to this committee also.

Members were given the opportunity to ask questions of both the officers and the driver before retiring to consider a decision.

**Resolved – That, the committee takes any driving offence very seriously but following the information received they felt there were exceptional circumstances put forward to depart from the Council’s Policy and not revoke the drivers licence. The committee decided that the driver would be issued a written warning and that he must attend a driver awareness course within 6 months of the decision.**

Signed:.....

Date: .....

Chair of the meeting  
At which the minutes were confirmed