

TAXI LICENSING COMMITTEE (PRIVATE HIRE AND HACKNEY CARRIAGE LICENSING)

Wednesday, 8th July, 2026

Present: Councillor Melissa Fisher (in the Chair), Councillors Vanessa Alexander (Vice Chair), Heather Anderson, Sohail Asghar and Jordan Fox

Apologies Mohammed Younis

58 Apologies for absence, Substitutions, Declarations of Interest and Dispensations

Apologies for absence were submitted on behalf of Councillor Mohammed Younis.

59 Minutes of Last Meeting

The Minutes of the Judicial Committee (Private Hire and Hackney Carriage) held on the 8th of July 2025, were submitted for approval as a correct record.

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

60 Licensing Procedure 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.

61 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.

62 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.

63 Report Relating to a Licensed Private Hire Driver (MUH)

The Licensing Manager, on behalf of the Executive Director (Legal and Democratic Services), submitted a report to enable members to consider whether to grant a renewal of driver (MUH) private hire and hackney carriage joint drivers licence.

Options presented to Members were; refuse to renew or take no further action and renew the Joint Driver's Badge.

The driver has held a licence with the Council since the 5th April 2017. His current licence expired on the 6th April 2026, and the application to renew his licence was received on the 27th February 2026.

It was noted that one of the mandatory checks carried out as part of a renewal of a Driver's Licence, is a check against the National Register of Refusals, Revocations and Suspensions (NR3s). The NR3s check revealed that the driver had held a Private Hire driver's Licence with Rossendale Council, which was revoked on the 14th May 2025.

Rossendale took the decision to revoke the Driver's Licence following a complaint on the 19th December 2024 alleging that he had been smoking in a smoke free place, contrary to Section 7 of the Health Act 2006.

Following their investigation, it was proven that the driver had been smoking in his licenced vehicle prior to 19th December 2024 a total of 50 times. On the 19th December 2024, the driver had been warned that he had been seen smoking in his vehicle but he lied about the frequency in his response to Rossendale Licensing Officers. After this warning, he continued to smoke in his vehicle on a further 43 occasions.

The driver appeared in front of a Licensing Committee at Rossendale council on 23rd April 2025 where his private hire driver licence was revoked.

The Driver (MUH) held a joint driver licence with Hyndburn Borough Council since 5th April 2017, and a private hire vehicle licence since 22nd August 2025 (after his licence was revoked in Rossendale).

On the 28th May 2026, a Hyndburn Borough Council Licensing Enforcement Officer visited the driver at his home address to inspect his vehicle. On inspection it was clear that smoking had recently taken place inside the vehicle. The Enforcement Officer provided a statement to the committee.

The driver did not attend the committee meeting despite the Licensing Team attempting to contact him on numerous occasions.

Members were given the opportunity to ask questions of the officer before retiring to consider a decision.

Resolved - That, having considered the issues raised at the meeting, 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 refused to renew his licence.

The committee noted that the driver failed to disclose the revocation of his licence by Rossendale Borough Council to this Council.

The committee also noted that in May this year an enforcement officer from Hyndburn Borough Council visited the driver and found clear evidence that he had continued to smoke in his vehicle, now licenced in this borough, despite the previous actions by Rossendale Borough Council.

This showcases an alarming pattern of behaviour and a clear disregard for the rules.

Finally, the committee noted that the driver failed to attend this meeting, without offering any explanation why, despite being invited and chased by Licensing officers. Therefore, there have not been any representations or explanations for the drivers actions.

64 Consideration of a grant of a private hire and hackney carriage joint driver's licence (MW)

The Senior Licensing Officer, on behalf of the Executive Director (Legal and Democratic Services), presented a report which required Members to determine whether to grant an application for a private hire and hackney carriage joint driver's licence.

She provided relevant information relating to why the Committee had been asked to consider the matter and what action could be taken in respect of granting the applicant a private hire and hackney carriage joint driver's licence. She gave details of the applicant's previous history and informed that the applicant declared that he had 6 points on his DVLA driving licence.

The Committee was referred to the Council Policy on determining the suitability of those in the hackney carriage and private hire trade and advised that the policy should only be departed from in exceptional circumstances.

The applicant was given the opportunity to provide the Committee with a response and explained that he had fallen victim to a scam. He declared that the points were given as a result of driving without insurance but until this occurred, he was under the impression that he had a valid policy.

The applicant expressed his apologies and explained that the incident was unintentional, and that he had placed his trust in someone who had deceived him.

Committee Members were given the opportunity to ask questions of both the officers and the applicant before being requested to consider the representations made at the meeting and the issues raised in the report. They were asked to determine whether the applicant was a fit and proper person to hold a private hire and hackney carriage joint driver's licence.

After retiring to consider its decision, the Committee came to the following determination:

Resolved – That, having considered the matters contained in the report and the representation made by the applicant along with the Council's Policy on determining the suitability of applicants and licensees in the hackney carriage and private hire trade, the Committee determined that the application should be refused.

The committee noted that it should not grant a licence to drive a Hackney carriage or Private Hire vehicle unless it is satisfied that the applicant is a 'fit and proper person'.

The Council's Policy states that "A major traffic or vehicle related offenceincludes driving without insurance or any offence connected with motor insurance. Where an applicant has a conviction for a major traffic offence or similar

offence, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed”.

As the applicant’s relevant sentence was issued in 2024, the Council’s policy on determining the suitability of hackney carriage and private hire drivers points to refusal of the licence application, and the committee noted that it should only depart from this policy when there are clear and compelling reasons to do so.

Signed:.....

Date:

Chair of the meeting
At which the minutes were confirmed