

## General Licensing Committee

A meeting of General Licensing Committee was held on Thursday 2nd April 2026.

**Present:** Cllr Eileen Johnson (Chair), Cllr Mick Moore (Vice-Chair), Cllr Jim Beall, Cllr Marc Besford, Cllr Robert Cook, Cllr John Coulson, Cllr Lynn Hall (Sub for Cllr Jason French), Cllr Elsi Hampton, Cllr Mrs Ann McCoy, Cllr Andrew Sherris, Cllr Marilyn Surtees and Cllr Hilary Vickers

**Officers:** Junita Agyapong, John Devine, Adam Harston, Natalie Hodgson, Jamal Mahmood, Leanne Maloney-Kelly, Niall Watson and Sarah Whaley

**Also in attendance:** Driver - 155051, Simon Walker (Driver 155051) and Applicant - 160556

**Apologies:** Cllr Diane Clarke OBE, Cllr Jason French and Cllr Hugo Stratton

### **GLC/1/26 Evacuation Procedure**

The evacuation procedure was noted.

### **GLC/2/26 Declarations of Interest**

There were no declarations of interest.

### **GLC/3/26 Exclusion of the Public**

RESOLVED that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act.

### **GLC/4/26 Combined Hackney Carriage and Private Hire Driver - 155051**

Members were asked to consider and determine the continued fitness of combined hackney carriage and private hire driver - 155051, who was currently suspended, due to evidence indicating that he operated a mobile phone whilst driving.

Combined hackney carriage and private hire driver – 155051 and his representative Mr Walker attended the meeting and were given the opportunity to make representation.

Committee papers and reports had been provided to all relevant parties prior to the meeting.

The report detailed the following:

- various screenshots of CCTV footage relating to combined hackney carriage and private hire driver – 155051.

- a copy of a delegated decision and suspension letter, suspending combined hackney carriage and private hire driver – 15505's taxi licence.
- a copy of an interview transcript between combined hackney carriage and private hire driver – 155051 and licensing officers.
- a copy of a second interview transcript between combined hackney carriage and private hire driver – 155051, his representative and licensing officers.
- a copy of an image showing carriage and private hire driver – 155051 driving a vehicle.
- a copy of an officer statement relating to the use of AI in combined hackney carriage and private hire driver – 15505's videos.

The Chair introduced everyone present and explained the procedure to be followed during the hearing.

Combined hackney carriage and private hire driver – 155051 and his representative Mr Walker appeared before the Committee for Members to determine what action to take and whether on the balance of probabilities combined hackney carriage and private hire driver – 155051 remained a fit and proper person to hold a combined hackney carriage and private hire drivers' licence with this authority following the receipt of evidence indicating that he had operated a mobile phone whilst driving.

Members were presented with the officers' report. Both Members, the applicant – 155051 and his representative were given the opportunity to ask questions of the officers report.

The licensing officer also presented the Committee with various clips of video footage of what appeared to show combined hackney carriage and private hire driver – 155051 using his mobile phone whilst driving and also posting footage of members of the public on social media without their knowledge or consent.

The main topics discussed were as follows:

- Combined hackney carriage and private hire driver – 15505's representative explained each piece of footage shown to the Committee and refuted claims that his client, combined hackney carriage and private hire driver – 155051 was driving whilst using his mobile phone.
- It was explained that combined hackney carriage and private hire driver – 155051 had three different cameras set up in his car. Two which recorded inside his taxi for safeguarding himself and passengers which was policy recommended, and his own GoPro camera which he used for filming outside of his car and which he used for his TikTok account. The footage captured on his GoPro camera automatically sent the footage to his mobile phone which was edited and uploaded to his TikTok account when he was not driving.
- All cameras were hands free as they were mounted in his car.

- Members heard that combined hackney carriage and private hire driver – 155051 liked to make TikTok videos for fun as a hobby and in some cases used AI technology.

- Combined hackney carriage and private hire driver – 155051's representative highlighted to Members that his client was a family man, had no cautions, a full UK driving licence and had no complaints against him except for one which had been discredited, as detailed within the officers' report.

- Members questioned combined hackney carriage and private hire driver – 155051 about the footage they had seen, which included the following:

. a TikTok video zooming a camera in on a vehicle in front of him. The video appeared to have been recorded on a mobile phone, as it was in portrait orientation and included manual zooming.

. a TikTok video created and uploaded by combined hackney carriage and private hire driver – 155051 which showed footage of a horse and cart whilst combined hackney carriage and private hire driver – 155051 was driving.

. a TikTok video taken on a residential estate which was shaky and filmed horizontally displaying movement inconsistent with a fixed dashcam or hands free set up.

. a TikTok video showing combined hackney carriage and private hire driver – 155051 appearing to watch and react to another video whilst in a moving vehicle.

. a TikTok video showing combined hackney carriage and private hire driver – 155051 filming a video using a 'filter' over his face whilst holding a mobile phone or recording device whilst his vehicle appeared in motion.

. videos and screenshots showing examples of combined hackney carriage and private hire driver – 155051 creating videos of members of the public.

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- Combined hackney carriage and private hire driver – 155051's representative explained that any footage which showed external footage was taken from combined hackney carriage and private hire driver – 155051's GoPro which was mounted in his vehicle and would automatically send footage to his phone for editing and uploading later when he was not working. The footage of the horse and cart was not filmed by combined hackney carriage and private hire driver – 155051 but by his nephew from the passenger seat on combined hackney carriage and private hire driver – 155051's phone. In terms of footage which had shown members of the public, one of the clips was not filmed by combined hackney carriage and private hire driver – 155051, however he was sent the clip by a friend and combined hackney carriage and private hire driver – 155051 had regrettably uploaded the footage however explained the person in question had tried to steal from him. Regards other instances combined hackney carriage and private hire driver – 155051 informed the Committee that he had used AI to generate clips and with the agreement of the Chair proceeded to show the Committee how this was possible.

- Further questions and discussion were had around the footage which had been presented to the Committee with Members, combined hackney carriage and private hire driver – 155051's representative and licensing officers.

The Committee considered all of the information before them and listened to what combined hackney carriage and private hire driver – 155051 and his representative, and the officers had said to them.

After much deliberation and consideration of the submissions, the Committee had concluded that in this instance to reinstate combined hackney carriage and private hire driver – 155051 drivers' licence with a warning of combined hackney carriage and private hire driver – 155051's future conduct.

The Committee expressed to combined hackney carriage and private hire driver – 155051 that he must be careful what he uploads online, and the comments that he makes on the footage, as this could reflect badly on combined hackney carriage and private hire driver – 155051 as a driver, and on the Council as the licensing authority.

The Committee had therefore determined that combined hackney carriage and private hire driver – 155051 licence should be reinstated as they believed that he was a fit and proper person, however with the above warning be noted on combined hackney carriage and private hire driver – 155051's record.

RESOLVED that combined hackney carriage and private hire driver – 155051's suspension be lifted and his combined hackney carriage and private hire drivers licence be reinstated with a warning as detailed above

#### **GLC/5/26 Combined Hackney Carriage and Private Hire Driver – 160556**

Members were asked to consider and determine an application for a combined hackney carriage and private hire driver, from applicant - 160556 who had provided a DVLA Check Code showing a relevant conviction and currently did not meet the Stockton Borough Council private hire and hackney carriage licensing policy.

Applicant – 160556, attended the meeting and was given the opportunity to make representation.

Committee papers and reports had been provided to all relevant parties prior to the meeting.

The report detailed the following:

- A copy of applicant – 160556's application with a DVLA check code showing a code of IN10.
- A copy of an interview transcript between Licensing Officers and applicant – 160556.

The Chair introduced everyone present and explained the procedure to be followed during the hearing.

The Committee understood that the matter before them was to determine an application for a combined hackney carriage and private hire vehicle drivers' licence as detailed in the Committee report.

The Committee heard that a DVLA check code was received, as part of the usual application process, showing a live DVLA endorsement for the offence of 'using a motor vehicle uninsured against third party risks (IN10)' on 10th June 2024. The

Committee were told that the applicant received 6 penalty points for this offence and was fined £516.

The Committee heard that the Council's current policy stated that an application will normally be refused until at least four years after the most recent conviction, caution, reprimand, final warning or if the person was disqualified, after the restoration of their driving licence, whichever was the later. The Committee were told that four years from applicant – 160556's conviction date was November 2028.

The Committee were told that applicant – 160556 was interviewed during January 2026, by licensing officers, about the circumstances surrounding his conviction. The Committee heard that applicant – 160556 had explained that he was working for Uber Eats, delivering food, when his vehicle was caused to stop by police officers, who noted that applicant – 160556 was not insured. The Committee heard that applicant – 160556 said that he was using 'pay as you go' insurance at the time, through a company called Zego. The Committee were also told that applicant – 160556 stated in interview that he did not know that the payment for his insurance had been declined by his bank, and he was therefore inadvertently uninsured. The Committee heard that applicant – 160556 had confirmed to officers that he would not use this type of insurance again.

The Committee heard that in response to being asked if applicant – 160556 believed that he was a fit and proper person to hold a combined hackney carriage and private hire drivers' licence, applicant – 160556 explained that he had knowledge of this area and had previous experience as a taxi driver in Pakistan.

Members had regard to the Committee papers, which had been circulated prior to the hearing and presented to them.

Having carefully considered the written documentation before them and in reaching their decision, the Members had regard to the provisions of the Local Government (Miscellaneous Provisions) Act 1976. The Committee also had regard to the Council's Private Hire and Hackney Carriage Licensing Policy 2021 – 2026 ("the Policy").

The Committee noted that under section 51 Local Government (Miscellaneous Provisions) Act 1976, the Committee shall not grant a driver's licence unless they are satisfied that the applicant is a fit and proper person. When determining this matter, the Committee considered this application on its merits.

The Committee had regard to Appendix E of the Policy, particularly section B; "If an applicant has an endorsement in respect of a major traffic offence then the application will normally be refused until at least four years after the most recent conviction, caution, reprimand, final warning or if the person was disqualified, after the restoration of their driving licence, whichever is the later".

The Committee understood that offence of 'using a motor vehicle uninsured against third party risks' was listed as a major traffic offence under the Policy.

The Committee members were not satisfied that they would allow people for whom they care to enter a vehicle with applicant – 160556 due to his previous conviction for 'using a motor vehicle uninsured against third party risks' in 2024.

The Committee did not feel that there were any exceptional reasons before them to depart from the Policy that applicant – 160556 should demonstrate four years free from conviction from November 2024. The Committee noted that, without further conviction, that would be November 2028 at the earliest.

Ultimately, the Committee did not believe that applicant – 160556 was a fit and proper person to hold a combined hackney carriage and private hire vehicle drivers' licence.

The Committee were satisfied that applicant – 160556's application should therefore be refused.

RESOLVED that applicant –160556's application for a combined hackney carriage and private hire vehicle drivers' licence be refused for the reasons as detailed above.

Chair: .....