



LICENSING SUB-COMMITTEE (TAXIS)

**Determination of action to be taken
following an investigation in respect
of a licensed private hire driver and
operator**

Decision Record

DATE OF HEARING: Thursday, 22 January 2026

MEMBERS SITTING: Cllrs Craig Card, Sue Carter and
Jacqui Vosper (Chair)

DECISION

1. To revoke the private hire driver's licence with immediate effect on grounds of public safety;
2. To revoke the operator's licence;
3. The Sub-Committee's decision is made in accordance with the provisions of Section 61 of the Local Government (Miscellaneous Provisions) Act 1976, Rushmoor Borough Council's Taxi Licensing Policy, and the relevant guidance and statutory standards from the Department for Transport.

REASONS

1. The Licence Holder did not attend the hearing; he confirmed he was content for it to proceed in his absence. The Licence Holder did not provide any additional representations in advance of the hearing.
2. The Sub-Committee listened carefully to the representations of the Rushmoor Borough Council Licensing Manager, Shelley Bowman at the hearing.
3. The Sub-Committee confirmed that it had read and carefully considered the report of the Licensing Manager including the evidence provided. The Sub-Committee asked questions of Aimee Carpenter, who had attended the visit to the premises together with Trading Standards.
4. The Sub-Committee had read the report in this case and had regard to both the Council's current Taxi Licensing Policy & Guidance and relevant guidance from the Department for Transport.
5. The Sub-Committee had regard to its duty under the Human Rights Act 1998 and believes that its decision is reasonable, proportionate and not excessive in the circumstances. The Sub-Committee fairly balanced the interests of the Licence Holder, the concerns of the Licensing Authority, and the safety of the public.
6. Whilst the Licence Holder had cooperated with the investigation, the Sub-Committee found that he was not forthcoming in the interview. The Licence Holder did not provide comprehensive explanations to all questions put to him.
7. The inspection at the Licence Holder's premises found evidence that several offences of varying seriousness

appear to have been permitted to take place.

8. Taxi Drivers and Operators are expected to be people of trust and to comply with the relevant policies and legislation in order to safeguard their passengers. The illicit products seized and the Licence Holder's failure to take action to comply with other licensing legislation, in respect of his other business, raised concerns that he would not comply with the policies and legislation relevant to his role as a taxi driver and operator.
9. The nature and amounts of the products found in the premises raised further concerns as to the intention and need for having them there. In all the circumstances, it was not appropriate for the products to be present.
10. The Sub-Committee also considered the issues identified in the Rotherham Inquest. Whilst there was no evidence that any exploitation is taking place, the Licence Holder had failed to give a legitimate reason for the presence of the products and the amounts found.
11. This put into question the Licence Holder's fitness and propriety to run a regulated business and comply with legislation.
12. The Sub-Committee also posed itself the following question in line with the Council's Taxi Licensing Policy in considering if the Applicant was a fit and proper person to hold a private hire driver's licence:

"Without prejudice and based on the information before me, would I allow any person for whom I care, regardless of their condition, to travel alone in a vehicle driven by this person at any time of day or night?"
13. The Sub-Committee found that they would not allow a person for whom they cared, to travel in a taxi with the Licence Holder.
14. The Sub-Committee determined that both the Private Hire & Operator's Licence should be revoked.
15. On Public Safety grounds the Private Hire Licence is revoked with immediate effect.

Right of Appeal

16. Section 52 of the Local Government (Miscellaneous Provisions) Act 1976 provides that any driver aggrieved by a decision of a District Council to refuse a Hackney Carriage and/or private hire driver's licence may appeal to a Magistrates Court. Section 300 of the Public Health Act 1936 provides that any such appeal may be made within

twenty-one days from the date on which notice of the Council's requirement refusal, or other decision is served.

17.S.61 (2B) of the Act states that if it appears that the interests of public safety require the suspension or revocation of the licence to have immediate effect, and the notice given to the driver under subsection (2)(a) of this section includes a statement that that is so and an explanation why, the suspension or revocation takes effect when the notice is given to the driver.