

Witness Name: Mark Toohey

Exhibits: MT/01 – MT/07

Dated:.....^{12 August 2025}

THE SOUTHPORT INQUIRY

FIRST WITNESS STATEMENT OF MARK TOOHEY

I, Mark Toohey, will say as follows: -

INTRODUCTION

1. I am Mark Toohey and I am employed by Sefton Metropolitan Borough Council '**the Council**'. My role at the Council involves managing the daily operation of the taxi licensing functions including the taxi licensing enforcement team, liaison with the customer services team (who issue licences on behalf of the Council) and preparation of reports for committee concerning fees and policies. My background includes working as a Principal Trading Standards Officer with Sefton since 2005 and later became responsible for Taxi Licensing functions around 2010. I have worked in local government for various local authorities since 1992 as an enforcement officer and became a Trading Standards Officer in 2000 after obtaining the Diploma in Trading Standards qualification. Since the event that took place on 29th of July 2024 my role has not changed.
2. This witness statement is made to assist the Southport Inquiry (the "**Inquiry**") with the matters set out in the Rule 9 Request dated 29th of July 2025.

BACKGROUND

3. I have been asked by the inquiry to assist with matters relating to the licensing framework and policies/guidance in relation to licensed operators and drivers along with providing specific licensing details for **TD1** and One Call Taxis Ltd. I have also been asked to consider the delay by the driver in reporting the events to the Police and the sharing of information between operators and parents whose children have made bookings.

LEGAL FRAMEWORK SURROUNDING LICENSING AND SEFTON'S ROLE

4. Licensed drivers, vehicle owners and operators are primarily governed by the Local Government (Miscellaneous Provisions) Act 1976, the Road Traffic Act 1988 and the Town Police Clauses Act 1847 as well as government issued statutory standards and other legislation that sets out certain requirements and recommends minimum standards aimed at increasing passenger safety.
5. The Local Government (Miscellaneous Provisions) Act 1976 allows the Council to set out local conditions as deemed necessary and are appropriate to ensure drivers and operators are 'fit and proper' and vehicles are of an appropriate design, condition and are safe to ensure the safety of passengers and other road users.
6. The Council investigates allegations regarding drivers to determine if a driver remains fit and proper and licensed vehicles are subject to inspections to ensure they comply with current conditions. The enforcement team conduct checks with operators to ensure proper and full records are kept relating to all booked journeys. Any driver who breaches conditions or examples of inappropriate behaviour can be dealt with by way of warning, suspension or revocation of licence.
7. The operator concerned in this case (One Call Taxis Ltd) has been licensed by Sefton since 05/12/19 and is currently licensed until 02/07/28. I exhibit a copy of the current licence as **MT/01 - SEF000163** Operator licence applicants must disclose if they (or signatory or company officer) have convictions that breach the Council's Statement of Policy and Guidelines Relating to the Relevance of Convictions (Annex 1 of the handbook). I exhibit the current convictions policy as **MT/02- SEF000164** The Council will then determine whether it considers an applicant or company to be fit and proper to

hold a licence.

8. **TD1** has been a licensed driver with Sefton Council since February 2012 and I exhibit a copy of his current driver licence as **MT/03 - SEF000165**. **TD1** has also held a licence for various private hire vehicles since 2012 and I exhibit a copy of his current vehicle licence as **MT/04 - SEF000166**. I produce in evidence a copy of the vehicle licence that was in force on 29/07/24 as **MT/05 - SEF000167**
9. When **TD1** applied to become a Sefton licensed driver, the following checks or requirements were applicable:
- Enhanced DBS check – check for convictions that would have breached council policy at the time
 - Medical declaration from applicants GP stating that they are fit to drive a vehicle
 - DVLA entitlement check
 - Routes knowledge test
 - VRQ level 2 qualification in ‘Transporting Passengers by Taxi and Private Hire’ (this later became the VRQ level 2 ‘Introduction to the role of the professional taxi and private hire driver’)
10. All documentation relating to the 2012 application made by **TD1** and any notes regarding the decision made to issue a driver licence to him are no longer available as the retention policy for driver documents is 5 years.
11. Since 2012, further checks regarding HMRC registration, a ‘right to licence’ immigration check, a more stringent group 2 medical and a test of conditions (handbook) are now part of the assessment. The current convictions policy was updated in 2024 to reflect the guidance contained in the statutory taxi and private hire vehicle standards which I exhibit as **MT/06 - SEF000168**

GUIDANCE THAT ASSISTS THE COUNCIL IN PERFORMING ITS ROLE

12. The taxi licensing handbook, version 3.3, was approved by the Licensing & Regulatory Committee on 11 March 2024 and is currently the main document that summarises relevant standards and policies that have been adopted by the Council. I now produce in evidence a copy of the Council’s taxi licensing handbook version 3.3 as **MT/07 -**

SEF000169

13. Part 2 of the handbook (relating to drivers) states the following:

"When driving for hire or reward the driver is required to:

- Carry out basic checks irrespective of who owns the vehicle to ensure fluid levels, tyres, brakes and obligatory lights are in good order and functioning correctly prior to commencing work;*
- Adhere to the conditions of the licence of the vehicle being driven;*
- Be clean and behave in a respectable, civil and orderly manner;*
- Take all reasonable steps to ensure the safety of passengers, (this may include a refusal to drive off unless the passengers are wearing seatbelts);*
- Upon request convey a reasonable quantity of luggage and give reasonable assistance in loading and unloading;*
- Upon request afford reasonable assistance to a wheelchair passenger to enter, be carried in and alight safely from the vehicle, (reasonableness has to be determined on a case by case basis);*
- Not play any media device without the express consent of the hirer, (exception – two way radio system);*
- Provide a written receipt of any fare paid upon request;*
- The driver of a private hire vehicle shall immediately after the termination of any hiring or as soon as reasonably practicable thereafter search the carriage for any property which may have been accidentally left therein. Any property found must be reported to the Police or returned to the rightful owner within 48 hours."*

"As members of the general community, drivers of hackney carriages and private hire cars are in a good position to help to keep children and young people safe. Drivers work with all sorts of members of the public, and will often see things that seem strange or troubling, but they do not necessarily know what to do about it. The following advice is given in order to help licensed drivers to help us protect the children and young people in our area"

and

"If a driver should see anything similar to the above, or anything that gives them a sense of real unease about a child, then they should ring the Multi Agency Safeguarding Hub, (the MASH) and report their concerns. The number for the MASH is 0345 140 0845. If,

of course, you feel a child or young person is in serious danger of immediate harm, you should call the emergency Police telephone number 999”

And

“PLEASE REMEMBER THAT YOU ARE IN A GOOD POSITION TO NOTICE THINGS THAT COULD BE STOPPED IF REPORTED AND HELP KEEP CHILDREN AND YOUNG PEOPLE SAFE. “

14. The 2024 handbook has a section on safeguarding which was added in 2015, encouraging the reporting of concerns to the safeguarding hub or in cases of serious danger or immediate harm, to call 999:
15. All drivers are expected to read and understand the current handbook of conditions and these additional paragraphs were included after discussions with the Council’s safeguarding team. All licence applicants, when completing their online application form for a driver and vehicle licence are asked the following question upon applying for a driver or vehicle licence: “Please confirm that you are aware that the “Licensing Scheme Handbook” is available online” with a link to the handbook and any application can only proceed once the “I confirm” option has been selected.
16. The handbook is designed to be an all-encompassing document that brings together legislation and policy and as such there are no other relevant guidance documents to consider.
17. Prior to 2024, the primary focus of conditions and policy has been to protect passengers and other road users and the wider question of placing a duty on drivers to report crimes witnessed has not previously been considered nor ever included as part of the conditions of licence.
18. Since the requirement to complete the VRQ level 2 ‘Introduction to the role of the professional taxi and private hire driver’ came to an end in 2023, the Council introduced the knowledge of conditions test which requires all new applicants to read, understand and pass a test of the current conditions in the handbook. The VRQ did not cover safeguarding or the reporting of crimes witnessed and no refresher training was available although the test on conditions includes all aspects of the handbook including safeguarding.
19. The Council is now in the process of establishing a training programme that will include safeguarding, child sexual exploitation, human trafficking, county lines, disability awareness and general conditions of licence. I am not aware of any training currently given by any council to drivers to encourage the wider reporting of any crimes witnessed.

COUNCIL POLICY SURROUNDING REPORTING INFORMATION OF UNDER 18S WHO USE PRIVATE HIRE VEHICLES

20. Parts 4 and 8 of the handbook cover conditions applicable to any licensed operator and mainly relates to premises, advertising/signage, convictions and record keeping. There are no conditions or guidance issued to operators that cover the situation regarding the sharing of information with parents making enquiries when a person under 18 makes a booking. Such a situation would currently be left to the discretion of the firm to handle.

MATTERS REGARDING THE DRIVER ON THE EVENTS OF 29TH OF JULY 2024

21. As previously stated, **TD1** is still currently a licensed driver with Sefton Council. Although his details as the driver involved became public knowledge after 29 July, as I understand it, the Council were not made aware of any concerns relating to the behaviour of **TD1** during and following the attacks. As such, no changes to policy have been considered or made. There are no recorded complaints against **TD1** in the taxi licensing team database.

CHANGES SINCE THE EVENTS OF 29TH OF JULY 2024

22. No changes to taxi licensing policy or guidance have yet been made since the events of 29/07/24.
23. I would recommend that consideration is given to including in the training provided to all drivers the reporting of criminality that has been witnessed and this training be mandatory for all new and existing drivers. I would also recommend that periodic refresher training regarding safeguarding and any changes to legislation or council policies every 3 years be incorporated as a condition of licence. I would further recommend a review of operator conditions to consider the issues raised by this Inquiry.
24. The Council is currently considering the procurement of a training course programme to be delivered by an outside training provider for all drivers. The training would be conducted in person and would include a test and all new drivers would be required to complete the training before receiving their first licence with existing drivers required to undertake the training before being relicensed. The contents of the course would include subjects such as safeguarding (including child sexual exploitation), county lines and disability awareness as well as highlighting Council policies. The training programme will be subject to a procurement exercise and is planned to be introduced within the 2025/26 financial year.

Statement of Truth

I believe that the facts stated in this witness statement are true. I understand that proceedings many brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signature

Signed:.....

Dated:..... 12 August 2025

Index to the Witness Statement of Mark Toohey

Exhibit No.	Inquiry reference No.	Document description
MT/01	SEF000163	Operator Licence for One Taxis Ltd
MT/02	SEF000164	Policy and Guidelines Relating to the Relevance of Convictions (Annex 1 of the handbook)
MT/03	SEF000165	TD1 's Drivers Licence
MT/04	SEF000166	TD1 's Current Vehicle License
MT/05	SEF000167	TD1 's Vehicle Licence in force on 29/07/2024
MT/06	SEF000168	Statutory Guidance for Statutory Taxi and Private Hire Vehicle Standards
MT/07	SEF000169	Council's taxi licensing handbook version 3.3 approved on 11 March 2024