

To: Councillor Woodward (Chair);  
Councillors Dennis, D Edwards,  
Livingston, McDonald and Skeats.

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26 January 2018

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#### NOTICE OF MEETING - LICENSING APPLICATIONS SUB-COMMITTEE 3 - 8 FEBRUARY 2018

A meeting of Licensing Applications Sub-Committee 3 will be held on Thursday 8 February 2018 at 6.30pm in the Council Chamber, Civic Offices, Bridge Street, Reading. The agenda for the meeting is set out below.

#### AGENDA

	WARDS AFFECTED	PAGE NO
1. DECLARATIONS OF INTEREST		-
Councillors to declare any disclosable pecuniary interests they may have in relation to the items for consideration.		
2. MINUTES OF THE MEETINGS OF LICENSING APPLICATIONS SUB-COMMITTEE 3 HELD ON 9 JANUARY 2018		1
To confirm the Minutes of the Licensing Applications Sub-Committee 3 meetings held on 9 January 2018.		
3. QUESTIONS		-
Questions submitted pursuant to Standing Order 36 in relation to matters falling within the Committee's Powers & Duties which have been submitted in writing and received by the Head of Legal & Democratic Services no later than four clear working days before the meeting.		

*CIVIC OFFICES EMERGENCY EVACUATION: If an alarm sounds, leave by the nearest fire exit quickly and calmly and assemble on the corner of Bridge Street and Fobney Street. You will be advised when it is safe to re-enter the building.*

4. UPDATE ON WORK CARRIED OUT BY LICENSING IN BOROUGHWIDE 5  
2017

To receive a report on the work carried out by licensing officers during 2017.

At this point, the following motion will be moved by the Chair:

“That, pursuant to Section 100A of the Local Government Act 1972 (as amended) members of the press and public be excluded during consideration of the following item on the agenda, as it is likely that there would be disclosure of exempt information as defined in the relevant Paragraphs of Part 1 of Schedule 12A of that Act”

	WARDS AFFECTED	PAGE NO
5. APPLICATION FOR THE GRANT OF A PRIVATE HIRE (SCHOOL TRANSPORT) VEHICLE OPERATOR'S LICENCE - WHITEKNIGHTS TRAVEL LIMITED, WHITEKNIGHTS ROAD, READING	BOROUGHWIDE	8
6. APPEALS AGAINST ALLOCATION OF PENALTY POINTS ON PRIVATE HIRE VEHICLE DRIVER'S LICENCE	BOROUGHWIDE	22

## LICENSING APPLICATIONS SUB-COMMITTEE 3 MINUTES - 9 JANUARY 2018

**Present:** Councillor Livingston (Vice-Chair in the Chair);  
Councillors Dennis and Skeats.

**Apologies:** Councillors Woodward (Chair), D Edwards and McDonald.

### 21. MINUTES

The Minutes of the meetings held on 1 November and 5 December 2017 were confirmed as correct records and signed by the Chair.

### 22. PROPOSED CHANGES TO THE HACKNEY CARRIAGE VEHICLE MERCEDES VITO EURO 4 TAXI SPECIFICATION

The Director of Environment and Neighbourhood Services submitted a report asking the Sub-Committee to consider changes to the existing Hackney Carriage Mercedes Vito Euro 4 Taxi. On the 1 October 2008 the Sub-Committee (Minute 17 refers) had approved the use of the Mercedes Vito taxi; this new vehicle met the conditions of fitness set out by the Public Carriage office.

The report stated that there were 8 Mercedes Vito Euro 4 taxis on the fleet in Reading. Over the past four years an issue had developed with the rear wheel steering (RWS). It appeared that the construction of the RWS was not fit for purpose, kept breaking down and was difficult and expensive to repair. Mr Raja, the owner of a number of Vito's had requested that the Council adopt the approach taken by Manchester City Council, which had approved the removal of the RWS and the fixing of wheels to full-wheel alignment. A copy of the Manchester City Council report on the matter and Mr Raja's request were attached to the report at Appendix II.

The report stated that the Mercedes Vito Euro 5 taxi had a RWS system but the RWS issues had been resolved.

Officers commented that the issue of problem RWS had been around for a number of years and it was possible that the first owners of the Vito would not have known of the RWS issue however subsequent Vito owners may have known about the problem. The manufacturer was now aware of the problem and was in the process of resolving the issue. If the Council permitted vehicles to the fleet which were not to the London standard of fitness the Council may come under pressure to licence other vehicles that were below the required standard. Also, existing Hackney Carriage Vehicle owners may buy cheaper Euro 4 models in the knowledge that the Council would allow them to be decommissioned should that be agreed.

The Reading Taxi Association had indicated that it was not in favour of altering the existing conditions; a copy of their response was attached to the report at Appendix III. Correspondence between officers and Mercedes Benz Vans Ltd was attached to the report at Appendix IV and V.

13 hackney carriage vehicle drivers were present at the meeting, a number of whom addressed the Sub-Committee both for and against making changes to the existing criteria.

### Resolved -

That no changes be made to the existing vehicle specification.

**23. REVISION OF PRIVATE HIRE AND PRIVATE HIRE (SCHOOL TRANSPORT) DRIVER AND VEHICLE CONDITIONS AND VEHICLE SPECIFICATIONS**

The Director of Environment and Neighbourhood Services submitted a report asking the Sub-Committee to consider changes to the specification and conditions relating to private hire vehicles and school transport vehicles. The specifications and conditions had been reviewed by officers and some sections which related to seating required removal or replacement to bring them up to date. The suggested amendments also removed unnecessary and old conditions and corrected some wording.

The report stated that the current conditions and specifications relating to private hire vehicles and school transport vehicles had last been amended in 2013 to permit alternative fuel vehicles to be licensed, minimum engine sizes to be removed, to align the vehicles allowed with European standard classifications and changes to window tint specifications to bring them in line with modern manufacturing. The private hire trade had been consulted regarding the proposed changes to the specifications and conditions and no objections had been received; one response was received from an operator who stated they were happy with the changes.

**Resolved -**

That the following changes to the specifications and conditions be made:

**School Transport Vehicle Specification 2**

**Current wording**

2) No vehicle shall be licensed unless it can carry a minimum of 4 passengers.

**New wording**

2) The vehicle must be capable of carrying no more than 8 passengers.

**Private Hire Vehicle Specification 11 and School Transport Vehicle Specification**

**6**

**Current wording**

11) New vehicles will only be licensed which fall within the following Euro NCAP or European Classification groups as set below:

- Large Family
- Executive
- Small MPV (4 passengers only)
- Large MPV
- European Commission Classification D,E,F & M
- Small MPV's will only be licensed to carry 4 passengers

**New wording**

11) New vehicles will only be licensed which fall within the following Euro NCAP or European Classification groups as set below:

- Large Family
- Executive

## LICENSING APPLICATIONS SUB-COMMITTEE 3 MINUTES - 9 JANUARY 2018

- Small MPV (will only be licensed to carry a maximum of 4 passengers)
- Large MPV
- European Commission Classification D,E,F & M

### School Transport Vehicle Condition 15

#### Current wording

15) The vehicle must comply with the following minimum requirements:

(i) rear height (seat to roof measured from point of contact between seat cushion and back of seat) 30" (76cm)

NB If a seat has been replaced by a space for a wheelchair, see Condition 6.10.vii for minimum rear height requirements

(ii) depth of seat 17.5" (45cm)

(iii) knee space (back of front seat to squab) 21.5" (55cm)

(v) at least three passenger doors in addition to the driver's door.

(vi) the vehicle must be suitable for the school transport route covered

#### New wording

15) The vehicle must be suitable for the school transport route covered.

### School Transport Vehicle Condition 18

#### Current wording

18) No vehicle shall be licensed unless it can carry a minimum of four passengers (excluding the driver) and shall provide a minimum clear seat width for each passenger of 16 inches.

#### New wording

18) The proprietor of any vehicle that is licensed must inform the council prior to any changes they propose to the interior layout of seating.

## 24. EXCLUSION OF THE PRESS AND PUBLIC

### Resolved -

That, pursuant to Section 100A of the Local Government Act 1972 (as amended), members of the press and public be excluded during consideration of the following items of business as it was likely that there would be disclosures of exempt information as defined in paragraphs 1, 2 and 3, specified in Part 1 of Schedule 12A (as amended) to that Act.

25. APPLICATIONS FOR THE GRANT, RENEWAL, SUSPENSION OR REVOCATION OF HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVER LICENCES

The Director of Environment and Neighbourhood Services submitted a report asking the Sub-Committee to consider the suspension or revocation of a private hire vehicle driver's licence.

A summary of the circumstances of the case was appended to the report.

AA was not present at the meeting and the application was considered in his absence.

**Resolved -**

- (1) That the three year private hire vehicle driver's licence in respect of AA remain in force but that his licence be suspended for 21 days, with effect from 21 days' notice being given of the Sub-Committee's decision, by reason of:
  - (a) the nature of his offences, as detailed in the report;
  - (b) his breaches of licence conditions, as detailed in the report;
  - (c) any other reasons identified: the written representations that set out how he had behaved in a dishonest manner.

(Exempt information as defined in paragraph 1, 2, 3 and 5)

(The meeting started at 6.30pm and closed at 8.00pm)

READING BOROUGH COUNCIL

REPORT BY DIRECTOR OF ENVIROMENT AND NEIGHBOURHOOD SERVICES

TO:	LICENSING APPLICATIONS SUB-COMMITTEE 3		
DATE:	8 FEBRUARY 2018	AGENDA ITEM:	4
TITLE:	UPDATE ON WORK CARRIED OUT BY LICENSING IN 2017		
LEAD COUNCILLOR:	CLLR HACKER	PORTFOLIO:	CULTURE, SPORT AND CONSUMER SERVICES
SERVICE:	PLANNING DEVELOPMENT & REGULATORY SERVICES	WARDS:	BOROUGHWIDE
LEAD OFFICER:	J S CHAMPEAU	TEL:	0118 937 2239
JOB TITLE:	SENIOR LICENSING ENFORCEMENT OFFICER	E-MAIL:	jean.champeau@reading.gov.uk

**1. PURPOSE AND SUMMARY OF REPORT**

- 1.1 To inform the Licensing Applications Sub Committee 3 of the work carried out by licensing officers during 2017.

**2. RECOMMENDED ACTION**

- 2.1 That the report be noted.

**3. POLICY CONTEXT**

- 3.1 Officers periodically provide Committee with a report informing them of the various functions and actions carried out by the Licensing team. Officers have prepared updates on cases and figures in respect of work carried within the Borough of Reading.

**4. PROSECUTIONS:**

- 4.1 Officers compiled thirty four taxi and private hire prosecutions in 2017 (eighteen in 2016). The number of UBER drivers working in the Reading area increased dramatically in October 2016, legal advice was sought and a view was taken that the UBER drivers were plying for hire in the Borough of Reading. The result of taking action against illegal plying for hire by UBER drivers has been two convictions under test purchase conditions and seven plying for hire cases which are ongoing. Prosecution cases can take anywhere between 8 months and a year

to be determined, so the majority of 2017 cases are yet to be heard in the courts.

## **4.2 LICENSING ACT 2003**

### **4.2.1 INSPECTIONS AND REVIEWS**

During 2017 Officers inspected 246 licensed premises, including pubs, nightclubs, off-licences and late night refreshment houses (takeaways). Breaches in conditions were found in all categories of licence, most notably in respect of off-licences for failing to notify of changes of ownership and change of Designated Premise Supervisor (DPS).

Officers working with Thames Valley Police and the Immigration Service carried out forty three inspections of premises, nineteen of which were found to have illegal workers on the premises (twenty six persons in total). Twelve premises were reviewed, resulting in seven revocations, five having further conditions on their licence.

### **4.2.2 APPLICATIONS**

Officers considered the following applications;

- Thirty grants of premise licence applications
- Sixteen variations of premise licence applications
- Fifty one premise licence transfers
- 209 variations to the designated premises supervisor licence applications
- Thirty eight minor variations
- 503 Temporary Events Notices (99 late TENS)
- 141 personal licences

The above applications resulted in twenty two reports to the licensing committee of which twelve were reviews. Two of the review decisions were appealed to the Magistrates Courts.

## **4.3 HACKNEY CARRIAGE & PRIVATE HIRE**

### **4.3.1 PRIVATE HIRE OPERATORS**

Private hire operator's inspections are carried out to ensure operators are keeping records correctly and complying with the conditions attached to their operator's licence. Thirty Seven operator inspections were carried out in 2017 recording mostly minor issues however; one operator was referred to committee, resulting in the private hire operator's licence not being renewed.

### **4.3.2 PRIVATE HIRE AND HACKNEY CARRIAGE VEHICLE INSPECTIONS**

During 2017, officers working with Thames Valley Police carried out eleven small and two large pre-planned operations, the objective was to identify vehicles and drivers that did not comply with the regulations. In total 402 vehicles and drivers were inspected. Officers also carried out 237 random on street inspections. These vehicle inspections produced 405 report forms requiring



drivers and owners of vehicle to attend to the issues raised, such as over ranking, faulty lights etc.

#### **4.3.3 PRIVATE HIRE AND HACKNEY CARRIAGE DRIVER COMMITTEE REPORTS**

During the year the licensing committee considered twenty five reports, these reports covered a wide range of issues from driver behaviour to policy documents.

#### **4.4 COMPLAINTS /REQUEST FOR INFORMATION:**

4.4.1 During 2017 officers processed 224 complaints/requests. These ranged from serious allegations of inappropriate behaviour to lost property.

#### **4.5 SAFETY ADVISORY GROUP (SAG)**

4.5.1 During the year, monthly Safety Advisory Group (SAG) meetings are held to review applications for the wide variety of events held in Reading. The SAG is made up of officers from various sections of the council and officers from regulatory bodies such as the fire service and Police. SAG advice on how to hold a safe event and provides best practices to applicants. Reading Festival is the largest event with a 95,000 capacity.

#### **4.6 OTHER PERMITS AND LICENCES**

Officers have also dealt with other applications/issues such as gambling, lotteries, street collections (104 permits), sexual entertainment venues, scrap metal licences, caravan sites and pavement café licence.

#### **5.0 CONTRIBUTION TO STRATEGIC AIMS**

5.1 Ensuring that premises and licenses drivers are crime free, safe and contributes towards the Council's strategic public safety aims.

#### **6.0 LEGAL IMPLICATIONS**

6.1 None arising directly from this report.

#### **7.0 FINANCIAL IMPLICATIONS**

7.1 None arising directly from this report.