

To: Councillors Woodward (Chair), Edwards
(Vice-Chair) and Challenger

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NOTICE OF MEETING - LICENSING APPLICATIONS SUB-COMMITTEE - 3 NOVEMBER 2022

A meeting of the Licensing Applications Sub-Committee will be held on Thursday, 3 November 2022 at 6.30 pm in the Council Chamber, Civic Offices, Bridge Street, Reading, RG1 2LU. The Agenda for the meeting is set out below.

	<u>WARDS AFFECTED</u>	<u>Page No</u>
1. DECLARATIONS OF INTEREST		
Councillors to declare any disclosable pecuniary interests they may have in relation to the items for consideration.		
2. MINUTES		3 - 4
To confirm the Minutes of the Licensing Applications Sub-Committee 3 meeting held on 29 September 2022.		
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.		
4. EXCLUSION OF PRESS AND PUBLIC		

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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 items 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”

5. **APPLICATIONS FOR THE GRANT OF HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVER LICENCES** **BOROUGHWIDE** **5 - 86**

Present: Councillors Woodward (Chair), Carnell and Rowland

Apologies: Councillors Edwards, Challenger and Mitchell

4. MINUTES

The Minutes of the meeting held on 3 August 2022 were confirmed as a correct record and signed by the Chair.

5. EXCLUSION OF 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 item of business as it was likely that there would be disclosures of exempt information as defined in paragraphs 1, 2, 3 and 5 specified in Part 1 of Schedule 12A (as amended) to that Act.

6. APPEALS AGAINST THE ALLOCATION OF PENALTY POINTS ON PRIVATE HIRE VEHICLE DRIVER'S LICENCE

The Executive Director of Economic Growth and Neighbourhood Services submitted a report asking the Sub-Committee to consider appeals against allocation of penalty points on a private hire vehicle driver's licence.

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

SMRN, FAK and MFH were present at the meeting. They each addressed the Sub-Committee and responded to questions.

Resolved -

- (1) That the appeal against the allocation of penalty points to the Private Hire Vehicle driver's licence in respect of SMRN be upheld in part:
 - (a) The three penalty points for not wearing a Reading Borough Council private hire driver's badge in breach of Condition 2.1 of the Private Hire Vehicles driver conditions be dismissed as there was insufficient evidence to show whether this had been the case;
 - (b) It had been found that the licence holder had been in breach of Condition 7.1 of the Private Hire Vehicles driver conditions in that they had waited on a hackney carriage stand, and as a consequence the addition of six penalty points to the driver's licence should stand;

- (2) That the appeal against the allocation of penalty points to the Private Hire Vehicle driver's licence in respect of FAK be refused due to the breach of the following Private Hire Driver Conditions:
- (a) Condition 2.1 failure to wear a current private hire driver's badge;
 - (b) Condition 30.3 contravention of traffic laws, regulations, orders or guidance outlined in the current Highway Code" and
 - (c) Condition 36.1 failure to display a roof sign or door stickers whilst working.

As a consequence, the addition of three penalty points to the driver's licence for each of the contraventions should stand, making a total of nine points.

- (3) That the appeal against the allocation of penalty points to the Private Hire Vehicle driver's licence in respect of MFH be refused due to the breach of Private Hire Driver Conditions. It had been found that the licence holder had been in breach of Condition 36.1 of the Private Hire Vehicles driver conditions in that they had not displayed a roof sign or door stickers whilst working, and as a consequence the addition of three penalty points to the driver's licence should stand.

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

(The meeting started at 7.15 pm and closed at 9.20 pm)

Agenda Item 5

By virtue of paragraph(s) 1, 2, 3, 5 of Part 1 of Schedule 12A of the Local Government Act 1972.

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