

LICENSING APPLICATIONS SUB-COMMITTEE MEETING MINUTES - 9 JANUARY 2024

Present: Councillor Woodward (Chair); Edwards (Vice-Chair) and Keane

35. MINUTES

The Minutes of the meetings held on 7, 12 and 14 December 2023 were confirmed as a correct record and signed by the Chair.

36. 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.

37. APPLICATIONS FOR THE CONSIDERATION OF THE SUSPENSION/REVOCAION OF A HACKNEY CARRIAGE DRIVER'S LICENCE, THE SUSPENSION/REVOCAION OF A PRIVATE HIRE DRIVER'S LICENCE, THE RENEWAL OF A 3 YEAR PRIVATE HIRE VEHICLE DRIVER'S LICENCE AND THE GRANT OF A 3 YEAR HACKNEY CARRIAGE VEHICLE DRIVER'S LICENCE.

The Sub-Committee considered a report that set out applications for:

- suspension/revocation of a Hackney Carriage Vehicle Driver's Licence (Appendix 1);
- suspension/revocation of a Private Hire Vehicle Driver's Licence (Appendix 2)
- grant of a Private Hire Vehicle Driver's Licence (Appendix 3) and
- grant of a Hackney Carriage Vehicle Driver's Licence (Appendix 4).

Summaries detailing the circumstances relating to each of the applications were attached to the report at Appendices 1 to 4.

Applicant CTMN requested the consideration of the application be deferred, to allow him and his legal representative to attend the meeting.

Applicant MME was present at the meeting with Manzoor Hussain. They both addressed the Sub-Committee and responded to questions. A witness, Mr Riley, also attended the meeting, addressed the Sub-Committee and answered questions.

Applicant HS was present at the meeting with his son. They both addressed the Sub-Committee and responded to questions.

Applicant MZA was present at the meeting with Raja Mohammed Choudhry Asif. They both addressed the Sub-Committee and responded to questions.

LICENSING APPLICATIONS SUB-COMMITTEE MEETING MINUTES - 9 JANUARY 2024

Clyde Masson, RBC Licensing Team, presented the report to the Sub-Committee and asked and responded to questions. Anthony Chawama, RBC Licensing Team also attended the meeting and addressed the Sub-Committee.

In reaching its decisions the Sub-Committee endeavoured to strike a fair balance between the interests of the applicants and the concerns of officers, and gave due consideration to the written material contained in the paperwork, the oral evidence provided at the meeting by the Licensing Officer and by the Applicants, their representatives and the witness, and to relevant legislation, guidance and the policies of Reading Borough Council, and in particular:

- The Town Police Clauses Act 1847; and
- The Local Government (Miscellaneous Provisions Act) Act 1976; and
- The Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022; and
- The Equality Act 2010; and
- The Secretary of State's Guidance; and
- The Powers of the Authority in determining an application for the grant of both types of licence; and,
- Reading Borough Council's Hackney Carriage and Private Hire Vehicle conditions; and
- Reading Borough Council's Hackney Carriage and Private Hire Vehicle Convictions Policy; and
- All of the documents provided for the meeting, including the valid period relating to each conviction; and
- The Fit and Proper Person Test.

Resolved –

- (1) That the review of the Hackney Carriage Vehicle Driver's Licence in respect of CTMN be deferred to the meeting of the Licensing Applications Sub-Committee to be held on 3 April 2024;
- (2) That the Private Hire Vehicle Driver's Licence in respect of MME be suspended until he had completed a remedial driving course to the satisfaction of the licensing officers, as specified at paragraph 5.10 of Appendix 2 to the committee report. This suspension would only come into effect at the end of 21 days of this decision being confirmed in writing to MME;
- (3) That, the application by HS for the renewal of a three-year Private Hire Vehicle Driver's Licence be refused as the Sub-Committee found that the Applicant was a not fit and proper person due to the nature of the recent offences and his failure to declare relevant convictions on his application for renewal;
- (4) That, in respect of the application by MZA for the grant of a three-year Hackney Carriage Vehicle Driver's Licence be refused as the Sub-Committee found that it was not ten years since the date of the Applicant's convictions as

LICENSING APPLICATIONS SUB-COMMITTEE MEETING MINUTES - 9 JANUARY 2024

required by the Council's Hackney Carriage and Private Hire Vehicle Convictions Policy.

The Applicants were all advised of their right of appeal.

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

(The meeting started at 5.00 pm and closed at 7.28 pm)