

To: Councillors Woodward (Chair),  
Leng and Magon

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12 March 2025

Your contact is: **Andrew Wood - Committee Services**

## **NOTICE OF MEETING - LICENSING APPLICATIONS SUB-COMMITTEE 20 MARCH 2025**

A meeting of the Licensing Applications Sub-Committee will be held on Thursday, 20 March 2025 at 9.30 am in the Council Chamber, Civic Offices, Bridge Street, Reading, RG1 2LU. The Agenda for the meeting is set out below.

**\*\* see new information about Access to the Civic Offices at the end of the agenda**

	<b><u>AFFECTED</u></b>	<b><u>Page No</u></b>
	<b><u>WARDS</u></b>	
<b>1. DECLARATIONS OF INTEREST</b>		
Councillors to declare any disclosable pecuniary interests they may have in relation to the items for consideration.		
<b>2. MINUTES</b>		<b>3 - 14</b>
To confirm the Minutes of the Licensing Applications Sub-Committee meetings held on 23 January 2025, 30 January 2025 and 6 February 2025.		
<b>3. EXCLUSION OF PRESS AND PUBLIC</b>		
At this point, the following motion will be moved by the Chair:		
<i>“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.”</i>		

**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. **REPORTS TO CONSIDER THE BOROUGH WIDE SUSPENSION/REVOCATION OF PRIVATE HIRE VEHICLE DRIVERS' LICENCES, PRIVATE HIRE (SCHOOL TRANSPORT) VEHICLE OPERATORS' LICENCES AND PRIVATE HIRE VEHICLE OPERATORS' LICENCES**

To consider and determine applications for the suspension/revocation of Private Hire Vehicle Drivers' Licences, Private Hire (School Transport) Vehicle Operators' Licences and Private Hire Vehicle Operators' Licences.

**\*\* Access to Civic Offices** - Please note that, from 13 January 2025, the Customer Main Entrance to the Civic Offices is moving from the front of the building to the back, because of construction work for the new Central Library.

If you are attending the meeting in person, please enter via the new Customer Main Entrance in Simmonds Street. (The Council is asking customers not to come down Fobney Street to access the new Customer Entrance, due to heavy construction traffic in this area, and instead to walk via the pedestrian alleyway off Bridge Street next to the "Greek Van") See map below:



## LICENSING APPLICATIONS SUB-COMMITTEE MEETING MINUTES 23 JANUARY 2025

Present: Councillors Woodward (Chair), Asare and Dennis.

### 39. MINUTES

The Minutes of the meetings held on 26 November 2024, 28 November 2024 and 5 December 2024 were confirmed as correct records and signed by the Chair.

### 40. APPLICATION FOR THE VARIATION OF A PREMISES LICENCE - MOSAIC PERI PERI, 51 WOKINGHAM ROAD, READING, RG6 1LH

The Sub-Committee considered a report on an application for the variation of a premises licence in respect of Mosaic Peri Peri, 51 Wokingham Road, Reading, RG6 1LH. The premises currently benefited from a Premises Licence that authorised the following:

#### Hours for the Provision of Late Night Refreshment

Monday to Saturday	from 2300hrs until 0100hrs
Sunday	from 2300hrs until 0000hrs

#### Hours the Premises is Open to the Public

Monday to Saturday	from 1100hrs until 0100hrs
Sunday	from 1100hrs until 0000hrs

The application to vary the licence had been submitted by Mr William Donne, Licensing Consultant, Silver Fox Licensing Consultants on behalf of the applicant Zing Cooperates Ltd. The application had been received on 3 December 2024. A copy of the application form was attached to the report at Appendix TS-1. The application sought a variation of the premises licence to extend the hours as follows:

#### Hours for the Provision of Late Night Refreshment:

Monday to Sunday	from 2300hrs until 0300hrs
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#### Hours the Premises is Open to the Public:

Monday to Sunday	from 1100hrs until 0300hrs
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During the 28-day consultation period for the application representations against the variation application had been received from the following Responsible Authorities:

- Declan Smyth, Licensing Officer, Thames Valley Police – representation attached at Appendix TS-2;
- Robert Smalley – Reading Borough Council (RBC), Licensing Team – representation attached at Appendix TS-3;
- Rebecca Moon – RBC, Environmental Protection Team – representation attached at Appendix TS-4.

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The report stated that in determining the application the Licensing Authority had a duty to carry out its functions with a view to promoting the four licensing objectives, as follows:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance;
- The protection of children from harm.

The report stated that any decision made in relation to the Premises Licence should be appropriate and proportionate with a view to promoting the licensing objectives. The Licensing Authority could amend, alter, or refuse an application should it be deemed appropriate for the promotion of the licensing objectives.

The report set out paragraphs 1.6, 2.9, 3.1, 3.2, 5.6, 5.7, 6.1, 6.2, 6.5, 6.19 to 6.26, 7.2, 7.6, 7.7, 7.12, 8.6, 10.1 and 10.3 from the Council's Statement of Licensing Policy. The report also set out paragraphs 1.2 to 1.5, 8.41 to 8.49, 9.12, 9.38, 9.39, 9.40, 9.42 and 9.43 from the Secretary of State's Guidance to the Licensing Act 2003 issued in December 2023.

Tabitha Shaw, Licensing Enforcement Officer, RBC, attended the hearing and presented the report outlining the application to the Sub-Committee.

The Applicant's representative, William Donne, Silver Fox Licensing Consultants, attended the meeting, addressed the Sub-Committee on the variation application and asked and responded to questions. Sana Ifran, Director of Zing Cooperates Ltd also attended the meeting. During the hearing and having obtained the permission of all parties present the applicant circulated copies of training material that had been provided to staff at the premises along with an image showing the frontage of the premises.

Declan Smyth, Licensing Officer, Thames Valley Police; Robert Smalley, Licensing Enforcement Officer, RBC; and Rebecca Moon, Senior Environmental Health Officer, RBC, all attended the meeting and addressed the Sub-Committee on the representations that had been submitted in opposition to the application. All three also asked and responded to questions.

Mike Harding, Licensing Enforcement Officer, RBC; Ben Williams Licensing Enforcement Officer, RBC; and Thais Araujo, Environmental Health Officer, RBC, attended the hearing as observers.

**Resolved:**

- (1) That, after taking into consideration the Licensing Act 2003, the Secretary of State's Guidance issued under section 182 of that Act and Reading Borough Council's Statement of Licensing Policy and having considered the likely effect that granting the application would have on the promotion of the four Licensing Objectives:
  - the prevention of crime and disorder;

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- public safety;
- the prevention of public nuisance; and
- the protection of children from harm

and having considered:

- the written report and associated paperwork for the meeting;
- the written and oral representations from the applicant, including the new material on training provided by the applicant at the hearing;
- the written and oral professional representations of Declan Smyth on behalf of Thames Valley Police;
- the written and oral professional representations of Robert Smalley on behalf of Reading Borough Council's Licensing Team; and
- the written and oral professional representations of Rebecca Moon on behalf of Reading Borough Council's Environmental Health Team;

the application to vary the Premise Licence in respect of Mosaic Peri Peri, 51 Wokingham Road, Reading, RG6 1LH, be granted to extend the licensable hours as follows:

**Hours for the Provision of Late Night Refreshment:**

Monday to Sunday                      from 2300hrs until 0300hrs

**Hours the Premises is Open to the Public:**

Monday to Sunday                      from 1100hrs until 0300hrs.

- (2) That it be noted that, whilst the application to vary the premises licence had been granted, the premises could not operate past 0100hrs until the relevant planning permission had been obtained.

(The meeting started at 9.30 am and closed at 11.41 am)

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**LICENSING APPLICATIONS SUB-COMMITTEE MEETING MINUTES  
30 JANUARY 2025**

Present: Councillors Woodward (Chair), Keane and Tarar.

**41. MINUTES**

The Minutes of the meetings held on 12 December 2024 were confirmed as a correct record and signed by the Chair.

**42. 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.

**43. APPLICATIONS FOR THE GRANT OF PRIVATE HIRE AND HACKNEY CARRIAGE VEHICLE DRIVER'S LICENCES AND A REPORT TO CONSIDER THE SUSPENSION/REVOCAION OF A HACKNEY CARRIAGE VEHICLE DRIVER'S LICENCE**

The Sub-Committee considered a report that set out the following:

- An application for the grant of a Hackney Carriage Vehicle Driver's Licence – Applicant MS (Appendix 1);
- An application for grant of a Private Hire School Transport Vehicle Driver's Licence – Applicant JA (Appendix 2);
- A report requesting consideration of the suspension/revocation of a Hackney Carriage Driver's Licence: Licence Holder MAK (Appendix 3).

Summaries detailing the circumstances relating to each case were attached to the report at Appendices 1, 2 and 3.

MS did not attend the meeting and not had not responded to officers with apologies or to ask for a deferral. The Sub-Committee considered that it would be appropriate to decide the application in their absence.

JA attended the meeting, addressed the Sub-Committee and responded to questions.

MAK and his legal advisor, Adonis Daniel, Andrew Storch Solicitors, attended the meeting, addressed the Sub-Committee and responded to questions.

Nicola Butler, RBC Licensing Team, presented the report to the Sub-Committee and asked and responded to questions. Mike Harding, Ben Williams and Clyde Masson, RBC Licensing Team also attended the meeting. Ben Williams addressed the Sub-Committee and responded to questions.

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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 Licensing Officers, the applicants/appellants, their representatives, and to relevant legislation, guidance and the policies of Reading Borough Council, and in particular:

- The Town Police Clauses Act 1847;
- The Local Government (Miscellaneous Provisions Act) Act 1976, in particular Section 61 relating to the suspension and revocation of drivers' licences;
- The Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022;
- The Equality Act 2010;
- The Secretary of State's Guidance;
- Reading Borough Council's Hackney Carriage and Private Hire Vehicle Convictions Policy;
- Reading Borough Council's Hackney Carriage and Private Hire Vehicle conditions and penalty points enforcement systems;
- All of the documents provided for the meeting and;
- The Fit and Proper Person Test.

**Resolved –**

- (1) That the application by MS for the grant of a Hackney Carriage Vehicle Driver's Licence be refused due to MS not being considered a fit and proper person by reason of the nature of the convictions as detailed in the report, insufficient time having passed since the date of the conviction and under sections 44, 48, 49, 52 and 53 of the Council's Hackney Carriage and Private Hire Convictions Policy and by reason of:
  - (a) The Sub-Committee was bound by its own Hackney Carriage and Private Hire Convictions Policy 2023. This had come in to force since the last time MS had held a licence from the Council.
  - (b) Section 44 of the Policy clearly stated that where an applicant had any conviction for, or related to, the supply of drugs, or possession with the intent to supply or connected with possession with intent to supply, a licence would not be granted until at least TEN YEARS had elapsed since the completion of any sentence imposed. The suspended sentence for Possession of Controlled Drugs with intent to Supply did not expire until November 2025 and the ten years before the applicant could be considered for a licence would begin then.

MS to be advised of their right of appeal.

- (2) That the application by JA for the grant of a Private Hire Vehicle Driver's Licence be refused due to JA not being considered a fit and proper person by reason of:



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- (a) The Sub-Committee was bound by its own Hackney Carriage and Private Hire Convictions Policy 2023.
- (b) The Sub-Committee found that the applicant had not been dishonest in their previous applications under sections paragraphs 27, 28 and 50 of the policy.
- (c) The Sub-Committee found that JA qualified under paragraph 48 as a driver with multiple motoring convictions, resulting in their disqualification as a 'totter' for 6 months and that this meant that they were not considered a fit and proper person.
- (d) The Sub-Committee was not persuaded that anything had changed about JA since the previous applications or that they had a sufficient grasp of the Reading Borough Council licence conditions to be able to abide by those conditions if they were granted a licence.

JA was advised of their right of appeal.

- (3) That the Hackney Carriage Vehicle Driver's Licence in respect of MAK be revoked with effect from 21 days of the date of the decision being given to the driver under section 61 of the Local Government (Miscellaneous Provisions) Act 1976 for the following reasons:
  - (a) The Licensing Sub-Committee noted that MAK had overcharged in December 2022, that they had "over-ranked" in January 2024, that they had "queue-jumped" in January 2024, had been seen typing on their phone whilst driving in May 2024, and that they had overcharged again in August 2024, all whilst driving their 'for-hire' vehicle.
  - (b) The Licensing Sub-Committee noted that MAK had initially denied making the comment about "Festival Prices" in the August 2024 overcharging matter, but then MAK said they could not remember.
  - (c) The Licensing Sub-Committee noted that MAK had not responded to the May 2024 matter and the August 2024 matter and considered that it was MAK's responsibility to maintain an effective route of communication with the Council's Licensing Team.
  - (d) The Licensing Sub-Committee noted that MAK had been given four warnings over a 12-month period.

MAK was advised of their right of appeal.

(The meeting started at 9.30 am and closed at 11.01 am)

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**LICENSING APPLICATIONS SUB-COMMITTEE MEETING MINUTES  
6 FEBRUARY 2025**

Present: Councillors Woodward (Chair), Edwards (Vice-Chair) and Stevens.

**44. APPLICATION FOR THE GRANT OF A PREMISES LICENCE - CHAIIWALA, 140-142 WOKINGHAM ROAD, READING, RG6 1JL**

The Sub-Committee considered a report on an application for the grant of a premises licence in respect of Chaiiwala, 140-142 Wokingham Road, Reading, RG6 1JL. The premises did not currently benefit from a Premises Licence.

At the outset, the Sub-Committee confirmed with all parties present that they were aware that the application had erroneously not been posted on the Reading Borough Council website for the 28-day consultation period. The applicant had advertised the application via Reading Today Online and a blue notice displayed at the premises. Each party confirmed that they were content to continue with the hearing despite this lapse.

The application for a premises licence had been submitted by UTAD Limited on behalf of the applicant Mr Mohsin Mujtaba-Tariq. The application had been received on 28 November 2024. A copy of the application form was attached to the report at Appendix LIC-1. The application the grant of a premises licence to allow the following:

**Hours for the Provision of Late Night Refreshment:**

Monday to Sunday from 2300hrs until 0100hrs

**Hours the Premises is Open to the Public:**

Monday to Sunday from 0800hrs until 0100hrs

During the 28-day consultation period for the application representations against the variation application had been received from the following Responsible Authorities:

- Rebecca Moon – RBC, Environmental Protection Team – representation attached at Appendix LIC-2;
- Tabitha Shaw – Reading Borough Council (RBC), Licensing Team – representation attached at Appendix LIC-3.

The report stated that in determining the application the Licensing Authority had a duty to carry out its functions with a view to promoting the four licensing objectives, as follows:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance;
- The protection of children from harm.

The report stated that any decision made in relation to the Premises Licence should be appropriate and proportionate with a view to promoting the licensing objectives. The Licensing Authority could amend, alter, or refuse an application should it be deemed appropriate for the promotion of the licensing objectives.

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The report set out paragraphs 1.6, 2.9, 3.1, 3.2, 5.6, 5.7, 6.1, 6.2, 6.5, 6.19 to 6.26, 7.2, 7.6, 7.7, 7.12, 8.6, 10.1 and 10.3 from the Council's Statement of Licensing Policy. The report also set out paragraphs 1.2 to 1.5, 8.41 to 8.49, 9.12, 9.38, 9.39, 9.40, 9.42 and 9.43 from the Secretary of State's Guidance to the Licensing Act 2003 issued in December 2023.

Ben Williams, Licensing Enforcement Officer, RBC, attended the hearing and presented the report outlining the application to the Sub-Committee.

The Applicant, Mr Mohsin Mujtaba-Tariq, and his representative, Mr Bill Donne of Silver Fox Consultants attended the meeting. Both addressed the Sub-Committee on the application and asked and responded to questions.

Robert Smalley, Licensing Enforcement Officer, RBC; attended the meeting, addressed the Sub-Committee on the representations that had been submitted in opposition to the application, asked and responded to questions.

### **Resolved:**

- (1) That, after taking into consideration the Licensing Act 2003, the Secretary of State's Guidance issued under section 182 of that Act and Reading Borough Council's Statement of Licensing Policy and having considered the likely effect that granting the application would have on the promotion of the four Licensing Objectives:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm

and having considered:

- the written report and associated paperwork for the meeting;
- the written and oral representations from the applicant, including the skeleton argument provided by Silver Fox Consultants prior to the meeting;
- the written professional representations of Tabitha Shaw and the oral professional representations of Robert Smalley on behalf of Reading Borough Council's Licensing Team; and
- the written professional representations of Rebecca Moon on behalf of Reading Borough Council's Environmental Health Team;

that a Premise Licence in respect of Chaiiwala, 140-1442 Wokingham Road, Reading, RG6 1JL, be granted allow the licensable hours as follows:

### **Hours for the Provision of Late Night Refreshment:**

Monday to Sunday                      from 2300hrs until 0100hrs

### **Hours the Premises is Open to the Public:**

Monday to Sunday                      from 0800hrs until 0100hrs

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Subject to the conditions set out in the report as part of Appendix LIC-1, with the removal of Condition 6 which was not required as this was covered under other legislation.

- (2) That it be noted that, whilst the application to vary the premises licence had been granted, the premises could not operate past 2300hrs until the relevant planning consent had been obtained.

(The meeting started at 9.30 am and closed at 10.39 am)

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