

**LICENSING APPLICATIONS SUB-COMMITTEE MEETING MINUTES
23 SEPTEMBER 2025**

Present: Councillors Tarar (Vice-Chair in the Chair), Rowland and Thompson.

22. DECLARATIONS OF INTEREST

Councillor Rowland declared a non-pecuniary interest in the case at Appendix 1. Councillor Rowland informed the Sub-Committee that ES was her constituent and that whilst canvassing she had recently spoken with him over the phone. Early during the phone conversation Cllr Rowland had discovered that ES was due to attend the Sub-Committee on 23 September 2025. Councillor Rowland had informed ES that she would be unable to discuss his application, as she was sitting on the Sub-Committee, and had not taken the conversation any further.

23. MINUTES

The Minutes of the meetings held 31 July 2025, 5 August 2025 and 13 August 2025 were confirmed as correct records and signed by the Chair.

Further to Minute 21, the Sub-Committee noted that, following legal advice on the circumstances of the case, the review of the Personal License had been discontinued by the Licensing Team.

24. 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.

25. APPLICATIONS FOR THE GRANT OF HACKNEY CARRIAGE VEHICLE DRIVER'S LICENCES AND REPORTS FOR THE CONSIDERATION OF THE SUSPENSION/REVOCATION OF PRIVATE HIRE VEHICLE DRIVER'S LICENCES.

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

- An application for the grant of a Hackney Carriage Vehicle Driver's Licence. Applicant: ES (Appendix 1).
- A report to consider the suspension/revocation of a Private Hire Vehicle Driver's Licence. Licence Holder: AJ (Appendix 2).
- A report to consider the suspension/revocation of a Private Hire Vehicle Driver's Licence. Licence Holder: HK (Appendix 3).
- An application for the grant of a Hackney Carriage Vehicle Driver's Licence. Applicant: HK (Appendix 4).

LICENSING APPLICATIONS SUB-COMMITTEE MEETING MINUTES 23 SEPTEMBER 2025

Summaries detailing the circumstances relating to each case were attached to the report at Appendices 1 to 4. In the case of AJ (Appendix 2) the Sub-Committee were provided video footage relating to the incident described in the case summary. In the case of HK (cases at Appendices 3 and 4) additional information, that included a statement from HK's representative, had been circulated to the Sub-Committee via email.

ES attended the hearing with his representatives AS and OG. All three addressed the Sub-Committee and asked and responded to questions.

AJ attended the hearing, addressed the Sub-Committee and responded to questions.

HK attended the hearing, addressed the Sub-Committee and responded to questions.

Nicola Butler, RBC Licensing Team, presented the reports to the Sub-Committee and asked and responded to questions. Ben Williams, RBC Licensing Team also attended the meeting and asked and responded to questions.

In reaching its decisions the Sub-Committee endeavoured throughout to strike a fair balance between the interests of the applicants and licence holders and the concerns of the Licensing Officers, but its overriding consideration was to the safeguarding of the public.

In coming to its decisions, the Sub-Committee also gave due consideration to the written material contained in the paperwork, the oral evidence provided at the meeting, and to relevant legislation, guidance and the policies of Reading Borough Council, including but not limited to:

- The Town Police Clauses Act 1847;
- The Local Government (Miscellaneous Provisions Act) Act 1976;
- The Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022;
- The Secretary of State's Guidance;
- The Equality Act 2010;
- Reading Borough Council's Hackney Carriage and Private Hire Vehicle Convictions Policy;
- Reading Borough Council's Hackney Carriage driver and vehicle conditions;
- Reading Borough Council's private hire driver, vehicle and operator conditions;
- All of the documents provided for the meeting, including the video footage in relation to the case at Appendix 2 (viewed by the Sub-Committee during the hearing); and
- The Fit and Proper Person Test.

Resolved –

- (1) That the application by ES for the grant of a Hackney Carriage Vehicle Driver's Licence be refused due to ES not being considered a fit and proper person to hold such a licence for the following reasons:

**LICENSING APPLICATIONS SUB-COMMITTEE MEETING MINUTES
23 SEPTEMBER 2025**

- (a) ES's previous Hackney Carriage Vehicle Driver's Licence had been revoked with immediate effect by the Sub-Committee on 10 August 2023 to safeguard the public.
- (b) The Sub-Committee was disappointed to note that ES had continued to dispute the factual basis of a number of the matters which had led to the revocation in 2023, especially as the previous Sub-Committee had preferred the accounts of those passengers, and that ES had accepted making false allegations.
- (c) The Sub-Committee noted that, whilst ES had accepted that elements of the account he had given of the incident of 12 February 2023 were false, he had continued to blame others for his actions. The Sub-Committee therefore did not think ES had yet taken responsibility for his actions.
- (d) The Sub-Committee were not satisfied by ES that he was currently a fit and proper person to hold a Hackney Carriage Vehicle Driver's Licence and noted that, if he were to reapply in the future, he would need to demonstrate what had changed about his suitability.

(The Chair informed ES of his right to appeal the decision to Reading Magistrates' Court, Civic Centre, Castle Road, Reading, RG1 7TQ within the period of 21 days beginning with the day on which he was notified by the licensing authority of the decision appealed against.)

- (2) That, AJ be permitted to retain his Private Hire Vehicle Driver's Licence, but that he be required to complete an accredited remedial driving course as soon as one was available and within a reasonable amount of time as defined by the Licensing Team.
- (3) That, in respect of (2) above, the Licensing Team be required to confirm with AJ how long he had to complete the accredited remedial driving course and that, should AJ not complete the course, the case be brought back to the Sub-Committee.
- (4) That, in respect of (2) and (3) above the following reasons be noted:
 - (a) The video evidence showed AJ forcing an overtake on the roundabout from the wrong lane. There was no reason why he could not have continued the left turn from that lane. There was no need for him to try to stop or turn back. The Sub-Committee were concerned about this lapse in standard of driving.
 - (b) The Sub-Committee were concerned that AJ did not appear to accept any blame for his driving, and were concerned that he gave more weight to his customers' wishes than to the need to drive in accordance with the law. The Sub-Committee were not impressed by AJ's attempt to blame the other driver for being too slow.

LICENSING APPLICATIONS SUB-COMMITTEE MEETING MINUTES
23 SEPTEMBER 2025

- (c) The Sub-Committee was not sure that AJ had actually given an obscene hand gesture in the aftermath of this instance of poor driving.
 - (d) The Sub-Committee accepted AJ's explanation of why he had given a different account of the hand gesture today, from what he had given to the Officers via email on 30 May 2025.
 - (e) Accordingly, the Sub-Committee allowed AJ to retain his licence, but required him to complete an accredited driving course as soon as practicable, and within a reasonable period of time as defined by the Licensing Team.
- (5) That the Private Hire Vehicle Driver's Licence in respect of HK be revoked with immediate effect under section 61 of the Local Government (Miscellaneous Provisions) Act 1976 for reasons of public safety and due to the Sub-Committee not considering HK to be a fit and proper person to hold such a licence for the following reasons:
- (a) The Sub-Committee did not accept HK's account of why he had failed to disclose the suspension of his Private Hire Driver's Licence with New Forest District Council (NFDC).
 - (b) The Sub-Committee noted the serious matters which had led to the suspension of HK's NFDC Licence for 6 months. This history of regulatory non-compliance was incompatible with him being a fit and proper person.
 - (c) The Sub-Committee noted that HK had not informed the Licensing Team of the suspension, and that it was only because of the diligence of the Licensing Team that the full facts had been revealed.
 - (d) The Sub-Committee noted that HK had not been forthright in his dealings with the Licensing Team, and in the hearing, and had sought to minimise the number and seriousness of his transgressions.
 - (e) For the reasons above, the Sub-committee were satisfied that HK was not a fit and proper person to hold a Private Hire Vehicle Driver's Licence.
- (6) That the application by HK for the grant of a Hackney Carriage Vehicle Driver's Licence be refused due to HK not being considered a fit and proper person to hold such a licence for the following reasons:
- (a) The Sub-Committee did not accept HK's account of why he had failed to disclose the suspension of his Private Hire Driver's Licence with New Forest District Council (NFDC).

**LICENSING APPLICATIONS SUB-COMMITTEE MEETING MINUTES
23 SEPTEMBER 2025**

- (b) The Sub-Committee noted the serious matters which had led to the suspension of HK's NFDC Licence for 6 months. This history of regulatory non-compliance was incompatible with him being a fit and proper person.
- (c) The Sub-Committee noted that HK had not informed the Licensing Team of the suspension, and that it was only because of the diligence of the Licensing Team that the full facts were revealed.
- (d) The Sub-Committee noted that HK had not been forthright in his dealings with the Licensing Team, and in the hearing, and had sought to minimise the number and seriousness of his transgressions.
- (e) For the reasons above, the Sub-committee were satisfied that HK was not a fit and proper person to hold a Hackney Carriage Vehicle Driver's Licence.

(The Chair informed HK that he could appeal against either or both of the decisions to Reading Magistrates' Court, within the period of 21 days from receipt of the notification letter.)

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

(The meeting started at 5 pm and closed at 10.04 pm)