

To: Councillors Woodward (Chair), Edwards
and Mitchell

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8 December 2025

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

NOTICE OF MEETING - LICENSING APPLICATIONS SUB-COMMITTEE 16 DECEMBER 2025

A meeting of the Licensing Applications Sub-Committee will be held on Tuesday, 16 December 2025 at 5.00 pm in the Council Chamber, Civic Offices, Bridge Street, Reading, RG1 2LU. The Agenda for the meeting is set out below.

<u>AFFECTED</u>	<u>Page No</u>
<u>WARDS</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 - 14

To confirm the Minutes of the Licensing Applications Sub-Committee meetings held on 28 October 2025 and 27 November 2025.

3. EXCLUSION OF PRESS AND PUBLIC

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.”

4. APPLICATIONS FOR THE GRANT AND RENEWAL OF HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVER'S LICENCES AND REPORTS TO CONSIDER THE SUSPENSION/REVOCATION OF HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVER'S LICENCES

BOROUGH WIDE 15 - 210

To determine applications for the grant and renewal of Hackney Carriage and Private Hire Vehicle Driver's Licences and to consider reports for the suspension/revocation of Hackney Carriage and Private Hire Vehicle Driver's 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 28 OCTOBER 2025

Present: Councillors Tarar (Vice-Chair), Edwards and Keane.

26. MINUTES

The Minutes of the meeting held on 23 September 2025 were confirmed as a correct record and signed by the Chair.

27. 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.

28. REPORTS TO CONSIDER THE SUSPENSION/REVOCATION OF PRIVATE HIRE, SCHOOL TRANSPORT AND HACKNEY CARRIAGE VEHICLE DRIVERS' LICENCES

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

- A report to consider the suspension/revocation of a Private Hire Vehicle Driver's Licence. Licence Holder: RNA (Appendix 1).
- A report to consider the suspension/revocation of a School Transport Vehicle Driver's Licence. Licence Holder: IA (Appendix 2).
- A report to consider the suspension/revocation of a Hackney Carriage Vehicle Driver's Licence. Licence Holder: TS (Appendix 3).

Summaries detailing the circumstances relating to each of the cases were attached to the report at Appendices 1 to 3.

RNA attended the hearing accompanied by ZA and MI. All three addressed the Sub-Committee and asked and responded to questions.

IA attended the hearing accompanied by AA. Both addressed the Sub-Committee and asked and responded to questions.

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

Robert Smalley, Senior Licensing Enforcement Officer, presented the reports to the Sub-Committee and asked and responded to questions. Ben Williams and Mike Harding, Licensing Enforcement Officer attended the meeting and asked and responded to questions. Mike Harding attended the meeting for the cases at Appendix 1 and 2 only.

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In the case of RNA (Appendix 1) the Sub-Committee had been provided with a copy of email correspondence ahead of the meeting from RNA's legal representative asking it to consider adjourning the hearing to a later date to enable time to prepare. RNA's legal representative had been informed by Licensing officers that RNA should attend the hearing and that the Sub-Committee would consider the request to defer at the meeting. At the start of the hearing RNA told the Sub-Committee that he did not want the hearing postponed and that he wished to proceed. The Sub-Committee decided to do so.

In the case of IA (Appendix 2) the Sub-Committee was provided with links to view video evidence, marked as appendices RS-1, RS-2 and RS-3, that related to the incident described in the case summary. The Sub-Committee viewed the three dash-cam video clips in full at the meeting.

In the case of IA (Appendix 2), the Sub-Committee had received additional information which had been circulated by email ahead of the meeting. The additional information contained email correspondence that included a letter of support from IA's employer and a message of appreciation from a customer.

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, the video evidence shown at the meeting (for the case at Appendix 2), the additional information circulated to the Sub-Committee via email after the publication of the agenda, 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;
- The Fit and Proper Person Test.

Resolved –

- (1) That the Private Hire Vehicle Driver's Licence held by RNA be revoked. The revocation shall take effect 21 days after written notice of the decision was given to the driver. The Sub-Committee had determined that RNA was not a fit and proper person to hold such a licence, and revoked the licence in accordance with Section 61 of the Local Government (Miscellaneous Provisions) Act 1976, on the following reasonable grounds:

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- (a) The Sub-Committee found that, on 20 October 2022, RNA had been convicted of the offence of battery.
- (b) The Sub-Committee considered that the conviction for an offence that involved violence engaged Sections 33 and 34 of Reading Borough Council's Hackney Carriage and Private Hire Convictions Policy which state:

"33 - Licensed drivers have close regular contact with the public who could be at risk from violent behaviour. Drivers are often entrusted with the care of children, young persons and vulnerable adults. The Licensing Authority seeks to protect the safety of the public and minimise risk.

*34 - Where an applicant has a conviction for an offence of violence against the person, or connected with any offence of violence, a licence will not be granted until at least **TEN YEARS** have elapsed since the completion of any sentence imposed. A licence holder convicted of the above will have their licence revoked."*

- (c) The Sub-Committee considered that RNA had not demonstrated any exceptional circumstances to justify it from the application of the Hackney Carriage and Private Hire Convictions Policy.
- (d) The Sub-Committee noted that RNA had breached the condition of his licence that required him to notify the Council of the conviction within 28 days.
- (e) The Sub-Committee noted that RNA had also failed to disclose the conviction when he had applied to renew his licence in December 2024.
- (f) The Sub-Committee considered that both the failure to notify the Council of the conviction and the failure to disclose the conviction in his renewal application were deliberate, with a view to avoiding the consequences of the Council's convictions policy.
- (g) The Sub-Committee noted that, in line with *Nottingham City Council v Farooq*, it could not review the merits of the conviction and must proceed on the basis that the conviction stood. The Sub-Committee noted that the same case also established that it was the applicant's personal responsibility to fully and accurately disclose all convictions when completing application forms and that that failure to do so, whether by omission or false declaration, must be regarded as a serious matter.

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- (h) The Sub-Committee considered that RNA had displayed both violent and dishonest behaviour which was incompatible with him holding a licence to carry the public in a licensed vehicle.

(At the hearing RNA was advised of his right to appeal the Sub-Committee's decision within 21 days of being issued with the written decision.)

- (2) That the School Transport Vehicle Driver's Licence held by IA be suspended for a period of two weeks. The suspension shall take effect at the end of the 21-day notice period following written notification of the decision being given to the driver. The suspension had been issued in accordance with Section 61 of the Local Government (Miscellaneous Provisions) Act 1976, on the following reasonable grounds:

- (a) The Sub-Committee considered IA's conduct during the incident that had resulted in the complaint of 11 July 2025 to be very serious but was prepared to adopt a lenient course.
- (b) The Sub-Committee therefore decided to suspend IA's licence for a period of two weeks, in order to give IA time to reflect on his behaviour, to remind him of the conditions and the expected standards to which licenced drivers were subject, and to emphasise that misconduct such as that which IA had demonstrated had adverse consequences.
- (c) The Sub-Committee expressed its sincere hope that IA would not appear before it again in similar circumstances.

(At the hearing IA was informed of his right to appeal the Sub-Committee's decision within 21 days of being issued with the written decision.)

- (3) That TS be permitted to retain his Hackney Carriage Vehicle Driver's Licence, subject to the condition that he attend and pass an approved extended driving assessment at his own expense, and within a period of three months. Should TS fail to take and pass the assessment within this timeframe, the Sub-Committee delegated officers the authority to suspend TS's licence until such time as the assessment had been successfully completed.
- (4) That, in respect of (3) above, the following reasons be noted:
 - (a) The Sub-Committee noted Section 53 of the Council's Hackney Carriage and Private Hire Convictions Policy which states:

"53 - Any motoring conviction while a licensed driver demonstrates that the licensee may not take their professional responsibilities seriously. However, it is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence may not necessitate the revocation of a taxi or private vehicle driver licence providing the licensing authority

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considers that the licensee remains a fit and proper person to retain a licence.

Where there is a second occurrence of a minor traffic offence, whilst the first minor traffic offence is valid, or a single occurrence of a major traffic offence of up to 6 points, a licence holder can agree to complete an extended driving assessment, at their own expense, through an approved provider, as an alternative to a review/revocation of their licence by a Licensing Sub-Committee."

- (b) The Sub-Committee considered that Section 53 of the Policy had been engaged due there being two sets of three penalty points totalling six penalty points on TS's DVLA driving licence.
- (c) The Sub-Committee noted that, as was his right, TS had elected to attend a Sub-Committee which had resulted in the hearing taking place.
- (d) The Sub-Committee considered that TS had not demonstrated exceptional circumstances to justify it to depart from the Council's Policy but that, conversely, it would not be proportionate to revoke or suspend TS's licence. The Sub-Committee therefore determined that TS should be required to attend and pass an approved extended driving assessment as set out in (3) above.

(At the hearing TS was informed that he would be advised of his right of appeal when he was issued with the written copy of the Sub-Committee's decision.)

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

(The meeting started at 5 pm and closed at 8.41 pm)

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**LICENSING APPLICATIONS SUB-COMMITTEE MEETING MINUTES
27 NOVEMBER 2025**

Present: Councillors Woodward (Chair), Stevens and Thompson.

29. 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.

30. REPORTS FOR THE CONSIDERATION OF THE SUSPENSION/REVOCATION OF PRIVATE HIRE, SCHOOL TRANSPORT AND HACKNEY CARRIAGE VEHICLE DRIVER'S LICENCES

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

- A report to consider the suspension/revocation of a Hackney Carriage Vehicle Driver's Licence. Licence Holder: CCM (Appendix 1).
- A report to consider the suspension/revocation of a Private Hire School Transport Vehicle Driver's Licence. Licence Holder: MS (Appendix 2).
- A report to consider the suspension/revocation of a School Transport Vehicle Driver's Licence. Licence Holder: MS (Appendix 3).

Summaries detailing the circumstances relating to each of the cases were attached to the report at Appendices 1 to 3.

CMM and their daughter, Ms M, attended the hearing and requested that the hearing be deferred until a later date to allow his legal representative to attend.

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

Mike Harding, Licensing Enforcement Officer, presented the reports to the Sub-Committee and asked and responded to questions. Ben Williams, Licensing Enforcement Officer attended the meeting and asked and responded to questions.

In the case of MS (Appendices 2 and 3) the Sub-Committee, MS and officers had been provided with links to view video evidence, marked as appendices 5, 7, 8 and 9, that related to the incident described in the case summary. The Sub-Committee, MS and officers confirmed that they had all viewed the video clips prior to the meeting.

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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, the video evidence (for the case at Appendices 2 and 3), 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;
- The Fit and Proper Person Test.

Resolved –

- (1) That consideration of the suspension or revocation of the Hackney Carriage Vehicle Driver's Licence held by CMM be deferred until the meeting of the Licensing Applications Sub-Committee to be held on 16 December 2025.
- (2) That the Private Hire Vehicle Driver's Licence held by MS be revoked with immediate effect, on the basis that MS was not a fit and proper person to hold the licence.

REASONS

- (a) In coming to its decision, the Licensing Sub-Committee had taken into account the relevant legislation, the Reading Borough Council Licensing Policy and considered carefully the written evidence, the video evidence submitted, and the oral evidence presented to it at the hearing.
- (b) The Sub-Committee noted that complaints had been received before and after the Final Warning was issued. A total of six complaints had been received in seven months. Three complaints received in twelve months was considered a cause of concern by the Licensing team.
- (c) The Sub-Committee noted that the complaints had been made by RBC officers, other drivers, officers from other Local Authorities, and members of the public.
- (d) The Sub-Committee was concerned by the allegation of homophobic behaviour. The Sub-Committee did not accept the account of MS, that this was a false and malicious allegation because they were Muslim.

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MS did not put forward any evidence that they had received any Islamophobic comments from the passenger.

- (e) The Sub-Committee was concerned by the reports of erratic and unsafe driving. It was not usual for Licensing officers to receive complaints about the standard of driving by Private Hire drivers.
- (f) The sub-committee did not accept the account of MS, that each of these complaints were also false and malicious allegations, made because they are Muslim.
- (g) The Sub-Committee was concerned that MS had only been licensed as a PHV driver for two years. It noted that they had received penalty points shortly after they had gained their licence, and did not have a long period of driving with no complaints, to back up their assertion that their driving was of an acceptable standard.
- (h) The Sub-Committee was concerned that MS offered to improve their driving, but did not accept that there was any area of their driving that required improvement.
- (i) The Statutory Guidance sets out the test for fitness to hold a licence, and the sub-committee was not satisfied that MS met that test.
- (j) In light of all of the above, the sub-committee found that MS was not a fit and proper person to hold a Private Hire Vehicle driver's licence. The licence was therefore revoked with immediate effect under section 61 of the Local Government (Miscellaneous Provisions) Act 1976 for reasons of public safety.

APPEAL

- (K) MS was advised of their right of appeal
- (3) That the School Transport Vehicle Driver's Licence held by MS be revoked with immediate effect, on the basis that MS was not a fit and proper person to hold the licence.

REASONS

- (a) In coming to its decision, the Licensing Sub-Committee had taken into account the relevant legislation, the Reading Borough Council Licensing Policy and considered carefully the written evidence, the video evidence submitted, and the oral evidence presented to it at the hearing.
- (b) The Sub-Committee noted that complaints had been received before and after the Final Warning was issued. A total of six complaints had been received in seven months. Three complaints received in twelve months was considered a cause of concern by the Licensing team.

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- (c) The Sub-Committee noted that the complaints had been made by RBC officers, other drivers, officers from other Local Authorities, and members of the public.
- (d) The Sub-Committee was concerned by the allegation of homophobic behaviour. The Sub-Committee did not accept the account of MS, that this was a false and malicious allegation because they were Muslim. MS did not put forward any evidence that they had received any Islamophobic comments from the passenger.
- (e) The Sub-Committee was concerned by the reports of erratic and unsafe driving. It was not usual for Licensing officers to receive complaints about the standard of driving by Private Hire drivers.
- (f) The sub-committee did not accept the account of MS, that each of these complaints were also false and malicious allegations, made because they are Muslim.
- (g) The Sub-Committee was concerned that MS had only been licensed as a School Transport Vehicle driver for two years. It noted that they had received penalty points shortly after they had gained their licence, and did not have a long period of driving with no complaints, to back up their assertion that their driving was of an acceptable standard.
- (h) The Sub-Committee was concerned that MS offered to improve their driving, but did not accept that there was any area of their driving that required improvement.
- (i) The Statutory Guidance sets out the test for fitness to hold a licence, and the sub-committee was not satisfied that MS met that test.
- (j) In light of all of the above, the sub-committee found that MS was not a fit and proper person to hold a School Transport Vehicle driver's licence. The licence was therefore revoked with immediate effect under section 61 of the Local Government (Miscellaneous Provisions) Act 1976 for reasons of public safety.

APPEAL

- (k) MS was advised of their right of appeal

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

(The meeting started at and closed at 10.49 am)

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27 NOVEMBER 2025**

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