

LICENSING APPLICATIONS SUB-COMMITTEE 3 MEETING MINUTES - 29 SEPTEMBER 2022

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;

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- (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)