

LICENSING APPLICATIONS SUB-COMMITTEE MEETING MINUTES - 29 FEBRUARY 2024

Present: Councillor Woodward (Chair), Edwards (Vice-Chair) and Dennis

42. EXCLUSION OF THE 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. APPLICATION FOR THE GRANT OF A PRIVATE HIRE VEHICLE DRIVER'S LICENCE AND REPORTS TO CONSIDER THE SUSPENSION/REVOCAION OF HACKNEY CARRIAGE DRIVERS' LICENCES

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

- Grant of a two-year Private Hire Vehicle Driver's Licence (Appendix 1)
- suspension/revocation of a Hackney Carriage Vehicle Driver's Licence (Appendix 2);
- suspension/revocation of a Hackney Carriage Vehicle Driver's Licence (Appendix 3);
- suspension/revocation of a Hackney Carriage Vehicle Driver's Licence (Appendix 4);
- suspension/revocation of a Hackney Carriage Vehicle Driver's Licence (Appendix 5).

Summaries detailing the circumstances relating to each of the applications were attached to the report at Appendices 1 to 5.

Applicant GM was present at the meeting with Kamran Saddiq, Reading Private Hire Association. They both addressed the Sub-Committee and responded to questions.

Applicant RMA was present at the meeting with Ali Sheikh, Reading Taxi Association. They both addressed the Sub-Committee and responded to questions.

Applicant SBK was present at the meeting with Asif Rahid, Reading Taxi Association. They both addressed the Sub-Committee and responded to questions.

Applicant UM was present at the meeting with Asif Rahid, Reading Taxi Association. They both addressed the Sub-Committee and responded to questions.

Applicant MSA was present at the meeting and addressed the Sub-Committee and responded to questions.

Mark Groves, RBC Licensing Team, presented the report to the Sub-Committee and asked and responded to questions. Ben Williams and Mike Harding, 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

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by the Licensing Officer and by the Applicants, their representatives, 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, in respect of the application by GM for the grant of a three-year Private Hire Vehicle Driver's Licence, the Sub-Committee found that the Applicant was a fit and proper person but was concerned by the nature of the offence and so did not consider that a three-year licence could be granted in the circumstances. The Sub-Committee therefore resolved to grant the licence for a period of 12-months with a warning as to future conduct and with the expectation that, if there were no concerns raised by Licensing Officers and that there were no further convictions of any kind, GM could apply for a further two years on the licence;
- (2) That the Hackney Carriage Vehicle Driver's Licence in respect of RMA be suspended for fourteen days with effect from 21 days following formal notification of the decision under section 61 of the Local Government (Miscellaneous Provisions) Act 1976, due to the issuing of three written warnings within a 12-month period for the same offence and a verbal warning, to allow RMA time to liaise with licensing officers and Reading Taxi Association to refresh their knowledge of the conditions of the licence and their obligations as a hackney carriage driver;

The Sub-Committee informed RMA of their right to appeal against 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 they were notified by the licensing authority of the decision appealed against.

- (3) That the Hackney Carriage Vehicle Driver's Licence in respect of SBK be revoked with effect from 21 days of formal notice being served under section 61 of the Local Government (Miscellaneous Provisions) Act 1976, for reasons

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of public safety, due to SBK not being considered a fit and proper person by reason of:

- a) The breach of bye-laws, as detailed in the report;
- b) The attitude displayed and language used towards members of the Licensing Team;
- c) SBK's threat to have other people lie on his behalf.

The Sub-Committee informed SBK of their right to appeal against 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 they were notified by the licensing authority of the decision appealed against.

- (4) That no further action be taken in respect of the Hackney Carriage Vehicle Driver's Licence held by UM.
- (5) That the Hackney Carriage Vehicle Driver's Licence in respect of MSA be suspended for fourteen days with effect from 21 days following formal notification of the decision under section 61 of the Local Government (Miscellaneous Provisions) Act 1976, due to the nature of the incident and history of similar incidents, to allow MSA time to liaise with licensing officers and Reading Taxi Association to refresh their knowledge of the conditions of the licence and their obligations as a hackney carriage driver;

The Sub-Committee informed MSA of their right to appeal against 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 they were notified by the licensing authority of the decision appealed against.

(The meeting started at 9.30 am and closed at 2.27 pm)