

**LICENSING APPLICATIONS SUB-COMMITTEE MEETING MINUTES
26 SEPTEMBER 2024**

Present: Councillors Woodward (Chair), Edwards and Tarar

17. MINUTES

The Minutes of the meeting held on 25 July and 13 August 2024 were confirmed as a correct record and signed by the Chair.

18. 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.

19. APPLICATIONS FOR THE GRANT OF PRIVATE HIRE DRIVER'S LICENCES, AND APPEALS AGAINST THE ALLOCATION OF PENALTY POINTS TO PRIVATE HIRE AND SCHOOL TRANSPORT VEHICLE DRIVER'S LICENCES

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

- An application for the grant of a Private Hire Vehicle Driver's Licence – Applicant AR (Appendix 1);
- An application for the grant of a Private Hire Vehicle Driver's Licence – Applicant WH (Appendix 2);
- An appeal against penalty points allocated to a Private Hire (School Transport) Vehicle Driver's Licence – Licence Holder CH (Appendix 3);
- An appeal against penalty points allocated to a Private Hire Vehicle Driver's Licence – Licence Holder LAA (Appendix 4);

Summaries detailing the circumstances relating to each of the above listed applications were attached to the report at Appendices 1 to 4.

AR was present at the meeting, addressed the Sub-Committee and responded to questions.

WH 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. Anthony Chawama, RBC Licensing Team also attended the meeting, addressed the Sub-Committee and responded to questions.

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:

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- 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 AR for the grant of a Private Hire Vehicle Driver's Licence be refused due to AR not being considered a fit and proper person 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 that this driver had held a licence from the Council.
 - (b) The Policy clearly stated that a conviction for harassment, regardless of its age, would result in an applicant not being licensed.

AR was advised of their right of appeal.
- (2) That the application for the grant of a Private Hire Vehicle Driver's Licence in respect of WH be granted, subject to WH taking and passing the Council's two-part taxi driver test within six months of the formal notification of the decision. Failure to pass this test within the six-month period would result in the application being refused.

WH was advised of his right of appeal.
- (3) That the appeal by CH against the allocation of penalty points on a Private Hire (School Transport) Vehicle Driver's Licence be deferred to the meeting provisionally scheduled on 17 October 2024 to allow both CH and their legal representative to attend the meeting.
- (4) That the appeal by LAA against the allocation of penalty points on a Private Hire Vehicle Driver's Licence be deferred to the meeting provisionally scheduled on 17 October 2024 to allow LAA to attend the meeting.

(The meeting started at 9.29am and closed at 11.10am)