

LICENSING APPLICATIONS SUB-COMMITTEE MEETING MINUTES

3 JUNE 2025

Present: Councillors Woodward (Chair), Leng and Keane.

4. DECLARATIONS OF INTEREST

Councillor Leng declared a non-pecuniary interest in the case at Item 7, Appendix 1 on the grounds that the licence holder, MH, was a constituent and was also known to him through his ward work.

5. MINUTES

The Minutes of the meeting held on 8 May 2025 were confirmed as a correct record and signed by the Chair.

6. 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.

7. REPORTS TO CONSIDER THE SUSPENSION/REVOCATION OF HACKNEY CARRIAGE, PRIVATE HIRE AND PRIVATE HIRE (SCHOOL TRANSPORT) VEHICLE DRIVER'S LICENCES AND A REPORT TO CONSIDER THE RENEWAL OF A PRIVATE HIRE OPERATOR'S LICENCE

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

- A report to consider the suspension/renewal of a three-year Private Hire Vehicle Driver's Licence. Licence Holder: MH (Appendix 1)
- A report to consider the suspension/renewal of a School Transport Vehicle Driver's Licence. Licence Holder: ZM (Appendix 2)
- A report to consider the suspension/renewal of a Hackney Carriage Vehicle Driver's Licence. Licence Holder: MA (Appendix 3)
- An application for the renewal of a Private Hire Vehicle Operator's Licence. Licence Holder: FH (Prestige Cars and Chauffeurs of Wokingham Ltd) (Appendix 4).

Summaries detailing the circumstances relating to each case were attached to the report at Appendices 1 to 4.

MH, MA and FH attended the meeting for their respective cases, addressed the Sub-Committee and responded to questions.

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ZM was not present at the meeting and had emailed Licensing officers to advise that she would not be attending the Sub-Committee. A copy of the email correspondence between ZM and Licensing officers in which ZM stated that she had no interest in working as a school transport driver was provided to members of the Sub-Committee as Additional Information. The Sub-Committee considered that it would be appropriate to determine the case in ZM's absence.

Clyde Masson and Mike Harding, RBC Licensing Team, presented the reports to the Sub-Committee 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 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:

- 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 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 driver and vehicle conditions;
- Reading Borough Council's private hire driver, vehicle and operator conditions;
- Reading Borough Council's private hire (school transport) driver, vehicle and operator conditions;
- All of the documents provided for the meeting, including the additional information circulated via email, and;
- The Fit and Proper Person Test.

Resolved –

- (1) That MH be ordered to complete an enhanced driving assessment before 30 September 2025 and that if by that date MH had not supplied proof of that course completion to Licensing Enforcement Officers, the matter would be returned to the Sub-Committee for it to reconsider the suspension or revocation of MH's Private Hire Vehicle Driver's Licence;
- (2) That, in respect of the decision set out at (1) above, the following reasons be noted:
 - (a) Paragraph 53 of Reading Borough Council's Hackney Carriage and Private Hire Vehicle Convictions Policy which stated:

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“...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) MH had accumulated 6 DVLA penalty points, as a result MH had been offered the opportunity to take the enhanced driving assessment, but had declined on the basis that he did not think it was part of his licence conditions;
- (c) The Sub-Committee did not agree with MH's assertion that he had nothing to learn from the enhanced driving course and noted that the course was focussed upon safety;
- (d) In light of (2) (a), (b) and (c) above the Sub-Committee found that MH must complete the extended driving assessment or face a further review of his licence.

(3) That the Private Hire (School Transport) Vehicle Driver's Licence in respect of ZM 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 ZM to be a fit and proper person to hold such a licence for the following reasons:

- (a) The serious nature of the incident on 6 December 2024 that had resulted in a significant safeguarding breach occurring, as detailed in the report;
- (b) The significant breach by ZM of her duties to a child passenger, as detailed in the report;
- (c) That, whilst the Sub-Committee had sympathy with ZM's circumstances, this had not impacted upon the decision which had to be made in order to safeguard the public.

(4) That the Hackney Carriage Vehicle Driver's Licence in respect of MA be revoked, with the revocation to take effect from the end of 21-days notice of the written decision being issued, due to the Sub-Committee finding that MA was not a fit and proper person to hold such a licence for the following reasons:

- (a) MA's long history of enforcement interaction with Licensing Enforcement, as detailed in the report, that included a suspension in 2012 and a spate of 7 warning letters being issued to MA since January 2024, two of which had been issued after a performance

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meeting on 29 October 2024 at which officers had given MA a further warning;

- (b) The Sub-Committee did not find MA's answers to questions to be honest, nor did it find that MA understood the gravity of his previous transgressions, furthermore the Sub-Committee found that MA had sought to minimise the impact of his more recent breaches of his licence conditions, had placed the blame on others, was argumentative, and found had it difficult to take responsibility for his own actions;
- (c) The Sub-Committee found that MA had shown a thorough lack of understanding of the conditions attached to his Hackney Carriage licence.

(5) That the Private Hire Operators Licence in respect of FH and Prestige Cars and Chauffeurs of Wokingham Limited, for 3 vehicles, be renewed on the standard conditions with the added conditions that Prestige Cars and Chauffeurs of Wokingham Limited will:

- (i) Keep a permanent office at an address in Reading, that is manned upon the request of Reading Licensing Enforcement and;
- (ii) Allow Reading Licensing Officers unfettered access to the online booking systems.

(6) That, in respect of the decision set out at (5) above, the following reasons be noted:

- (a) The Sub-Committee noted that the applicant had been operating for years, and there had been "little-to-no" enforcement interaction with Reading Licensing Enforcement;
- (b) The requirement of Section 80(2) of the Local Government (Miscellaneous Provisions) Act 1976 which stated: "*a licence [is] issued by a council whose area consists of, or includes that district...*"
- (c) The Sub-Committee accepted that the combination of having a base at a named premises in Reading, which was manned upon request, and being given unfettered access to the online booking systems of Prestige Cars and Chauffeurs of Wokingham Ltd amounted to sufficient safeguards for the public;
- (d) The Sub-Committee noted that a failure to abide by either condition at (5)(i) and 5(ii) above would result in the licence holder being brought back to the Sub Committee for a review of the licence.

(The Chair advised MH, MA and FH of their right of appeal and also noted ZM's right of appeal).

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

(The meeting started at 5.00 pm and closed at 7.41 pm)

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