

Environment and Safety Committee Agenda

Tuesday, 12 July 2016 at 6.00 pm

Council Chamber, Aquila House, Breeds Place, Hastings TN34 3UY.

Please enter the building via the Tourist Information Centre entrance.

For further information, please contact Emily Horne on 01424 451719 or Email: ehorne@hastings.gov.uk

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1.	Apologies for Absence	
2.	Minutes of the meeting held 6 April 2016	1 - 2
3.	Declarations of Interest	
4.	Notification of any additional urgent items	
5.	Additional urgent items (if any)	
6.	Exclusion of the public To resolve that the public be excluded from the meeting during the consideration of the items of business listed below because it is likely that, if members of the public were present, there would be disclosure to them of 'exempt' information as defined in the paragraphs of Schedule 12A to the Local Government Act 1972 referred to in the relevant report. Confidential Business	
7.	'Fit and Proper' test for Licensed Hackney Carriage/Private Hire Driver	5 - 16
8.	Applicant for Hackney Carriage/Private Hire Drivers Licence	17 - 22
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ENVIRONMENT AND SAFETY COMMITTEE

6 APRIL 2016

Present: Councillors Roberts (Chair), Rogers (Vice-Chair), Charlesworth, Dowling and Sinden

38. APOLOGIES FOR ABSENCE

None.

39. MINUTES OF THE MEETING HELD 16 MARCH 2016

RESOLVED – That the minutes of the meeting held on 16 March 2016 be approved as a true record and signed by the Chair.

40. DECLARATIONS OF INTEREST

Councillors made no declarations of interest at this meeting.

41. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

42. ADDITIONAL URGENT ITEMS (IF ANY)

None.

43. EXCLUSION OF THE PUBLIC

RESOLVED - that the public be excluded from the meeting during the consideration of the item of business listed below because it is likely that, if members of the public were present, there would be disclosure to them of 'exempt' information as defined in the paragraphs of Schedule 12A to the Local Government Act 1972

<u>Minute No.</u>	<u>Subject Matter</u>	<u>Paragraph No.</u>
44(E)	Applicant for Hackney Carriage/Private Hire Drivers Licence	Paragraph 4

44(E) APPLICANT FOR HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE

The Corporate Director, Environmental Services, submitted a report regarding an application for a Hackney Carriage / Private Hire Drivers Licence.

The purpose of the report was to determine if the applicant was a "Fit and Proper" person to hold a Hackney Carriage / Private Hire Drivers Licence.

The driver and his friend were in attendance and made a submission.

ENVIRONMENT AND SAFETY COMMITTEE

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Councillor Charlesworth proposed a motion to refuse the application, which was seconded by Councillor Dowling.

RESOLVED (unanimously) that the driver is not a “Fit and Proper person” to hold a Hackney Carriage/Private Hire Vehicle Driver’s Licence.

Reasons for this decision:

The applicant was not truthful on his application. The Committee were very concerned of the nature of the offences which raised concern over the applicants suitability for the safety of the public. The applicant, whilst stating that he had not deserved to receive a custodial sentence, had not pursued an appeal even though he was legally represented. The Court had decided that there was an issue over access to at least one other family member and accordingly restricted it.

The Council’s Disciplinary Code states “As Hackney Carriage and Private Hire Drivers maintain a close contact with the public, a firm line will be taken with applicants who have convictions for violence. A minimum of three years free of convictions should be shown before an application is entertained and even then a strict warning will be administered”.

The applicant’s last conviction was on 22 July 2015.

(The Chair declared the meeting closed at. 6.43 pm)

Agenda Item 6

APPLICATION FOR HACKNEY CARRIAGE/PRIVATE HIRE LICENSES

Procedure for hearing applications at Environment and Safety Committee

1. Chair will introduce the item, explain roles of Members and Officers and explain. Procedure. Chair will ensure that Applicant has received the report and is ready to proceed. Microphones will be in use for the duration of the meeting.
2. Licensing Officer to present report. Questions only:
 - a) Applicant to ask Licensing Officer on clarification of report or if he requires additional information
 - b) Members to ask questions of the Licensing Officer
3. Applicant/Representative may make submissions on the application:
 - a) Licensing Officer to ask questions of the Applicant/Representative
 - b) Members make ask questions of the Applicant/Representative
4. Applicant/Representative may call any witnesses in support of their case:
 - a) Officers may ask questions of the witnesses only
 - b) Members may ask questions of the witnesses only
 - c) Applicant may ask questions of the witnesses only
5. Members may seek clarification on the report from Officers (if required)
6. Officer summing up (if required)
7. Applicant summing up.
8. All persons, except Members of the Board, Committee Administrator and Legal Representative withdraw from the room.
9. Members may discuss the application, propose and second a recommendation and vote on this. In the event of an equal number of votes for and against the recommendation, the Chair will use their casting vote.
10. Decision is notified to the Applicant, in writing, within seven days of the meeting.

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Agenda Item 7

By virtue of paragraph(s) 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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