

Environment and Safety Committee Agenda

Wednesday, 16 March 2016 at 6.00 pm

Waldegrave Room, First Floor, Aquila House, Breeds Place, Hastings,
East Sussex, TN34 3UY

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1.	Apologies for Absence	
2.	Minutes of the meeting held 4 February 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.	Applicant for Hackney Carriage/Private Hire Drivers Licence	5 - 14
8.	'Fit and Proper' test for Licensed Hackney Carriage/Private Hire Driver <i>(Assistant Director Environment and Place)</i>	15 - 22

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Agenda Item 2

ENVIRONMENT AND SAFETY COMMITTEE

4 FEBRUARY 2016

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

23. APOLOGIES FOR ABSENCE

None.

24. MINUTES OF THE MEETING HELD 24 NOVEMBER 2015

RESOLVED – That the minutes of the meeting held on 24 November 2016 be approved as a true record and signed by the Chair.

25. DECLARATIONS OF INTEREST

Councillors made no declarations of interest at this meeting.

26. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

27. ADDITIONAL URGENT ITEMS (IF ANY)

None.

28. 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>
29(E)	Applicant for Hackney Carriage/Private Hire Drivers Licence	Paragraph 4

29(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 was in attendance and made a submission.

ENVIRONMENT AND SAFETY COMMITTEE

4 FEBRUARY 2016

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

RESOLVED (by 4 votes to 1 against) 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 Committee have listened very carefully to the applicant but are of the view that there remains a potential risk to the general public particularly young people and vulnerable adults. The applicant did not, in the Committee’s view make a substantive enough case to convince them that he was a fit and proper person to hold a licence. Public safety is of paramount importance.

(The Chair declared the meeting closed at. 6.35 pm)

Agenda Annex

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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Agenda Item 8

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