

Environment and Safety Committee Agenda

Thursday, 22 February 2018 at 6.00 pm

Council Chamber, Muriel Matters House, Breeds Place, Hastings, TN34 3UY.
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For further information, please contact Emily Horne on 01424 451719 or Email: ehorne@hastings.gov.uk

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1.	Apologies for Absence	1 - 4
2.	Declarations of Interest	
3.	Minutes of Previous Meeting held on 11 January 2018	
4.	Notification of any additional urgent items	
5.	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 - 10
6.	Applicant for Hackney Carriage/Private Hire Drivers Licence with convictions (<i>Assistant Director Environment and Place</i>)	
7.	Review of delimitation decision on Hackney Carriages (<i>Assistant Director Environment and Place</i>)	11 - 16

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ENVIRONMENT AND SAFETY COMMITTEE

11 JANUARY 2018

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

45. APOLOGIES FOR ABSENCE

Absence was noted for Councillor Cooke.

46. DECLARATIONS OF INTEREST

The following councillors declared their interests in the minutes as indicated:

Councillor	Minute	Interest
Dowling	50(E) - Applicant for Hackney Carriage / Private Hire Drivers Licence with convictions	Personal – He has visited the taxi office
Roberts	50(E) - Applicant for Hackney Carriage / Private Hire Drivers Licence with convictions	Personal – The applicant's representative is a personal friend
Sinden	50(E) - Applicant for Hackney Carriage / Private Hire Drivers Licence with convictions	Personal – His family uses the taxi service

47. MINUTES OF PREVIOUS MEETING HELD ON 26 OCTOBER 2017

RESOLVED – That the minutes of the meeting held on 26 October 2017 be approved as a true record and signed by the Chair.

48. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

49. 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.

ENVIRONMENT AND SAFETY COMMITTEE

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<u>Minute No.</u>	<u>Subject Matter</u>	<u>Paragraph No.</u>
50(E)	Application for Hackney Carriage/Private Hire Drivers Licence	Paragraph 4
51(E)	'Fit & Proper' test for Licensed Hackney Carriage/Private Hire Driver	Paragraph 4

50(E) APPLICANT FOR HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE WITH CONVICTIONS

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.

With the agreement of the Chair and the applicant, the Licensing Manager circulated a DBS certificate supplied by the Disclosure and Baring service, for Members to consider as part of the report.

The driver and his representative were in attendance and both made a submission.

Councillor Roberts proposed a motion to grant the application, which was seconded by Councillor Rogers.

RESOLVED (unanimously) that the applicant is a 'Fit and Proper' person to hold a Hackney Carriage/Private Hire Vehicle Driver's Licence in line with his current leave to remain and work permit.

Reason: The applicant has been free of offence for a period of 4 years. He seems to have learnt from his past experience and has taken a keen interest in sport. His representative confirmed that he had offered the applicant full time employment which the applicant was keen to accept. It is hoped that this will give the applicant a stable future.

The Committee hope that the applicant takes advantage of the opportunity offered to him.

ENVIRONMENT AND SAFETY COMMITTEE

11 JANUARY 2018

51(E) FIT & PROPER' TEST FOR LICENSED HACKNEY CARRIAGE/PRIVATE HIRE DRIVER

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 continue to hold a Hackney Carriage / Private Hire Drivers Licence.

The driver was in attendance and made a submission in his defence.

Councillor Sinden proposed a motion to grant the application, which was seconded by Councillor Rogers.

RESOLVED (unanimously) that the applicant is a 'Fit and Proper' person to continue to hold a Hackney Carriage/Private Hire Vehicle Driver's Licence.

Reasons: The applicant readily admitted the offence. He knows that he should not have committed it.

The offence is criminal. It is considered to be serious as when such an offence occurs the vehicle would not be covered by insurance putting passengers at risk. Had the offence been witnessed by the police or Council officers it is likely the applicant would have been prosecuted.

The Committee want the applicant to be aware that they would take matters very seriously should he appear before them again because of similar circumstances.

(The Chair declared the meeting closed at. 6.48 pm)

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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 6

By virtue of paragraph(s) 6 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Agenda Item 7

By virtue of paragraph(s) 6 of Part 1 of Schedule 12A
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