

ENVIRONMENT AND SAFETY COMMITTEE

2 AUGUST 2017

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

39. APOLOGIES FOR ABSENCE

None.

40. DECLARATIONS OF INTEREST

None.

41. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

42. 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>
43(E)	'Fit and Proper' test for Licenced Hackney Carriage/Private Hire Drivers Licence (DR 254)	Paragraph 4
44(E)	'Fit and Proper' test for Licenced Hackney Carriage/Private Hire Drivers Licence (DR 314)	Paragraph 4

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43(E) 'FIT AND PROPER' TEST FOR LICENSED HACKNEY CARRIAGE/PRIVATE HIRE DRIVER WITH EXCESS PENALTY POINTS (DR 254)

The Corporate Director, Environmental Services, submitted a report regarding a licenced Hackney Carriage / Private Hire Driver with excess points.

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

RESOLVED by (3 votes to 0, with 2 abstentions) that the applicant is a 'Fit and Proper' person to continue to hold a Hackney Carriage/Private Hire Vehicle Driver's Licence.

Reasons: The Committee were extremely concerned about the driver parking on zig zag lines near the school and the incident of speeding. East Sussex County Council have been enforcing this issue for some time as parking in this way creates a dangerous environment for all persons in that vicinity. To address the issue of speeding the Committee would like the driver to undertake some form of speed awareness training as soon as possible. It is hoped this could be undertaken at the driver's place of employment. Once completed the Council's Licensing Manager should be notified.

The Committee would want the driver to know that they expect the driver not to infringe traffic regulations in the future. Any further incidents of this nature that would necessitate the applicant being brought before them again, would be taken very seriously.

44(E) "FIT AND PROPER' TEST FOR LICENSED HACKNEY CARRIAGE/PRIVATE HIRE DRIVER WITH EXCESS PENALTY POINTS (DR 314)

The Corporate Director, Environmental Services, submitted a report regarding a licenced Hackney Carriage / Private Hire Driver with excess points.

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 Committee Administrator circulated a signed statement from the driver for Members to consider. The Committee were given the opportunity to read the information.

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The Police were not present at the meeting. The Licensing Manager read out two written statements on their behalf, which were appended to the report under Appendix A.

With the agreement of the Chair, a DVD showing footage from the Police Officer's mobile phone was played detailing the incident.

The driver was in attendance, together with his Solicitor and a representative of the Turkish community. They made their submissions.

Councillor Rogers proposed a motion to suspend the licence, which was seconded by Councillor Roberts.

RESOLVED (unanimously) that the applicant is not a 'Fit and Proper' person to continue to hold a Hackney Carriage/Private Hire Vehicle Driver's Licence until he has undertaken an approved Taxi Driving test such as that carried out by the Blue Lamp Trust. The licence is suspended for a period of up to 4 weeks for this to be carried out. Once carried out the Council's Licensing Manager needs to be informed and shown the relevant documentation showing that the training has been undertaken. If the training can be carried out sooner and the relevant documentation shown to the Council's Licensing Manager satisfaction, the suspension period can be less than 4 weeks.

Reasons: The driver was aggressive in his dealings with the police. By his own admission he has a short fuse. There have been 2 occasions when he has flaunted road traffic law. The Committee hope that the period of suspension will give the driver a period to reflect on his behaviour and that the training will ensure that there will be no further incidents of this kind.

(The Chair declared the meeting closed at 6:04pm)