

Environment and Safety Committee Agenda

Thursday, 5 February 2015 at 6.00 pm

Town Hall, Queen's Square, Priory Meadow, Hastings, TN34 1QR.

If you are attending the Town Hall for this meeting, please enter the building via the Queens Road entrance opposite the cinema.

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 on 8 January 2015	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 - 12
8.	Applicant for Hackney Carriage/Private Hire Drivers Licence (Corporate Director, Environmental Services)	13 - 18

Agenda Item 2

ENVIRONMENT AND SAFETY COMMITTEE

8 JANUARY 2015

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

24. APOLOGIES FOR ABSENCE

None.

25. MINUTES OF THE MEETING HELD ON 2 DECEMBER 2014

RESOLVED – that the minutes of the meeting held on 2 December 2014 be approved as a true record and signed by the Chair.

26. DECLARATIONS OF INTEREST

The following councillors declared an interest in the minutes as indicated:

<u>Councillor</u>	<u>Minute</u>	<u>Interest</u>
All members	30E	Personal – The solicitor representing the driver is known them

27. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

A late statement had been received from the driver's solicitor.

28. ADDITIONAL URGENT ITEMS (IF ANY)

None.

29. 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>
30(E)	'Fit and Proper' test for Licenced Hackney Carriage/Private Hire Drivers Licence	Paragraph 4

ENVIRONMENT AND SAFETY COMMITTEE

8 JANUARY 2015

30. 'FIT AND PROPER' TEST FOR LICENSED HACKNEY CARRIAGE/PRIVATE HIRE DRIVER

The Corporate Director, Environmental Services, submitted a report regarding a fit and proper test for a licensed Hackney Carriage / Private driver.

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 Driver's Licence.

The driver was in attendance, represented by his solicitor Mr Foster.

Mr Foster circulated a written statement on behalf of his client for Members to consider. The Committee were given the opportunity to read the information.

The driver and his legal advisor both made a submission in his defence.

Two witnesses from Radio Relay, Lewes, were present and made a submission concerning the second complaint against the driver.

Members discussed the complaints at length.

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

RESOLVED – (unanimously) that the driver is a "Fit and Proper Person" to continue to hold a Hackney Carriage/Private Hire Vehicle Driver's Licence and therefore take no further action.

Reason for this decision: The Committee listened very carefully to all the evidence before it. It is clear that the driver had displayed inappropriate behaviour and language on at least two occasions. Whilst that behaviour is not a way for licensed taxi drivers to behave, the incidents did not occur whilst the driver had fare paying passengers.

However, the Committee want the applicant to be aware that any further incidents of this nature that would necessitate the applicant being brought before them again, would be taken very seriously.

(The Chair declared the meeting closed at. 7.50 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

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Agenda Item 8

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