

## ENVIRONMENT AND SAFETY COMMITTEE

11 APRIL 2019

Present: Councillors Bishop (Chair), Cox (Vice-Chair), Marlow-Eastwood and Roberts

### 93. APOLOGIES FOR ABSENCE

Apologies received for Councillor O'Callaghan.

### 94. DECLARATIONS OF INTEREST

None

### 95. MINUTES OF PREVIOUS MEETING

**RESOLVED** – That the minutes of the meeting held on 21 February 2019 be approved as a true record and signed by the Chair.

Councillor Roberts proposed a motion to exclude the public seconded by Councillor Marlow-Eastwood.

**RESOLVED** – 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.

### 96. LICENSED DRIVER WITH CONVICTION AND EXCESS PENALTY POINTS

The Assistant Director, Environment and Place submitted a report to consider a complaint received in regards to an incident involving a Licensed Hackney Carriage/Private Hire Driver. As a result the Licensing Authority has issued the driver with 12 penalty points.

In line with Hastings Borough Council's disciplinary code, a meeting of the Environment and Safety Committee was called to determine if, following a conviction and excess penalty points, the driver is a 'Fit and Proper' person to continue to hold a Hackney Carriage/Private Hire Drivers Licence.

The Licensing Manager gave a brief overview of the incident and his subsequent discussions with the driver and witnesses.

The driver made a submission to the Committee regarding the incident and Committee members asked questions of the driver.

Two statements of good conduct were made on behalf of the driver by colleagues.

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Councillor Roberts proposed a motion to decide that the driver is a "Fit and Proper" person to continue holding a Hackney Carriage/ Private Hire Vehicle Driver's Licence, seconded by Councillor Marlow-Eastwood.

**Resolved (unanimously) that:**

The Driver is a "Fit and Proper" person to continue holding a Hackney Carriage/Private Hire Vehicle Driver's Licence.

The reasons for this decision:

The Driver had 25 years exemplary record before the incident and at least 8 months after. The driver had not received a complaint in over 25 years' service. The incident was a personal one not professional. It was dealt with by the courts.

The Committee do not believe that the driver is any threat to the public. He is well thought of by his colleagues and had made attempts to deal with the issue with his former friend and colleague. He was not looking for trouble. The incident was a temporary loss of self- control with a former friend and colleague for which he was extremely remorseful.

(The Chair declared the meeting closed at 6.51pm)