

Environment and Safety Committee Agenda

Monday, 30 April 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	
2.	Declarations of Interest	
3.	Minutes of Previous Meeting held on 22 February 2018	1 - 4
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	
6.	Applicant for Hackney Carriage/Private Hire Drivers Licence with convictions (Assistant Director Environment and Place)	7 - 26

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ENVIRONMENT AND SAFETY COMMITTEE

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

58. APOLOGIES FOR ABSENCE

Absence was noted for Councillor Cooke.

59. DECLARATIONS OF INTEREST

None.

60. MINUTES OF PREVIOUS MEETING HELD ON 11 JANUARY 2018

RESOLVED – That the minutes of the meeting held on 11 January 2018 be approved as a true record and signed by the Chair.

61. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

62. 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>
63(E)	Application for Hackney Carriage/Private Hire Drivers Licence	Paragraph 4

63. 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.

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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 was in attendance and made a submission.

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

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

Reason: The circumstances of the offences are easily understood and could have affected most drivers. The Committee do not believe that the applicant is any threat to the safety of the public.

64. REVIEW OF DELIMITATION DECISION ON HACKNEY CARRIAGES

The Corporate Director, Environmental Services, submitted a report to update members on the rise in licensed Hackney Carriage numbers since the delimitation decision in 2016.

Historically Hastings Borough Council has limited the number of Hackney Carriages operating in the Borough, to 48 vehicles. Provided they can show there is no significant 'unmet demand' for Hackney services, the delimited regime continues. An independent Survey of Hackney Carriage Services is undertaken every 3 years to determine whether or not there is any significant unmet demand for Hackney Carriages. Hastings Borough Council last carried out a survey in 2006. This cost of undertaking this survey is estimated at 20K and can be claimed back by Hackney Carriage licence fees over a period of time.

In 2016 this arrangement stopped. It was agreed to conditionally delimit the Hackney Carriage fleet provided a set of conditions agreed by a joint trade and officer working party was met by new applicants. It was also agreed that a report would be submitted by the Licensing Manager if the number of new applications approved increased beyond 10% (5 vehicles) in 12 months. This threshold has now been met. The total number of Hackney fleet vehicles has now reached 54 vehicles (6 in total in 18 months).

The Licensing Manager explained that to reinstate a limit will require an unmet demand survey to be undertaken, and only if that survey finds no significant 'unmet demand' can a new limit be imposed. A re-survey would need to be undertaken every 3 to 4 years. He clarified the legal position to the Committee.

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Mr Dave Preedy from the Hackney Carriage Association, was in attendance with his partner. He recommended the committee agree to undertake an 'unmet demand survey'. He said the trade income had decreased by 46%, with some drivers down in work by 20 hours a day. To get work in, he said they were undertaking private hire work and were not on the taxi rank.

Councillor Dowling sought clarification from Mr Preedy about his comments over the 46% drop in the Hackney workload. He asked if Mr Preedy was saying that the rise of the new 6 Hackney carriages was the sole reason for the drop, a simple mathematic test would indicate that a rise of only 6 vehicles would reduce the overall workload by about 17% and not 46% or was he stating that the workload had dropped for other reasons such as the use of technology as well as the increase in vehicle numbers. Mr Preedy agreed that other factors were included in those figures.

Mr Brown stated that by law private hire numbers cannot be controlled and numbers are increasing whilst Hackney carriage is suffering. Drivers are taking pre-booked work instead of being on the rank. Customers are changing the way they book taxis, using apps and modern technology.

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

RESOLVED (unanimously) that Members instruct the Licensing Manager to continue to monitor the situation and bring a further report to Environment and Safety Committee if and when there is a 10% increase in licenses (from 22 February 2018).

(The Chair declared the meeting closed at. 6.45 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) 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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