

Environment and Safety Committee Agenda

Thursday, 15 July 2021 at 6.00 pm

Council Chamber, Muriel Matters House, Breeds Place, Hastings, TN34 3UY.
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1.	Apologies for Absence	
2.	Declarations of Interest	
3.	Minutes of Previous Meeting	1 - 2
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. Procedure for hearing applications	
6.	New Applicant for a hackney carriage/private hire driver's license <i>(Mike Hepworth, Assistant Director, Environment and Place)</i>	5 - 18

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

152. APOLOGIES FOR ABSENCE

None received.

153. DECLARATIONS OF INTEREST

None received.

154. MINUTES OF PREVIOUS MEETING

RESOLVED – that the minutes of the meeting held on 18th March 2021 be approved as a true record.

155. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None received.

156. TAXI LICENSING POLICY REVIEW AND INCLUSION OF THE STATUTORY GUIDANCE ISSUED BY THE SECRETARY OF STATE FOR TRANSPORT TO PROTECT CHILDREN AND VULNERABLE INDIVIDUALS.

The Licensing Lead Officer, Mr Bryant, introduced a report to review the draft Statement of Taxi Licensing Policy and to implement changes in policy following the introduction of the Statutory guidance issued by the Department for Transport in June 2020.

Mr Bryant explained that the Department for Transport recommends all licensing authorities make publicly available a cohesive policy document that brings together all their procedures on taxi and private hire vehicle licensing. This should include but not be limited to policies on convictions, a 'fit and proper' person test, licence conditions and vehicle standards. When formulating a taxi and private hire vehicle policy, the primary and overriding objective must be to protect the public.

The council drafted a policy document and consulted on it from the 25th January 2021 until 15th March 2021. The consultation was open to the public as well as the Taxi trade and displayed on the council website, emailed to the trade direct and placed on all council social media. The council received detailed responses from the trade and other interested parties.

ENVIRONMENT AND SAFETY COMMITTEE

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Mr Bryant gave a precis of the policy document and responded to questions from the Committee.

Councillor Roberts proposed approval of the recommendation, seconded by Councillor Cox.

RESOLVED (unanimously):

The Committee reviews the proposed Hastings Borough Council Hackney Carriage and Private Hire Licensing Policy, including the proposed implementation of the changes in process in light of the new 2020 Statutory guidance issued by the secretary of state for transport and agree the new policy.

Reasons:

- A) The Secretary of State for Transport has issued new Statutory Guidance to Local Authorities on the exercising of taxi and private hire licensing functions, Hastings Borough Council does not currently have an all-encompassing Hackney Carriage and Private Hire Licensing Policy and it is now a requirement and best practice to do so.
- B) The Guidance sets out a framework of policies that, under section 177(4), of the Policing and Crime Act 2017, licensing authorities must have regard to when exercising their functions. These functions include developing, implementing and reviewing their taxi and private hire licensing regimes.
- C) The Department recommends all licensing authorities make publicly available a cohesive policy document that brings together all their procedures on taxi and private hire vehicle licensing. This should include but not be limited to policies on convictions, a 'fit and proper' person test, licence conditions and vehicle standards. When formulating a taxi and private hire vehicle policy, the primary and overriding objective must be to protect the public. The importance of ensuring that the licensing regime protects the vulnerable cannot be overestimated.
- D) To enable the Licensing Committee to review the proposed changes and to consider and approve changes as identified following public consultation.

(The Chair closed the meeting at 19.16pm)

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

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of the Local Government Act 1972.

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