

## ENVIRONMENT AND SAFETY COMMITTEE

24 FEBRUARY 2022

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

### **163. APOLOGIES FOR ABSENCE**

None received.

### **164. DECLARATIONS OF INTEREST**

None received.

### **165. MINUTES OF PREVIOUS MEETING**

**RESOLVED** – that the minutes of the meeting held on 15<sup>th</sup> July 2021 be approved as a true record.

### **166. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS**

No urgent items.

### **167. EXCLUSION OF THE PUBLIC**

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.

### **168. LICENSED DRIVER WITH EXCESS PENALTY POINTS ON HBC DRIVER LICENCE**

The Licensing Lead Officer submitted a report to consider if the driver is a “fit and proper” person to continue holding a Hastings Borough Council Hackney Carriage/ Private Hire dual driver’s licence as a result of accumulating excess penalty points on his licence.

The Licensing Lead Officer gave an overview of his report and answered questions from the Committee.

The driver made submissions to the Committee and answered questions from Councillors.

**RESOLVED** (4 votes in favour, 1 abstention):

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The Environment and Safety Committee for and on behalf of Hastings Borough Council has considered the report of the licensing officer and the submissions made by the driver and decided the driver is not a "Fit and Proper person" to hold a Hackney Carriage/Private Hire Vehicle Driver's Licence and instruct the Environmental Health and Licensing Manager to revoke his licence.

The reasons for the decision are:

1. The Committee applied the fit and proper person test as per paragraph 5.12 of Statutory Taxi & Private Hire Vehicle Standards July 2020 and found on the balance of probabilities that the driver should not hold a licence.
2. The Committee did not have confidence the driver was focused when driving.
3. The Committee did not believe the driver made sufficient submissions to allay the Committee's fears that he would drive safely in the future and this was expected of a professional driver as safety was paramount.
4. The Committee was mindful of the driver's previously clean record prior to the incidents raised before the Committee however the driver had got his licence back in November 2021 following a previous incident and within 2 months he was caught speeding at 23mph above the speed limit of 30mph. The driver's license should have meant everything to him at that stage but his actions suggest it was not. Although the Committee keenly felt the weight of the driver's previous employment record the safety of the general public was the overriding concern.

(The Chair declared the meeting closed at 7.50pm)