

Environment and Safety Committee Agenda

Thursday, 24 February 2022 at 6.00 pm

Council Chamber, Muriel Matters House, Breeds Place, Hastings, TN34 3UY.
Please enter the building via the Tourist Information Centre entrance.

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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.	
6.	Licensed driver with excess penalty points on HBC driver licence (<i>Mike Hepworth, Assistant Director, Environment and Place</i>)	5 - 18

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Agenda Item 3 Public Document Pack

ENVIRONMENT AND SAFETY COMMITTEE

15 JULY 2021

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

157. APOLOGIES FOR ABSENCE

None received.

158. DECLARATIONS OF INTEREST

None received.

159. MINUTES OF PREVIOUS MEETING

RESOLVED – that the minutes of the meeting held on 20th May 2021 be approved as a true record.

160. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None received.

161. 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.

162. NEW APPLICANT FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENSE

The Licensing Lead Officer submitted a report to consider if the applicant is a “fit and proper” person to hold a Hastings Borough Council Hackney Carriage/ Private Hire dual driver’s licence as the applicant cannot produce all required documents due to mitigating circumstances.

The application was therefore referred to the Committee to make a determination.

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

ENVIRONMENT AND SAFETY COMMITTEE

15 JULY 2021

The driver made a submission to the Committee and answered questions from Councillors and the Licensing Lead Officer.

RESOLVED (unanimously):

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 have decided the driver is 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 issue a licence when all the conditions are met.

Reasons:

1. While the Committee note the Council's Policy, the Committee are minded to depart from the Policy in this case having considered the case on its merits and noting the driver is close to having the sufficient address history needed under the Policy.
2. The Committee believe the driver has a good knowledge of the town as well as having a clean driving licence. The Committee also note the driver has a calm, collected and assured manner. The Committee are pleased the driver has completed the Blue Lamp Trust driving test and note he also demonstrates an excellent level of English.
3. The Committee confirm they would be happy with their family members being in a taxi with the driver.

(The Chair declared the meeting closed at 6.34pm)

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) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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