

ENVIRONMENT AND SAFETY COMMITTEE

24 MARCH 2022

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

169. APOLOGIES FOR ABSENCE

None received

170. DECLARATIONS OF INTEREST

None received

171. MINUTES OF PREVIOUS MEETING

RESOLVED – that the minutes of the meeting held on 24th February 2022 be approved as a true record.

172. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None received.

173. EXCLUSION OF THE PUBLIC

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

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.

174. 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 and his representatives made a submission to the Committee and answered questions from Councillors and the Licensing Lead Officer.

RESOLVED (Unanimously)

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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 his representatives and have decided the driver is a “Fit and Proper person” to hold a Hackney Carriage/Private Hire Vehicle Driver’s Licence but instruct the Environmental Health and Licensing Manager to issue a letter to the driver confirming it is the driver’s responsibility to report to the Council any accidents within 72 hours and disclose any convictions to the Council within 48 hours.

Reasons for the decision

1. The Committee had regard to the Council’s Hackney Carriage & Private Hire Licensing Policy as well as the Department for Transport’s Statutory Taxi and Private Hire Vehicle Standards from July 2020 and Taxi and Private Hire Vehicle Licensing: Best Practice Guidance from March 2010 when making their decision.
2. The Committee applied the fit and proper person test as per paragraph 5.12 of Statutory Taxi & Private Hire Vehicle Standards from July 2020 and found on the balance of probabilities that the driver should hold a licence.
3. The Committee noted the Driver had apologised and was honest with the Committee.
4. The Committee was impressed that the Driver had made changes to his work life balance.
5. The Committee was confident that the driver took his role as a professional driver seriously and understood the gravity of his job.

(The Chair declared the meeting closed at. 7.13 pm)