

## ENVIRONMENT AND SAFETY COMMITTEE

26 SEPTEMBER 2022

Present: Councillors Jobson (Chair), Marlow-Eastwood (Vice-Chair) and Cooke.

### 180. APOLOGIES FOR ABSENCE

None received.

### 181. DECLARATIONS OF INTEREST

None received.

### 182. MINUTES OF PREVIOUS MEETING

**RESOLVED** – that the minutes of the meeting held on 31<sup>st</sup> May 2022 be approved as a true record.

### 183. EXCLUSION OF THE PUBLIC

Councillor Jobson proposed a motion to exclude the public, seconded by Councillor Cooke.

**RESOLVED** (unanimously) – 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.

### 184. 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 their licence.

The Licensing Lead Officer gave an overview of his report and answered questions from the Committee. A video of the incident was shown to the Committee.

The driver and their representatives made a submission to the Committee and answered questions from Councillors.

**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 warning letter.**

Reasons:

1. The Committee had regard to the Council’s 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 noted the driver had an exemplary record of fourteen years prior to the incident which brought him before the Committee.
3. The Committee considered the nature and seriousness of the incident as shown in the CCTV footage when coming to its decision.
4. The Committee could see that the driver was remorseful.
5. The Committee believed the driver was sincere when he stated he wished to never engage in similar behaviour again.
6. The Committee understood the stress of being in police custody was the reason the driver had failed to properly report the incident to the Council’s licensing department within the required time.

(The Chair declared the meeting closed at 6.48pm)