

Public Document Pack
ENVIRONMENT AND SAFETY COMMITTEE

29 MAY 2019

Present: Councillors Bishop (Chair), Cox (Vice-Chair), Marlow-Eastwood, Roberts and O'Callaghan

97. APOLOGIES FOR ABSENCE

Apologies received for Councillor Bacon (substituted by Councillor O'Callaghan)

98. DECLARATIONS OF INTEREST

None

99. MINUTES OF THE PREVIOUS MEETING HELD ON 11 APRIL 2019

RESOLVED – That the minutes of the meeting held on 11 April 2019 be approved as a true record and signed by the Chair.

100. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None

101. EXCLUSION OF THE PUBLIC

Councillor Roberts proposed a motion to exclude the public seconded by Councillor O'Callaghan

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.

102. APPLICANT FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE WITH A CONVICTION

With the agreement of the chair this item was moved down the agenda to item 7.

ENVIRONMENT AND SAFETY COMMITTEE

29 MAY 2019

The Assistant Director, Environment and Place submitted a report to decide if the applicant is a "fit and proper" person to hold a Hackney Carriage / Private Hire Driver licence.

Hastings Borough Council policy requires applicants for Hackney Carriage / Private Hire Driver Licences who have a specific type of conviction from a court, to appear before the committee to consider if they are a "fit and proper" person to hold a Hastings Borough Council licence. Any decision reached after hearing all the evidence can be appealed at Hastings Magistrates Court.

The applicant was not present for this item

The Licensing Manager gave a brief overview of the application and his subsequent discussions with the applicant.

Councillor O'Callaghan proposed a motion to decide that the applicant is not a "Fit and Proper" person to hold a Hackney Carriage/ Private Hire Vehicle Driver's licence, seconded by Councillor Cox.

Resolved (unanimously) that:

Applicant not a 'Fit and Proper' person to hold a Hackney Carriage/Private Hire Vehicle Driver's Licence.

The reasons for this decision:

The matter was heard in the applicant's absence. The Committee were disappointed that the applicant did not attend the hearing to explain the circumstances of his conviction. He had not contacted the Council's Licensing manager to arrange an alternative date for the hearing or to discuss the matter. The Committee's responsibility is to ensure that public safety is of paramount importance. The applicant had not demonstrated in any way that he was aware of those responsibilities.

103. APPLICANT FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE WITH A CONVICTION

With the agreement of the chair this item was moved up the agenda to item 6.

The Assistant Director, Environment and Place submitted a report to decide if the applicant is a "fit and proper" person to hold a Hackney Carriage / Private Hire Driver licence.

Hastings Borough Council policy requires applicants for Hackney Carriage / Private Hire Driver Licences who have a specific type of conviction from a court, to appear before the committee to consider if they are a "fit and proper" person to hold a Hastings Borough Council licence. Any decision reached after hearing all the evidence can be appealed at Hastings Magistrates Court.

ENVIRONMENT AND SAFETY COMMITTEE

29 MAY 2019

The Licensing Manager gave a brief overview of the application and his subsequent discussions with the applicant.

The applicant made a submission to the Committee regarding the application and convictions. Committee members asked questions of the applicant.

Councillor Roberts proposed a motion to decide that the applicant is not a "Fit and Proper" person to hold a Hackney Carriage/ Private Hire Vehicle Driver's licence, seconded by Councillor O'Callaghan.

Resolved (unanimously) that:

Applicant not a 'Fit and Proper' person to hold a Hackney Carriage/Private Hire Vehicle Driver's Licence.

The reasons for this decision:

The applicant failed to explain in any convincing way the convictions that he had on his DBS certificate. He had said that he had been in the wrong place at the wrong time. The nature of the offences were concerning when considering public safety. Whilst the applicant protested his innocence he had not appealed any of his convictions. Some of the convictions were repeated offences. This demonstrates to the Committee that the applicant may not be reliable and does not seem to be aware of the expectations of being a taxi driver, being responsible for public safety.

(The Chair declared the meeting closed at. 6.52 pm)

This page is intentionally left blank