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ENVIRONMENT AND SAFETY COMMITTEE

9 JANUARY 2020

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

111. APOLOGIES FOR ABSENCE

Apologies received for Councillor Roberts.

112. DECLARATIONS OF INTEREST

None.

113. MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 7 November 2019 be approved as a true record and signed by the Chair

114. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

115. EXCLUSION OF THE PUBLIC

Councillor Bacon 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.

116. LICENSED DRIVER WITH EXCESS DISCIPLINE POINTS. "FIT AND PROPER" TEST

The Assistant Director, Environment and Place submitted a report detailing a complaint received by the Authority in relation to an incident involving a Licensed Hackney Carriage/Private Hire Driver. As a result, the Authorities discipline system has issued the driver with 4 points, 12 penalty points have now been accumulated on this licence within 9 months.

In line with Hastings Borough Council’s disciplinary code, this meeting of the Environment and Safety Board has been called to determine if the applicant is a ‘Fit and Proper’ person to continue to hold a Hackney/Private Hire Drivers Licence.

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The applicant was not present for this item and no submission was made on their behalf.

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

Councillor Marlow-Eastwood 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:

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

The licence is to be suspended until the driver has successfully undertaken a 'Blue Lantern' course to the satisfaction of the Council's Licensing Manager.

The reasons for this decision:

The driver has been before the Committee previously. He has only had his licence since 2017. The Committee believe that the driver has shown a complete disregard for public safety and the rules of the road. He has committed three driving offences in 9 months.

117. LICENSED DRIVER WITH EXCESS DISCIPLINE POINTS. "FIT AND PROPER" TEST

The Assistant Director, Environment and Place submitted a report detailing a complaint received by the Authority in relation to an incident involving a Licensed Hackney Carriage/Private Hire Driver. As a result, the Authorities discipline system has issued the driver with 12 points, 12 penalty points have now been accumulated on this licence within 12 months.

In line with Hastings Borough Council's disciplinary code, this meeting of the Environment and Safety Board has been called to determine if the applicant is a 'Fit and Proper' person to continue to hold a Hackney/Private Hire Drivers Licence.

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

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

Councillor Marlow-Eastwood proposed a motion to decide that the applicant is a "Fit and Proper" person to hold a Hackney Carriage/ Private Hire Vehicle Driver's licence, seconded by Councillor Bacon.

Resolved (unanimously) that:

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The applicant is a 'Fit and Proper' person to hold a Hackney Carriage/Private Hire Vehicle Driver's Licence.

The reasons for this decision:

The Committee thought that the driver had behaved very badly and that the incident was a serious matter. However, the driver was remorseful. He said he would apologise to the person concerned, He now understands what he should have done at the time and is aware of the law. He has had 12 penalty points by virtue of a discipline notice which he understands the severity of. The Committee believe that the driver would not act in this way again.

(The Chair declared the meeting closed at 6.35pm)

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