

Monday, 8 January 2018
at 6.00 pm



General Licensing Committee

Present:-

Members: Councillor Tester (Chairman) Councillor Rodohan (Deputy-Chairman) Councillors Belsey, Choudhury, Coles, Freebody, Holt, Murdoch, Murray, Smart and Swansborough

21 Minutes of the meeting held on 20 March 2017.

The minutes of the meeting held on 20 March 2017 were submitted and approved and the Chair was authorised to sign them as an accurate record.

22 Apologies for absence.

An apology for absence was reported from Councillor Robinson.

23 Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct.

Councillor Tester declared an interest in agenda item 7 Hackney Carriage and Private Hire Penalty Points Scheme, as he felt he had predetermined his decision on this item. Councillor Tester withdrew from the room whilst this item was considered and did not vote thereon.

24 Hackney Carriage and Private Hire Penalty Points Scheme.

The Committee considered the report of the Functional Lead – Quality Environment seeking approval for the introduction of a Penalty Points scheme for all Hackney Carriage and Private Hire Drivers; Private Hire Operators and licensed vehicle owners to operate from 1 May 2018.

It was proposed to implement a penalty points scheme to improve the levels of compliance within the trade and subsequently improve the standards, safety and protection of the travelling public. The proposed penalty Points scheme was attached at appendix 1 to the report. It was designed to record misdemeanours and act as a record of a driver's behaviour and conduct so as to ascertain whether they remain fit and proper to hold the relevant licence.

At the General Licensing committee on 9 January 2017, Members were advised that the proposed scheme would be subject to a three month consultation period and would be open to the trade and members of the public. It was suggested that the scheme be directed to the Disability Involvement Group as part of the consultation. At that meeting, the committee requested that the report be brought back to a future meeting

following the consultation process which commenced on the 1 February 2017 and closed on 1 May 2017.

The Council received five responses, one of which represented 77 drivers from Eastbourne and County Taxis Ltd. Full details of the feedback were included at appendix 3 and 4 and summarised on pages 5 and 6 of the report.

As a result of the consultation there were two proposed Schemes attached at appendix 1 and 2 of the report. A third option to produce an Enforcement Framework scheme was also suggested with the detail needing further development should this be the preferred option of the committee.

Jay Virgo addressed the committee stating that sufficient sanctions were in place for the trade and in accordance with natural justice. Mr Virgo queried the legality of the introduction of a Penalty Points scheme over and above that which exists.

The Committee discussed the options outlined within the report and, whilst they acknowledged similar schemes existed across East Sussex, they agreed a Penalty Points scheme was not required in Eastbourne.

NB: Councillor Tester withdrew from the room whilst this item was considered.

RESOLVED: (By 9 votes with 1 abstention)

- 1) That the introduction of a Penalty Points Scheme be rejected.

The meeting closed at 7.38 pm

**Councillor Rodohan (Deputy
Chair)**