

Licensing Sub-Committee 3.30pm 23 July 2018

Decision: The Licensing Sub-Committee was asked to determine whether this respondent was a fit and proper person to hold a Hackney Carriage/Private Hire Dual Driver's Licence against the background of having been observed by a KCC Inspector driving an unlicensed vehicle and failing to display their driver's badge.

In respect of failing to display their driver's badge, the Respondent admitted that they had left the badge in the licensed vehicle and therefore it was not present in the un-licensed vehicle

In respect of driving an un-licensed vehicle, the Respondent admitted that they were aware this was wrong, however the Respondent thought it more important to undertake the contract and the vehicle in question was fully comprehensively insured.

The Sub-Committee questioned the Respondent regarding the insurance for the vehicle and asked the Respondent to confirm that the borrowed vehicle was insured for hire and reward. The Respondent was unable to confirm this and the Sub-Committee formed the view that as well as driving an unlicensed vehicle the Respondent was also driving without a valid certificate of motor insurance in place.

The Respondent apologised to the Sub-Committee, accepted responsibility for their actions and indicated that this would never happen again.

Taking into account the above the Sub-Committee determined that the appropriate and proportionate action would be to revoke the driver's licence. This revocation takes effect 21 days from the date that Notice is given to the driver. The Sub-Committee felt that given the Respondent was aware that what they were doing was wrong but chose to do so anyway was a matter that was so serious that only revocation could suffice. The Respondent is not fit and proper to hold a hackney carriage and private hire dual driver's licence with Swale Borough Council.

A person aggrieved by the decision of the Sub-Committee has 21 days to appeal to the Magistrates Court.

Chairman:

Councillor Cameron Beart

Date: 23 July 2018