

**Licensing Sub-Committee 2pm on 24 July 2017**

**Case No4/2017**

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 accumulated 24 penalty points on the Council's Hackney Carriage and Private Hire Policy.

In respect of the 6 points awarded for the failure to display a driver's badge the Respondent stated that he had been wearing his badge on his jumper, but took his jumper off and left it at home. When the Licensing Officer observed that he didn't have his driver's badge he immediately went home and collected it. In respect of the 6 points awarded for wearing a shirt without a collar the Respondent admitted that he had misunderstood the requirements of the Policy and he was at fault. In respect of the 6 points awarded for wearing jeans the Respondent admitted that he was aware that this was a breach of the Policy.

The Respondent also addressed the Sub-Committee regarding points received earlier in the year for breach of the Traffic Regulation Order, stating that he was not parked on a double yellow line, he was parked on the pavement, however, he felt that this was acceptable as he believed it to be private land, but he admitted that he had to mount the pavement in order to be able to park there.

The Respondent accepted that he was in the wrong and apologised to the Sub-Committee.

Taking into account all of the above the Sub-Committee determined that the appropriate and proportionate action would be to issue a formal written warning at this time.

The Sub-Committee draw the attention of the Respondent to the fact that Swale Penalty Points remain on the Hackney Carriage/Private Hire Dual Driver's Licence for a period of 3 years and in the event of appearing before a future Sub-Committee it is unlikely that a further warning would be given.