

Licensing Sub-Committee 11am on 24 July 2017

Case No 3/2017

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

In respect of the 6 points awarded for breaching the Traffic Regulation Order, the Respondent admitted that he should have parked elsewhere, that he was at fault and apologised for this. In response to a question regarding the impact of a suspension or revocation on his licence, the Respondent stated that he would be letting down his employer as he was one of the few drivers who would be willing to drive the school bus, a role he considers to be important. The Respondent asked the Sub-Committee for leniency.

Taking into account the above the Sub-Committee determined that the appropriate and proportionate action would be to suspend the driver's licence for a period of 2 weeks. This suspension takes effect 21 days from the date that Notice is given to the driver. This means that the period of suspension will be wholly contained within the school summer holidays and so will not impact on the school run. The Sub-Committee wanted the Respondent to be aware that the suspension would have been for a period of 4 weeks, but the Sub-Committee did not want to prejudice the service to the schools.

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