

Licensing Sub-Committee 3.15pm 27 March 2018

Case No 2

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 22 on the Council's Hackney Carriage and Private Hire Policy and accumulating 7 DVLA penalty points.

In respect of the 22 points endorsed for the various incidents outlined in the report , the respondent indicated that he was previously unaware of his right to appeal these points and gave a brief explanation for the matters raised.

The Licensing Officer pointed out to the respondent that the letters he had been sent all noted the respondent's right of appeal. The respondent suggested that not all the letters had been received.

In respect of accumulating 7 DVLA points on his driving licence, the respondent explained that he had received calls from his family regarding a sick relative that had caused panic. The respondent stated that this did not occur with passengers in the car and would never do so. The respondent's current employer gave the respondent a reference and indicated that systems had been put in place to avoid a repeat of the issue.

The Chairman of the Sub-Committee read an extract from the Swale Policy to the effect that drivers who exceed 6 DVLA points on their driving licence would have their badge withdrawn.

Taking into account the above the Sub-Committee determined that the appropriate and proportionate action would be to revoke the driver's Hackney Carriage/Private Hire Dual Driver's Licence. This revocation takes effect 21 days from the date that Notice was given to the driver and therefore is effective from 17th April 2018.

The Sub-Committee indicated that the Council would consider an application for a new Hackney Carriage/Private Hire Dual Driver's Licence from this respondent after 7th July 2018.

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 to revoke their licence has 21 days to appeal the decision to the Magistrates Court.