

Licensing Sub-Committee 10am 8 May 2018

Case No 1

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

In respect of the 4 points awarded for failing to display the external plate on a licenced vehicle, the respondent indicated that he had been away for the weekend, and had not put the plate on the vehicle as it was raining and that he had previous experience of plates falling off the vehicle when the tape had been applied in the rain.

The respondent was disappointed that the Inspector had reported him for this transgression as when he spoke to him, the Inspector appeared to be understanding.

The Sub-Committee pointed out that the plate was issued on a Monday and the offence occurred the following Thursday, rather than occurring over the weekend. The respondent had no answer to this point.

The Sub-Committee noted that the respondent had previously been before the Sub-Committee and had been given a formal warning in July 2017. The Sub-Committee formed the view that the respondent did not take responsibility for his actions and the previous warning had not proved to be effective.

On that basis, the Sub-Committee determined that the respondent is not fit and proper to continue as a licensed driver and the appropriate and proportionate action is to suspend the respondent's Driver Licence.

The suspension will last for a period of 7 days and will commence 21 days after the date of this notice being the 29 May 2018 and will finish on the 5 June 2018.

The respondent has 21 days in which to appeal this decision by way of lodging a complaint with the Magistrates Court.

The Sub-Committee noted that any further breaches would likely be dealt with by way of revocation of the respondent's Driver Licence.

Dated: 8 May 2018