

Licensing Sub-Committee 3.30pm 24 September 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 them accumulating a total of 12 penalty points on their Swale Driver's badge.

In respect of the six points given for reversing up a one-way street, the Respondent admitted they had done so, they were trying to assist a passenger, but accepted that this was the wrong way to go about it. The Respondent apologised for this action and stated that in the future they would simply drive the long way round and apply no extra charge to the passenger.

In respect of the six points given for failing to advise the Licensing Department within seven days of receiving a conviction in court, the Respondent stated that they had received incorrect advice on this and once the true position was known, acted promptly to ensure the council was aware. The Respondent accepted that it was their responsibility to know what was required by the Policy.

The Respondent advised the Sub-Committee as to the circumstances of the criminal conviction and assured the Sub-Committee that this was not behaviour that they would ever engage in with a passenger. The Respondent was able to give an example of a recent situation involving a difficult passenger where they had acted in an appropriate manner.

The Sub-Committee accepted that the criminal conviction whilst serious was not a situation that was ever likely to occur with a passenger. The Sub-Committee also noted that there were no other incidents of this nature associated with the Respondent.

Taking into account the above the Sub-Committee determined that the appropriate and proportionate action would be to give the Respondent a warning as to their future conduct and to ensure that they are fully aware of the requirements of the new Hackney Carriage and Private Hire Policy.

Chairman:

Councillor Cameron Beart

Date: 24 September 2018

