

**Licensing Sub-Committee 10am 23 October 2018**

**Case 08/18**

Decision: The Licensing Sub-Committee was asked to determine whether this respondent was a fit and proper person to be issued a new Hackney Carriage/Private Hire Dual Driver's Licence against the background of them accumulating a total of 12 penalty points on their previous Swale Driver's Licence, and having 7 current DVLA points for speeding.

The Sub-Committee heard from the applicant the reasons why the speeding offences were committed and also heard from the applicant's employer that procedures had been put in place to avoid the repeat of any such offences. The applicant also presented a character witness who advised that they had been a passenger in the applicant's taxi on many occasions and had never had any problems with the applicant speeding.

The Sub-Committee had regard to the Policy and noted that under the current Hackney Carriage and Private Hire Policy the applicant had one major and one minor traffic offence. The Sub-Committee noted that the major offence was committed over two and a half years ago and those points would be removed from the applicant's DVLA Licence in June 2019. The minor offence was committed over 12 months ago.

The Sub-Committee also considered the previous decision taken against this applicant in March 2018 which dealt with the imposition of 12 points on the Swale Hackney Carriage and Private Hire licence.

Taking into account all of the above the Sub-Committee determined that this applicant is a fit and proper person to be issued a Swale Hackney Carriage and Private Hire Licence subject to the following conditions:

- (1) That the applicant is given a warning as to his future driving conduct and that any further DVLA offences will be viewed very seriously; and
- (2) That the Hackney Carriage and Private Hire points that existed on the applicant's previous licence be endorsed on the current licence, the effect being that any further infringements against the Policy will result in the immediate return of the applicant to the Sub-Committee for a further determination of whether they remain fit and proper.

These conditions are necessary to ensure this applicant remains fit and proper.

Chairman:



Councillor Tina Booth

Date: 23 October 2018