

Licensing Sub-Committee 23 January 2019 2pm

Case 2/19

The Licensing Sub-Committee was asked to determine whether this respondent was a fit and proper person to continue as a Hackney Carriage/Private Hire Dual Driver against the background of them accumulating a total of 13 penalty points on their Swale Driver's Licence.

The Sub-Committee heard from the respondent that due to pressure brought about through ill-health and difficulties around the business they had "buried their head in the sand" in relation to the DVLA points issued in respect of speeding on a motorway. The respondent indicated that they had simply forgotten about the DVLA points, which was a mistake. The respondent wanted to hold their hands up, accept responsibility for their actions and move forward. The respondent apologised for their errors of judgement.

The respondent admitted to committing a speeding offence and for failing to disclose this to the Licensing Authority and further failing to disclose this on their licence renewal application.

The respondent indicated that they now had assistance with their administration and therefore did not anticipate this happening again.

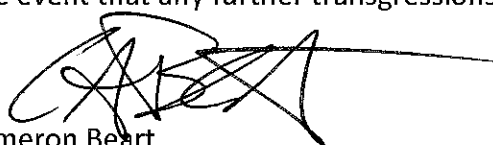
The Sub-Committee noted that the respondent had made full disclosure to the Sub-Committee today, had taken responsibility for what had gone wrong and apologised. The Sub-Committee also noted that the offence is a minor traffic offence under the Swale Hackney Carriage and Private Hire Taxi Policy. The respondent has been a Swale Licensed Driver for a considerable period of time, and prior to these incidents had the benefit of clean licences for several years.

On account of the above the Sub-Committee were of the view that the appropriate and proportionate step at the present time, was to issue the respondent with a warning as to their future conduct. The 13 Swale Hackney Carriage points will remain on the respondent's Hackney Carriage Driver's Licence, the effect of which is that any future minor offence will result in the respondent being brought before a further Licensing Sub-Committee.

The respondent should be aware that a future Sub-Committee is unlikely to issue a further warning in the event that any further transgressions against the Policy were to arise.

Chairman:

Councillor Cameron Beart



Date: 28 January 2019