



Swale Borough Council

Local Government (Miscellaneous Provisions) Act 1976

Town Police Clauses Act 1847

NOTICE OF DETERMINATION OF DUAL HACKNEY CARRIAGE / PRIVATE HIRE DRIVER'S LICENCE

Licence Holder: [REDACTED]

Licence number: [REDACTED]

Date of Determination: 31 August 2023

The Licensing Sub Committee were asked to consider whether [REDACTED] is a fit and proper person for the purposes of compliance with hackney carriage and private hire legislation, published Standards and Guidance and Swale Borough Council's Hackney Carriage and Private Hire Vehicle Licensing Policy.

The Licensing Sub Committee heard evidence from [REDACTED], considered the licensing officer's report and carefully reviewed all of the evidence provided including the written statement provided in advance of the hearing and the emails received from [REDACTED] and [REDACTED].

The Licensing Sub Committee felt that the reason for [REDACTED] not declaring [REDACTED] caution on [REDACTED] renewal application was a genuine mistake, resulting from a misunderstanding of the circumstances and implications of [REDACTED] caution.

The Licensing Sub Committee considered [REDACTED] response to a number of questions surrounding the incident and found [REDACTED] to be honest and genuine [REDACTED] account.

The Licensing Sub Committee noted and gave weight to the very supportive emails that had been received concerning [REDACTED] history and character. They also noted he had a long history as a licensed taxi driver in Swale with no previous concerns being raised.

The Licensing Sub Committee carefully considered the enforcement options available to them. In particular, they noted their policy regarding matters relating to violence and dishonesty. However they felt that the particular circumstances of this case justified the decision.

ACCORDINGLY THE DECISION OF THE LICENSING SUB COMMITTEE IS TO TAKE NO FURTHER ENFORCEMENT ACTION AND TRUST THE LICENCE WILL BE RENEWED IN THE USUAL WAY, WITHOUT THE EXISTING PENALTY POINTS BEING APPLIED.

There is no right of appeal against this decision.

Signed:

Date of Notice: 31 August 2023

A handwritten signature in black ink, appearing to read 'Derek Carnell', written in a cursive style.

Councillor Derek Carnell
Chairman of the Licensing Sub-Committee