



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

Applicant [REDACTED]

Date of Determination: 27 November 2024

In accordance with the provisions of Sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976, take notice that Swale Borough Council has decided to GRANT your application for a dual hackney carriage / private hire drivers' licence subject to completion of any outstanding application requirements.

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 carefully considered the evidence included within the report and additional evidence provided at the hearing from the applicant. In particular, the Licensing Sub Committee considered the circumstances surrounding [REDACTED] convictions and the reasons for failure to initially declare some of these as part of his application.

The Licensing Sub Committee believed that [REDACTED] provided an honest and credible account of the incident that led to the convictions in 2016 and 2018. They accepted that he may be under some misunderstanding of the way that the 2018 incident had resulted in particular convictions. They noted that although there were multiple convictions in 2018, these were from an isolated incident.

The Licensing Sub Committee believed that his actions since that time showed genuine desire to change. They considered [REDACTED] current longstanding role with the ambulance service, in which [REDACTED] was also responsible for training others, as demonstrative of the trust that had been placed in [REDACTED].

The Licensing Sub Committee considered whether the incidents could indicate concerns regarding [REDACTED] temperament however given the relatively isolated nature of them and the genuine remorse shown, did not feel on balance, that they warranted refusal of the application.

The Licensing Sub Committee noted their policy regarding convictions involving violence and that this would normally warrant refusal until a period of 10 years had passed. They gave careful consideration as to whether it would be appropriate to depart from the Policy in the circumstances of the application. On balance, they felt that the evidence justified a departure from the Policy given the honest and credible account provided and the positive steps that had been taken by [REDACTED] in the intervening years.

Accordingly, the decision of the Licensing Sub Committee was to grant the application subject to completion of any outstanding application requirements.

The Licensing Sub Committee noted that [REDACTED] would need to complete the application process and were mindful to remind him to be fully cognisant of the Council's Policy, in particular his responsibility to keep the Council updated with all relevant information.

There is no right of appeal against this decision.

Signed:

Date of Notice:



Councillor Derek Carnell
Chairman of the Licensing Sub-Committee