

Licensing Sub-Committee 3.30pm 31 October 2016

Case No6/2016

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 having accumulated 12 penalty points on the Council's Hackney Carriage and Private Hire Policy.

The Sub-Committee heard from the Respondent indicating that at some point whilst their licensed vehicle was in for repair an employee of the repair shop had taken the car, possibly for a test drive, and had been caught by a speed camera.

However, the Sub-Committee were of the view that in failing to advise the Council that the vehicle was off the road the Respondent had permitted an unlicensed driver to drive their licensed vehicle. The Sub-Committee felt that this was at the lower end of this offence. The Sub-Committee also noted that the driver had been licensed for a period of 7 years and until this year had not received any Swale Penalty Points.

Taking into account all of the above the Sub-Committee determined that the appropriate and proportionate action would be to issue a formal written warning at this time.

The Sub-Committee draw the attention of the Respondent to the fact that Swale Penalty Points remain on the Hackney Carriage/Private Hire Dual Driver's Licence for a period of 3 years and in the event of appearing before a future Sub-Committee it is unlikely that a further warning would be given.