

Licensing Sub-Committee 2 June 2021 2pm

Case 3/2021

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 12 penalty points on their Swale Driver's Licence.

The Sub-Committee heard from the Licensing Officer that the Respondent had failed to disclose DVLA penalty points when the original speeding offence was committed and further failed to disclose these points on application for renewal of the Respondent's Swale Drivers' Licence

The Sub-Committee further heard that the Respondent had not been notified by the court that his DVLA Licence had been endorsed with six penalty points and this only came to light when he renewed his insurance. The Respondent also advised the Sub-Committee that on completing his application form he had done so on his phone which made the form much harder to understand. Finally, the Respondent noted various family difficulties as mitigating factors.

The Sub-Committee determined that this Respondent has taken responsibility for his actions and apologised. The Sub-Committee accepted that there was no intention to mislead the Licensing Authority and that the Respondent remains a fit and proper person to hold a Hackney Carriage/Private Hire Dual Driver Licence.

It is appropriate and proportionate to deal with this matter by way of a formal warning but the Respondent should be aware that the Swale points remain on his record and so any further breaches of policy will result in a return to the Sub-Committee and it is unlikely that a further warning would be given.

Chairman:

Councillor Derek Carnell

Date: 2 June 2021