

**Licensing Sub-Committee 2 June 2021 11.30am**

**Case 2/2021**

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 17 penalty points on their Swale Driver's Licence.

The Sub-Committee heard from the Licensing Officer that the Respondent had failed to advise a change of address and had also driven whilst not licensed. In response to a question from the Legal Advisor the Licensing Officer advised that the respondent had not previously had any penalty points on their Swale Driver's record.

The Sub-Committee heard from the Respondent that he had unfortunately failed to notify the taxi office of a change of address and that this was an oversight and he did not recall receiving the letter that advised him his licence was due to expire. He was aware that his DBS and Medical had a further year to run and thought perhaps his Licence was the same. The respondent advised the sub-committee in respect of substantial family difficulties and mental health issues around the relevant time.

Taking into account all of the above the sub-committee noted that the respondent accepted responsibility for his actions and was taking positive steps to improve his life situation.

The Sub-Committee determined that the Respondent is a fit and proper person to hold a Hackney Carriage/ Private Hire Dual Driver's licence and it is appropriate and proportionate to deal with this matter by way of a formal warning.

The respondent should be under no illusions that in the event of appearing before a further sub-committee that such leniency again. The 17 penalty points will remain on the respondent's record so any further breach will result in an immediate return to a Licensing Sub-Committee.

Chairman:

Councillor Derek Carnell

Date: 2 June 2021