

Licensing Sub-Committee 2 June 2021 10am

Case 1/2021

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 22 penalty points on their Swale Driver's Licence.

The Sub-Committee heard from the Licensing Officer that the Respondent had received three DVLA points in December 2019, which he had failed to declare both at the time of the offence and again when making an application for a renewal of his Swale Driver's licence in December 2020. The respondent had also failed to respond to Communications from the Taxi office in a timely fashion.

The Sub-Committee heard from the Respondent that in respect with the three DVLA points they were not carrying a fare at the time and that they had understood that there was a need to report offences which resulted 6 DVLA points being endorsed but had not appreciated that lesser offences also needed to be reported. The respondent stated that he was not particularly good with modern technology and so relied on assistance from his partner but he would take steps to ensure that circumstances like this would not arise again.

The Sub-Committee determined that whilst these were serious breaches particularly the failure to disclose the driving offence on the application they felt that the respondent took responsibility for what had occurred and would take appropriate steps to ensure it would not happen again.

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

The Sub-Committee advises the respondent that this is a wholly exceptional step and that it is unlikely in the event of any further points being endorsed that a further warning would be given. The 22 points will remain on the respondents Swale driver's licence, the result of which is that any further breaches will result in an immediate return to a licensing sub-committee.

Chairman:

Councillor Derek Carnell

Date: 2 June 2021