

Licensing Sub-Committee 17 February 2022

Case 1/2022

The Licensing Sub-Committee was asked to determine whether this Respondent was a fit and proper person to continue as a Swale 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 been observed by KCC staff driving whilst talking on his mobile phone and also in breach of the dress code for drivers and not displaying his correct badge.

The Sub-Committee heard from the Respondent's representative that the Respondent was of previous good character and gave a number of mitigating reasons for the behaviour on that day.

The Sub-Committee determined that this Respondent does not remain a fit and proper person to hold a Hackney Carriage/Private Hire Dual Drivers Licence. However, as a result of the mitigation provided at the hearing today it is appropriate to deal with this matter by way of a short suspension.

The Sub-Committee were made aware during the course of the hearing that the Respondents knowledge of the Swale Hackney Carriage Policy was decidedly lacking in a number of areas and therefore this Respondent would benefit from the opportunity to refresh themselves of the Policy before continuing driving. Therefore, the Sub-Committee imposes a suspension of seven days and requires the Respondent to read, absorb and reflect on the Policy before returning to work.

The Sub-Committee recommends to the Respondent's representative that it would be considered best practice for an operator to ensure that their drivers are up to date with and compliant with the Council's Hackney Carriage Policy.

This decision may be appealed by way of an Appeal to the Magistrates Court which must be made within 21 days of the notification of this decision.

Chairman:

Councillor Derek Carnell

Date: 17 February 2022