

PUBLIC PROTECTION SUB COMMITTEE

5 MARCH 2019

Present: Councillor Mackie(Chairperson)
Councillors Lancaster and Taylor

13 : EXCLUSION OF THE PUBLIC

14 : HACKNEY CARRIAGE/PRIVATE HIRE MATTERS

RESOLVED – That the following matters be dealt with as indicated:

(1) Application 1

The Sub Committee were asked to consider a complaint made against a driver from a member of the public. Members were advised that the passenger alleged that upon entering the vehicle the driver accused her of giving him a counterfeit £20 note at the end of a previous journey. It was alleged that the driver was shouting abuse at the passenger and he forced her out of the vehicle leaving her abandoned on Newport Road.

The driver stated that he recognised the name of the passenger. He advised the passenger that on the previous occasion she had given him a counterfeit £20 note. The driver denied shouting or forcibly removing the passenger from the vehicle.

RESOLVED – That no further action be taken as based on the evidence the Sub Committee was unable to be satisfied that on the balance of probabilities there was any inappropriate behaviour.

(2) Application 2

The Sub Committee was advised that a driver had a conviction and penalty points for a driving offence. The driver also failed to advise the Licensing Authority of the conviction at the time. The conviction was declared upon renewal of the Hackney Carriage/Private Hire drivers licence. The Sub Committee heard that the driver was involved in an altercation and collision with another driver. The driver left the scene.

RESOLVED – That the driver receive a written warning for driving offences and non-disclosure of the conviction.

(3) Application 3

The Sub Committee was advised that a driver declared a caution for battery on his renewal application form. The caution was not disclosed at the time. The driver stated that he was involved in an argument with another man. He felt threatened and he had struck the other man as an act of self-defence. The driver stated that he had not disclosed the caution at the time because there was no mechanism to do so. Responding to

questions from the Sub Committee the driver confirmed that he had not made any enquiries with the Licensing Authority in relation to reporting such matters and he was unaware that a protocol was in place.

RESOLVED – That the driver receive a written warning for battery and subsequent non-disclosure, plus an additional requirement that the driver completes the BTEC qualification within 3 months.

(4) Application 4

Adjourned sine die

(5) Application 5

The Sub Committee was advised that a driver had failed to disclose a caution upon renewal of his licence. Members were advised that the driver had no recollection of the incident in question. He woke up in Police custody with a head injury and three broken ribs. The driver was advised that he had abused members of the emergency services who were trying to help him.

Members were advised that the driver was living in temporary accommodation at the time following the breakdown of his marriage. He was suffering with anxiety and depression. When asked why he didn't disclose the caution the driver stated that he 'put his head in the sand' as he felt ashamed and could not deal with the issue at the time. However, he was now living in a new home and he was attempting to put his life back together. He has been a cabbie for 25 years and he was good at his job.

RESOLVED – That the driver receive a written warning for non-disclosure of a caution.

(6) Application 6

RESOLVED – That the application for a Hackney Carriage/Private Hire drivers licence be refused as the Sub Committee did not consider the applicant to be a fit and proper person to hold a licence.

(7) Application 7

RESOLVED – That the application for a Hackney Carriage/Private Hire drivers licence be refused as the Sub Committee did not consider the applicant to be a fit and proper person to hold a licence.

The meeting terminated at 2.00 pm