

PUBLIC PROTECTION SUB COMMITTEE

1 JUNE 2021

Present: Councillor Mackie(Chairperson)
Councillors Derbyshire and Jacobsen

1 : EXCLUSION OF THE PUBLIC

The following item is confidential and exempt from publication as it contains exempt information of the description contained in paragraph 14 of Part 4 and paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972. The public may be excluded from the meeting by resolution of the Committee pursuant to Section 100A(4) of the Local Government Act 1972 during discussion of this item.

2 : HACKNEY CARRIAGE/PRIVATE HIRE MATTERS

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

(1) Case 1

Members were advised that a complaint had been received from a member of the public who alleged that a driver had refused a fare. The driver was parked on the Cowbridge Road East rank in Canton and the passenger had wanted to go to Kings Road. The complainant stated that the driver had said 'you can walk'. The witness did not attend the hearing

The Sub Committee received representations from the driver who denied that a fare was refused. The driver stated that it was a quiet day and he had been waiting for a fare on the rank for 2 or 3 hours. He was the first vehicle on the rank. A lady approached his vehicle so he opened the window and asked the customer where she wished to go. The customer became angry and refused to get into the vehicle. The driver got out of his vehicle and tried to calm the customer. The customer then left the area on foot.

Member asked a number of questions seeking to clarify what had occurred. Members noted that the driver had attended a BTEC training course on Carrying Passenger by taxi. On the course drivers are taught not to ask passengers their destination until they are inside the vehicle. The driver stated that it is normal practice to open the window and speak to customers before they get into the vehicle.

RESOLVED – That the driver receive a written warning for conduct.

(2) Case 2

The Sub Committee received representations from a driver who had been convicted of a number of offences in relation to consumer protection, unfair trading, hallmarking and Trademark offences. Members were advised that following the receipt of a complaint Trading Standards officers had made

test purchases on items for sale on an Ebay account. The items were sent for analysis. The jewellery was returned as mis-described, the cosmetics were unsafe and the trademark holders confirmed that the goods did indeed infringe the trademark.

Officers from Shared Regulatory Services commenced an investigation and a warrant was executed at the home of the driver. Officers seized items of jewellery, cosmetics and trademarked items along with items used in the distribution of goods such as various sizes of padded envelopes and in addition £12,845 in cash. The investigation showed that the defendants had been trading for a number of years. Members were advised that the sentencing Judge Jones stated that in her opinion this was a large scale, sophisticated business with issues of goods being supplied that were unsafe, being used by individuals who had no idea that they are using an unsafe product.

The Sub Committee received representations from the driver. The driver stated that he had entered into a partnership with another person. They purchased stock from a registered company and they were unaware that the stock was counterfeit. He accepted that he had made a mistake and he was remorseful for it.

Members asked the driver to explain why a large amount of cash found at his home during the execution of a warrant. The driver stated that the cash was his life savings.

RESOLVED – That the hackney carriage/private hire driver licence be revoked for convictions relating to dishonesty.

(3) Case 3

Deferred for 1 month

(4) Case 4

Application 4

The Sub Committee received representations from a driver who was convicted of using a vehicle uninsured against third party risks resulting in 8 penalty points on this DVLA driving licence. The driver was asked to explain the circumstances resulting in the conviction.

Members were advised that the driver was working in Cardiff City Centre. As part of a planned operation, two officers of the Shared Regulatory Services approached his vehicle and asked to be taken to Penarth. The vehicle was a private hire vehicle and the customers had not pre-booked. The passengers paid the fare and left. The driver was subsequently approached by a Licensing Enforcement Officer who cautioned for the offence of plying for hire without a licence. He was subsequently convicted of the above offence and also for not having insurance to carry out the journey,

The driver accepted that he had made an error of judgement and he assured the Sub Committee that he would never repeat the same mistake again. He had no previous endorsements on this driving licence and there were no issues reported during his time working as a licenced taxi driver.

RESOLVED – That the hackney carriage / private hire drivers licence be revoked for a serious driving offence and a HC/PHV use offence

(5) Case 5

Deferred for 1 month

The meeting terminated at 12.30 pm