

PUBLIC PROTECTION SUB COMMITTEE

10 AUGUST 2021

Present: Councillor Mackie(Chairperson)
Councillors Derbyshire and Goddard

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

The Sub Committee received representations from a driver who had received 6 penalty points and a fixed penalty for a driving offence. Members were advised that the driver had used a mobile telephone to receive a video call from his son. The driver was off-duty, there were no passengers in the vehicle and the device was being used 'hands free' at the time. The driver stated that he was unaware that an offence was being committed. The driver accepted that he made mistake and understood why it was considered to be a major traffic offence. There were no other offences to take into consideration and no complaints had been made against the driver.

RESOLVED – That the driver receive a written warning for a driving offence.

(2) Case 2

Deferred for 1 month

(3) Application 3

The Sub Committee was asked to consider a complaint received from a member of the public regarding a driver's conduct. Members were advised that a customer had booked a private hire vehicle and requested that the fare be paid on account at the time of the booking. When they reached the destination the driver advised the customer that the booking was coded as a cash fare. A dispute then occurred between the customer and the driver.

The Sub Committee received representations from the driver and his representative. Members were advised that the driver had accepted the booking as a cash fare. During the journey an amicable conversation was

held between the customer and the driver. The customer advised that she would like to pay for the fare by card and the driver therefore advised her to contact Dragon Taxis as he was unable to change the booking via the meter. At the destination the driver did not stop the meter as this would mean that only a cash payment would be accepted. The fare was approximately £8.50 at this point. The driver advised the customer to pay via the link sent to her from Dragon as quickly as possible as this would then stop the meter. The fare was increasing during this delay as the meter was still running and had increased to around £10.50. This led to a dispute.

At some point during the dispute the passenger tried to leave the vehicle. The driver attempted to explain to his passenger that she had locked the door from the inside. He reached into the back of the vehicle to explain how to unlock the door. At no point did he grab the passenger, or her handbag or phone. He did not lock the passenger in the vehicle. The driver stated that he asked the customer to leave the vehicle and he would not accept payment for the fare. The customer refused to do this. The passenger then got out of the vehicle and threw around £8.50 into the vehicle and left.

The Sub Committee also received representations from the customer. Members were advised that the customer often uses taxis and always pays by card. During the journey the customer stated that she advised the driver that she should be paying by card. Upon arrival at the destination the driver expected a cash payment.

The customer stated that the driver grabbed her hand and showed her the meter. She became frightened and phoned Dragon Taxis. During the phone call the driver locked the doors and refused to let her leave the vehicle. The Dragon operator asked the customer to give the driver her phone but she felt that this was not acceptable during a pandemic.

The customer confirmed that the driver then asked her to leave the vehicle without paying. But he was loud and intimidating. She tried to open the door and pay in cash from outside the vehicle as she considered this would be safer. At this point the driver grabbed her hand and tried to prevent her from leaving the vehicle. The driver then tried to grab her handbag.

After paying the driver the customer took photographs of the vehicle and the registration number. She then reported the matter to the police and made a complaint to the Council as she was concerned that same thing could happen to another passenger.

The Sub Committee heard the recordings of 5 telephone conversations between the passenger and Dragon Taxis, including a call made during the incident. The driver's representative sought to clarify details in relation to a number of points made by the customer during the telephone calls.

RESOLVED – That the Hackney Carriage / Private Hire drivers licence be suspended for 3 days for unacceptable conduct.

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The meeting terminated at 2.00 pm