

PUBLIC PROTECTION SUB COMMITTEE

1 FEBRUARY 2022

Present: Councillor Mackie(Chairperson)
Councillors Goddard and Lancaster

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 regarding the conduct of a driver. It was alleged that the driver gave to passengers a lift from Barry to Cardiff as a favour. The passengers were then collected from Cardiff and returned to Barry. The complaint related to the conduct of the driver during the return journey. Concerns were raised that the driver made inappropriate sexually explicit comments, invited the passengers to take drugs and had acted in an aggressive manner.

The driver's representative raised concerns that the witnesses were not present to be questioned on their statement. The driver stated that he was not working on the day in question. He had given his personal mobile number to one of the passengers as a friend. He gave them a lift as a favour. As his friend's companion was from London he decided to go sightseeing on the return journey. No money was exchanged.

The Committee was concerned that the driver had given his personal number to an individual who he was had not previously been associated with and proceeded to transport them in his private hire vehicle. Members considered this to be highly unusual and concerns were raised at how this may be perceived. Members were also very concerned that the driver had, by his own admission, undertaken two journeys in a private capacity with two individuals who were not in his 'bubble' in contravention of the requirements of the Covid-19 safety measures.

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

(2) Case 2

Members were advised that a complaint had been received regarding alleged overcharging and refusal to use the meter during a fare. Members were asked to consider the circumstances that resulted in the complaint being received.

The driver addressed the Sub Committee. The driver stated that he was interviewed about the complaint approximately 6 or 7 weeks following the alleged incident and therefore he could not recall much detail. Members were advised that on the evening in question the driver was stopped to assist at a 'hit and run' incident on Cathedral Road. When he returned to work he picked up four females from a marshalled rank. The driver stated that he normally asks for a deposit however he denied that he asked the customers for £40 in advance of the journey but there may have been an misunderstanding.

The Sub Committee also received representations from the complainant. The complainant stated that she was not intoxicated and she had a clear recollection of the event. The complaint stated that the driver asked each of the passengers for £10 in advance of the journey. The driver was requested to use the meter and refused. At that point the journey was terminated and the customers asked to be let out of the vehicle.

RESOLVED – That the driver receive a 7-day suspension for overcharging and refusing to use the meter.

(3) Case 3

Members were asked to consider an application for a hackney carriage / private hire drivers licence. Members were advised that the driver was previously licenced but his licence was revoked when the driver was charged with a notifiable criminal offence.

The Sub Committee received representations from the driver's representative. Members were advised that an allegation was made but no charges were brought and the matter was discontinued. Prior to the incident the driver had an unblemished record. He was also a prominent member of his community.

The Sub Committee was concerned that although no criminal charges were brought the driver had not acted appropriately at the time of the incident.

RESOLVED – That the application for a hackney carriage / private hire drivers licence be refused.

(4) Case 4

Members were advised that a driver had received 6 penalty points for driving without valid insurance. The driver was asked to explain the circumstances.

The driver's representative stated that the driver went to a local supermarket in his wife's car. He was unaware that his wife's insurance policy had changed and he was no longer insured to drive the vehicle. The driver accepted that this was his responsibility and was an oversight.

Responding to questions from the Sub Committee the driver stated that he did not declare the offence at the time of the incident or disclose the offence on his application for as he did not realise that it amounted to a driving offence.

RESOLVED – That the driver receives a 7-day suspension for a driving offence and non-disclosure of the offence.

(5) Case 5

Members were advised that a licenced driver had accumulated 15 penalty points for driving offences. The Sub Committee received representations from the driver.

The driver stated that he received the penalty points for 5 speeding offences were committed when he was working as a delivery driver during the pandemic. He was not working as a taxi driver at the time. He was unaware that he was required to declare the offences.

RESOLVED – That the hackney carriage / private hire drivers licence be revoked for driving offences.

(6) Case 6

A complaint was received regarding the conduct of a driver. The driver was alleged to have overcharged for a journey.

The driver stated that he had responded to a call and arrived at the location quickly. However, he was unable to see his passenger so he contacted the despatch office and asked for a description of the customer. He saw the customer in his rear view mirror, turned the vehicle and collected his passenger.

During the journey the passenger called home and asked his partner to pass £10 through the window to pay the fare. The driver parked his vehicle as close as possible to the property in question as he was aware that the passenger had mobility issues. The driver stated that as the vehicle was parked on a slope the passenger may have had difficulty opening the

passenger door.

The complainant had complex mental health issues. The complainant stated that the driver was at first hiding his vehicle and refused to pick him up. It was alleged that that taxi was cancelled and another vehicle was ordered. The complainant said that upon arrival at his home the driver had locked the vehicle and refused to let him get out. He then panicked. There was also a disagreement a discrepancy about the fare for the journey.

RESOLVED – That no further action be taken.

(7) Case 7

Members were advised that a driver had received 9 penalty points for driving. The driver's representative stated that the driver had been working nights throughout the pandemic, primarily transporting passengers on behalf of the NHS. The offences had occurred when there were no passengers in the vehicle but the driver was under a great deal of pressure to pick up his next passenger urgently.

The Sub Committee was advised that the driver accepted the offences and regretted his actions. He also accepted that he unintentionally did not disclose the offences.

RESOLVED – That the driver receive a 7-day suspension for driving offences.

The meeting terminated at 1.30 pm