

PUBLIC PROTECTION SUB COMMITTEE

7 SEPTEMBER 2022

Present: Councillor Michael(Chairperson)
Councillors Kaaba and Jenkins

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 complainant who alleged that a driver had failed to complete a journey, had attempted to overcharge them and had abandoned them in an unsuitable location.

The Sub Committee was advised that a group of 4 passengers entered a vehicle in the City Centre. The passengers were travelling to Newport with 3 stop on route. The driver requested £110 payment for the fare. However, after starting the journey the passenger learned that a group of friends that were travelling in another taxi were paying £60. The passengers determined that £110 was excessive and attempted to enter into dialogue with the driver.

The driver was not willing to negotiate and therefore the group of friends requested that the vehicle pull over in order to allow them to leave the vehicle. Upon exiting the vehicle it was alleged that the driver attempted to take money out of the hand of the complainant. The driver was 'irate' and intimidating. The passengers, fearing for their safety, gave him £10.

When questioned, the complainant stated that the group of friend had been drinking alcohol but were not intoxicated. The complainant disagreed with the driver's statement that he had taken the group to a cashpoint. The driver was also alleged to have provided false details to the complainant when requested.

The driver stated that the fee agreed at the point of entry was £60 but an additional £5 was added for each of the 3 stops on route. When the additional fees were requested the passengers became angry and abusive.

RESOLVED – That the hackney carriage/private hire drivers licence be suspended for 7 days for unacceptable conduct. The driver must also complete the SQA training course within 3 months.

(2) Case 2

The Sub Committee received representations from a complainant who alleged that a driver has refused to use a taxi meter for a fare. The Sub Committee was advised that the complainant has approached a taxi on a marshalled rank in the City Centre. The driver requested £40 payment in advance. The complainant stated that he was aware that drivers must use the meter for fares within the city's boundaries but the driver refused to do so. The complainant considered this to be common occurrence in his experience.

The driver denied refusing to use the meter. The driver considered that there was a misunderstanding around the estimated cost of the journey.

RESOLVED – That the hackney carriage / private hire drivers licence be suspended for 7 days for refusing to use the taxi meter.

(3) Case 3

The Sub Committee considered the case of a driver who had received a caution for sending a threatening message. The driver explained that he had become involved in a heated discussion with an individual known to him which resulted in him saying something unlawful on social media. The driver accepted that he had made a mistake and he regretted his actions.

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

(4) Case 4

Members were asked to consider an application for a hackney carriage/private hire drivers licence from an individual who had received penalty points for using a mobile phone whilst driving. The applicant explained that he was working food delivery driver and his phone was used to accept work via an app. The phone was illuminated on the passenger seat when he was stopped by police. He has since purchased a cradle for the device. The applicant had no other convictions.

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

(5) Case 5

The Sub Committee received representations from a driver who had declared 2 motoring convictions for speeding. The driver was asked to explain the circumstances.

Members were advised that the first conviction came at the height of the Covid-19 pandemic prior to the vaccination roll out. The driver had passengers in the vehicle who were not complying with the covid safety requirements and he was concerned that he was at risk and his vehicle was contaminated. He was rushing to reach a safe place to disinfect his vehicle and there were no passengers in the vehicle at the time.

The second offence occurred when this vehicle was put on cruise control. He left the M4 and still had cruise control applied by mistake. The driver stated that as a result of his actions he has 11pts on his DVLA licence and he is now ultra-cautious due to the risk to his livelihood. He has had no further convictions for over a year and he was determined to continue with that.

RESOLVED – That the driver receive a written warning for motoring convictions.

(5) Case 5

The Sub Committee received representations from a driver who had receive a conviction for conspiracy to supply drugs. The conviction was not declared on the driver's renewal application.

The driver stated that during the course of his work he had transported people who were dealing drugs. The police charged him with being associated and implicated with the group due to evidence on his mobile phone.

RESOLVED – That the hackney carriage / private hire drivers licence be suspended for 6 months for a conviction in relation to conspiracy to supply drugs. The driver must also complete the SQA qualification within 6 months.

(6) Case 6

The Sub Committee received representations from a driver who had been involved in a road traffic accident in a taxi whilst being over the legal limit for alcohol. The driver explained the circumstances.

RESOLVED – That the hackney carriage/private hire drivers licence be revoked for a serious motoring conviction.

The meeting terminated at 12.30 pm