

PUBLIC PROTECTION SUB COMMITTEE

7 JUNE 2023

Present: Councillor (Chairperson)
Councillors Kaaba, Bridgeman and Sattar

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 were asked to consider a complaint received from a member of the public that a hackney carriage driver requested payment of the fare in advance of the journey and also refused to use the taxi meter.

The Sub Committee received representations from the driver. The driver stated that he had no recollection of the incident. He accepted that a photograph provided by the complainant was a photograph of his vehicle but he denied that was the driver involved in the incident. The driver confirmed that he was aware of the licensing conditions relating to use of the taxi meter.

The complainant addressed the Sub Committee. Members were advised that he approached the taxi and requested to be taken to Ely. The driver requested £20 in advance of the journey. The complainant agreed to this conditionally as long as the taxi meter was used. At that point the driver refused to use the meter. The complainant stated that he reminded the driver that he was obliged to use the meter for this journey and the driver stated that it was a busy night therefore he was refusing to use the meter. When the complainant stated that he would report the matter to the licensing authority the driver became agitated. The complainant then photographed the rear of the vehicle and proceeded to look for another taxi. He eventually booked an Uber vehicle, the fare was £13.50.

Responding to a question from the Sub Committee, the complainant stated that he could not be certain that the driver before him was the driver of the vehicle on the night in question. However, he was certain that the vehicle in the photograph was the vehicle involved. The Sub Committee was invited to view the digital date stamp of the photograph which confirmed that the photograph was taken at 0525 hours on the morning of 5 February 2023. The complaint also stated that he emailed the Licensing Authority with details of the incident immediately upon returning home.

The driver confirmed that he was the sole driver of the vehicle and nobody else used the vehicle.

RESOLVED – That the driver receives a written warning for refusal to use the taxi meter. The Sub Committee accepted that the photograph provided by the complainant was valid and the driver was the driver of the vehicle at the time.

(2) Application 2

The Sub Committee were asked to consider a report received from Uber regarding the conduct of a hackney carriage / private hire driver licensed by the authority. The report indicated that the driver has had his Uber account permanently deactivated due to a series of complaints of a similar nature from customers on the platform. The complaints related to a number of inappropriate comments, advances and personal intimate questions made by the driver whilst transporting customers.

The driver addressed the Sub Committee. The driver stated that he was not made aware of all the incidents in question by Uber and that Uber had handled the complaints 'unprofessionally'. It was alleged that Uber had questioned him about one of the incidents when he had passengers in his vehicle. Uber also corresponded with him but the correspondence addressed to the wrong name despite repeated attempts to correct this.

Members were advised that Uber had asked non-specific open-ended questions that the driver felt unable to answer. It was confirmed that he had received an email from Uber stating that he had broken their Code of Practice and he was no longer able to work for them.

The driver was asked to respond to each of the incidents set out in the report. The driver stated that he couldn't remember the first incident from five years ago as it was not brought to his attention at the time. The second incident was discussed with Uber but there were passengers in his vehicle and he was unable to hear what was being said by Uber. He had no recollection of the third or the fourth incident. The fifth incident was discussed but he felt unable to answer the open-ended questioning put to him.

Members were advised that since the termination of his Uber account the driver had attempted to communicate with them but this was proving difficult. It was also alleged that Uber had acted illegally in reporting the matter to the Licensing Authority. The driver stated that he had been a licensed driver for 19 years and he had an excellent rating on the Uber platform.

RESOLVED – that the driver complete the SQA for Professional Drivers within 3 months. The Sub Committee has concerns about the driver's pattern of behaviour across multiple incidents that amounted to unprofessional conduct.

(3) Application 3

The Sub Committee were asked to consider an application for a hackney carriage / private hire licence. The applicant had a conviction under Section 5 for using threatening words and behaviour. The applicant was asked to outline the incident which led to the conviction.

Members were advised that the driver was involved with a collision with another driver. Both parties had pulled into a lay-by to exchange details. A third party individual approached and attempted to interject into the conversation. An argument ensued during which the applicant called the third party a racist.

Police attended the scene. Details were exchanged and the applicant left. Subsequently the driver was asked to attend a police station and he was charged. The allegations were denied and the matter proceeded to court. The applicant stated that in court the Duty Solicitor told him not to worry. He was unable to satisfactorily follow the proceedings due to a problem with his hearing aid. He was found guilty.

The driver stated that he has been a licensed driver in Newport for 9 years without incident.

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

The meeting terminated at 12.15 pm.