

PUBLIC PROTECTION SUB COMMITTEE

26 JULY 2023

Present: County Councillor Michael(Chairperson)
County Councillors Kaaba and Driscoll

3 : DECLARATIONS OF INTEREST

None received.

4 : 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.

5 : 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 spoke and acted inappropriately to a member of the public and her son when they were in his vehicle. The complainant stated that the driver read and kept the paper that had her personal information on, he then advised her not to ring Dragon but call him on his number instead, he then gave her a card with his personal mobile number and name on it.

The driver stated that he had taken the paper to double check the address, he was not aware of the details of the fare and was only being polite and courteous by chatting. He added that the business card with his name and number on was in amongst the other cards by mistake, his daughter had written on some of his old cards, and he gave this one by mistake.

The complainant addressed the Sub Committee and reiterated her complaint, as outlined in the papers. She added that when she had got back to her address and relayed the conversation with the driver to her friend, she had been advised to make a complaint.

The representative for the driver stated that the driver would not have known the specific details of the booking and the customers vulnerability. He would only have been advised of

the pick up and drop off location by the operator.

The driver confirmed that he has a clean record, and this stated that this had been a genuine misunderstanding for which he apologised.

RESOLVED – That the driver receives a written warning and be mindful in future of the conversations he has with customers based on their situation/circumstances.

(2) Application 2

The Sub Committee were asked to consider a complaint received from a hackney carriage driver that another driver displayed aggressive behaviour to him include shouting, cursing and threats to injure and damage him. The driver is also accused of attempting to head butt another driver whilst plying for hire at Mill Lane taxi rank.

The Sub Committee received representations from the driver.

The driver stated that he was waiting in the taxi rank on Mill Lane, he was near the front of the queue and customers approached the car in front of him, asking if it was the car they had booked, he said he was not and then another taxi approached and pulled in and they got in that car and left. The taxi in front of him left with a customer and he pulled forward. After this the driver of the car behind him got out of his car and knocked on his window, he was very aggressive and was accusing him of refusing fares and giving them to other drivers. He said he tried to explain what had happened, but he wouldn't listen, so he got out of his car and they carried on arguing. Then he got back into his car with a customer and pulled away.

The complainant addressed the Sub-Committee and stated that on the date in question he was working at the Marriott taxi rank on Mill Lane, he was 2nd in the queue and the other driver was choosing fares and giving fares to other drivers who were his accomplices and not the other fellow taxi drivers. He left his vehicle and spoke to the driver and confronted him about his actions and told him he had been waiting to get fares for almost 40/50 minutes. He warned him if he carried on doing it he would be reported to licensing. The complainant stated that the other driver then became very aggressive and tried to headbutt him and other drivers had to get involved to stop it from resulting in further aggressive behaviour. He added that the other driver also made threats saying he was going to "smash up my vehicle" These incidents were reported to 101 and the complainant told the Sub-Committee that he felt so scared that he did not work for a few days in case he saw him.

The representative for the driver state that if the complainant had not left his vehicle and acted aggressively towards the driver with no evidence of what had gone on, they would not be sat there today.

The driver and the complainant responded to questions from Sub Committee Members and the meeting was adjourned for the decision.

RESOLVED – That the driver receives a written warning and be mindful in future of his conduct.

(3) Application 3 (In absence)

The Sub Committee were asked to consider if a driver remains a fit and proper person to continue to hold a Private Hire Driver's License given that he has been Jailed for 4 years and 8 months following a conviction of robbery.

RESOLVED – That the Hackney Carriage/Private Hire Drivers licence be revoked.

(4) Application 4

The Sub Committee were asked to consider if a driver remains a fit and proper person to continue to hold a Private Hire Driver's License given that he has been convicted of 2 motoring offences amounting to 9 penalty points. The driver failed to notify the authority at the time of receiving the points instead waiting until the renewal application and declaring them on the application form.

The Sub Committee received representations from the driver. The driver stated that in 2021 he was having family problems and his wife was suffering from depression. He spent nine months away from the family home and during that time his wife had not passed on any of his mail. He added that about 7 or 8 months after he had left, his daughter had sent a picture of a letter from the DVLA, after which he called them, but the case had already been sent to the court and he was told to wait.

There had been two camera offences and the driver stated he did not know about them or the points. He added that between 2007 and 2021 he had held a clean licence. During Covid he had taken up delivering take away food, which was when the offences occurred.

The representative for the driver asked the Sub Committee to take into consideration the drivers previous clean record and the fact that he is now back with his family and has five children to support.

RESOLVED – That the driver receives a written warning, be reminded of his duties as a taxi-driver, and to complete a relevant BTEC course within three months to familiarise himself with the standards expected of him.

The meeting terminated at 12.20 pm