

PUBLIC PROTECTION SUB COMMITTEE

6 DECEMBER 2023

Present: Councillor Michael (Chairperson)
Councillors Bridgeman and Driscoll

3 : EXCLUSION OF THE PUBLIC

The following item was deemed confidential and exempt from publication as it contained 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 were excluded from the meeting by resolution of the Committee pursuant to Section 100A(4) of the Local Government Act 1972 during discussion of the item.

4 : HACKNEY CARRIAGE/PRIVATE HIRE MATTERS

RESOLVED – That the following matters be dealt with as indicated:

(1) Application 1

The Sub Committee were asked to consider whether a driver was a fit and proper person following a complaint received in relation to discrimination against a customer with an assistance dog.

The driver stated that he was driving on the 7th May at about 11:30pm and was flagged down by two gentlemen from the other side of the road. They crossed the road, entered the taxi and started videoing him. He didn't realise they had an assistance dog so he said he couldn't take it. He stopped a police officer and explained the situation, and the passengers explained that it was a guide dog so he agreed to take them.

The Sub Committee viewed a video of the incident provided by the complainant. In response to questions from Members, the driver explained that he had not realised it was an assistance dog until the police explained after a few minutes. He had never had a guide dog in his taxi before and did not recognise it at first, but he had no issue with taking an animal.

The complainant addressed the Sub Committee, explaining that he had been on the opposite side of the road when his partner flagged down the taxi, and they often had to do this because otherwise taxis wouldn't pick them up. He added that they had explained the requirement to take the assistance dog to the police since they didn't seem to know it.

The driver apologised for the confusion and inconvenience and suggested that being recorded had made the situation more

stressful. The complainant asked whether the driver had received training on his legal obligations, and added that the guide dog's harness clearly showed that it was an assistance animal. They suggested that if the driver was unable to see they had a guide dog, then he was not fit to drive a taxi.

RESOLVED – 4 days' suspension and a written warning

(2) Application 2

The Sub Committee were asked to consider whether a driver was a fit and proper person following a complaint received in relation to discrimination against a customer with an assistance dog.

The driver stated that he had just dropped off a passenger and was feeling tired very late in the evening, so he was not looking for a long fare. The complainant knocked on his window and asked to go to St Donat's, which he said was too far away. He emphasised that he had not refused to take their assistance dog but was very tired and wanted to go home.

The complainant asked why the driver was still on the rank if he was very tired. He also clarified that he had told the driver St Donat's Road, which was much closer than St Donat's. The issue started as soon as the driver saw the dog. The driver of the taxi behind had agreed with them that the situation was out of order.

The complainant addressed the Sub Committee, stating that the three of them had approached the taxi with the dog and asked to go to St Donat's Road, to which the driver locked the door. He didn't say that he was too tired, just that he didn't want to take the fare.

The Sub Committee viewed a video of the incident provided by the complainant. In response to questions from Members, the driver explained that he had misunderstood their destination as being far out of town, and he was too tired for a long journey, having been working since 2pm. He also clarified that he had only been on the rank for two or three minutes before the incident. After he didn't take the complainants, he went straight home.

The driver added that he had no issue with taking dogs in his taxi, having worked in the trade for more than a decade. Members noted that the video showed the driver saying 'no dog' after being told it was a guide dog. The driver suggested that he had not heard that it was a guide dog, and only turned them down because of his tiredness and his misunderstanding of the destination. The complainant acknowledged that the driver was

tired but suggested he should not have been on the rank if he was not willing to take a fare. The driver responded that the official rank was on the other side of the road.

RESOLVED – 7 days' suspension and a written warning

(3) Application 3

The Sub Committee were asked to consider whether a driver was a fit and proper person following a complaint received in relation to discrimination against a customer with an assistance dog.

The driver stated that he was dispatched to a job by Dragon Taxis and didn't know who he was picking up. The dog jumped in at the same time as the customers, and he didn't realise it was an assistance animal so he said 'no dog'. He was caught off guard and got out of his cab, at which point the customers started recording him. Once he got out of the cab he was able to calm down and spoke to the customers, and he agreed with them about the requirement to take the dog. He put the meter on and took them home as requested, and was sorry about the inconvenience.

The complainant noted that he was not required to inform the taxi driver in advance that he had a guide dog, and asked whether the job would have been accepted if he had known. The driver responded that he would have accepted it, he had been driving for 15 years and had no problem with taking animals but just preferred to know in advance.

The complainant appreciated the driver's apology but suggested that he should not have needed to explain the situation for so long before being taken home. It was a constant battle with taxi drivers in Cardiff and an everyday occurrence which the council could do a lot more to tackle.

The Sub Committee viewed a video of the incident provided by the complainant. In response to questions from Members, the driver clarified that he hadn't realised it was a guide dog at first. He had panicked because of the way the dog entered the car and the customers' tone.

The complainants suggested that they did not feel the driver should lose his licence, but that he needed some training. The Chair noted that the driver had already received disability and equality training as part of his BTEC qualification, and the video showed that he understood the legal requirements.

The driver's representative added that the driver's usually high standards had briefly slipped, and that he had apologised for

any offence caused and assured them it would not happen again. The driver had been taken aback at first by the dog but knew his responsibilities and carried out the journey as requested. He added that the driver had not worked for Dragon Taxis since then.

RESOLVED – written warning

The meeting terminated at 12.15 pm.