

PUBLIC PROTECTION SUB COMMITTEE

29 JANUARY 2019

Present: Councillor Mackie(Chairperson)
Councillors Derbyshire and Goddard

11 : 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 Schedule 12A of the Local Government Act 1972. The public may be excluded from a meeting by resolution of the Committee pursuant to Section 100A (4) of the Local Government Act 1972 during discussion of this item.

RESOLVED - That the public be excluded.

12 : HACKNEY CARRIAGE/PRIVATE HIRE MATTERS

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

(1) Application 1

The Sub Committee considered a complaint received from a member of the public. It was alleged that a hackney carriage driver added a £2 additional charge for carrying over four passengers without notifying the customer. The additional charge permissible was £1.

Members were advised that at the start of the journey the passenger queried how much the total fare would be. The driver advised them that the fare would cost £4.50. However, at the end of the journey an additional £2 was levied. The customer complained that the meter was started before the car had left the queue; he was not told of the additional charge; the additional charge was in excess of that permitted; and when he queried the additional charge with the driver no apology was received.

The driver responded to the allegation. Members were advised that the driver had been working as a licenced driver in the City for 30 years and nobody he had never received a complaint. The meter was started at the start of the journey as normal. The car was in a queue and it was not possible to pull away. The number of passengers exceeded 4 so and additional £1 charge was correct but the additional £1 was charged in error.

RESOLVED – That the driver receive a written warning for not notifying passengers when additional charges are incurred.

(2) Application 2

The Sub Committee were asked to consider a complaint received from a member of the public that a hackney carriage driver had refused a fare. A witness stated that he approached the first car in a queue of taxis and

asked the driver to take him home to St Mellons. The driver refused to accept the fare.

The driver stated that he was not parked on a rank. He was parked in a layby, his vehicle was locked and he was stood outside his vehicle taking a break. The customer was directed to join a queue for taxis in St Mary Street where marshals would assist him. It was a rugby international weekend and there was a long queue of people waiting. Members were advised that the driver has been working in the trade since 2011 and there have been no previous complaints. The driver stated that he always adheres to his conditions of service.

Members asked the witness whether the vehicles 'for hire' sign was illuminated. The witness stated that the light was not illuminated.

In summing up the witness stated that he was not drunk or acting aggressively. The car was at the front of the queue. After being refused he left the area and got a taxi at another rank.

The driver stated that he was an ambassador for the City and he enjoys his job. On this occasion he was not plying for hire, he had been working all day and his was entitled to take a break.

RESOLVED – That no further action be taken.

(3) Application 3

Adjourned for 1 month

(4) Application 4

The Sub Committee received representation from a witness who complained that a hackney carriage driver had refused a fare. The witness advised that she and her friend, who was in a wheelchair had been to a show at the Millennium Centre. They approached a hackney carriage and asked he the vehicle was available. The driver stated that he was available. However, after stating that they wanted to go to Central Station the driver indicated that the wheelchair was too big and it would not fit into the boot of the car. The witness advised that driver that the wheelchair would fit into a Fiat 500 and it was put into the boot of a Vauxhall Astra on the way to the Millennium Centre. The driver accepted a fare from two other passengers and left the area.

The driver was represented by Unite union representatives. Members were advised that earlier that day the driver had accompanied his friend to a meeting at the mosque. He friend was going on holiday and he had put a large suitcase into the boot of his vehicle. After taking his friend home he started working. He later realised that the suitcase was still in the boot. The driver understands how the incident would appear to the witness but there was no deliberate intent to refuse a fare from customer in a wheelchair. The driver apologised for his mistake and any confusion

caused.

Members asked whether the driver considered putting the wheelchair or the suitcase in the passenger seat or in the rear of the vehicle in order to accommodate both passengers. The driver said that he did not but he was attempting to find them another taxi.

RESOLVED – That the driver receive a written warning for failure to meet the expected service standards.

(5) Application 5

Members considered a disciplinary matter relating to a driver who had received a police caution for possession of a bladed instrument in a public place. Members were advised that on the night in question the driver picked up a fare in Windsor Place. Initially the was unaware that 5 passengers were in his vehicle. When he realised the driver stated that he asked one of the passengers to leave the vehicle. The driver was then seriously assaulted by the passengers. He was forced to abandon his vehicle. The driver made his way to Central Police Station. He approached two police officers who were aware that an assault had occurred and his identified himself as the victim.

The driver then stated that the police went back to his vehicle. They found a Stanley knife on the floor near the passenger door. The driver was then arrested. Members were advised that the Stanley knife and a few other handtool were in the car because the driver had recently been to a scrap yard to purchase some parts for his vehicle. The Stanley knife was used to cut cable ties which are used to secure his exhaust. The driver stated he accepted a caution for the offence.

Members received further representations regarding the drivers personal circumstances.

RESOLVED – That no further action be taken.

(6) Application 6

Members asked the driver to explain the circumstances of the offences. The driver indicated that he received 3 penalty points for exceeding the 30mph speed limit and 6 further penalty points for two traffic signal violations. The driver regretted his actions and apologised. He stated that he had suffered two bereavements in a short space of time and it was likely that his judgement was affected as a result.

RESOLVED – That the driver receive a written warning for driving offences.

(7) Application 7

Members were advised that an applicant for a hackney carriage/private hire

drivers licence was caught cheating. The Sub Committee was asked to consider whether the driver was a fit and proper person to hold a licence.

The Sub Committee received representations from an officer in the Licensing Team. Member were advised that during the knowledge test the applicant was caught copying the answers from another candidates answer sheet. At the end of the exam the applicant continued to copy the answers, even when the officer was taking the exam paper away. The applicant requested further time to be allowed to finish copying the answers. When challenged the applicant confirmed he was cheating.

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

The meeting terminated at 1.45 pm