

PUBLIC PROTECTION SUB COMMITTEE

4 JUNE 2019

Present: Councillor Mackie(Chairperson)
Councillors Goddard and Lancaster

19 : EXCLUSION OF THE PUBLIC

20 : HACKNEY CARRIAGE/PRIVATE HIRE MATTERS

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

(1) Application 1

The Sub Committee received representations from 3 witnesses who claimed that a driver had refused to take them home from the City Centre. Members were advised that after providing the driver with details of their destination the driver refused to take the customers home and stated that the journey was 'too short'. The driver then closed his window and refused to speak to the customers. The driver claimed that the fare had been refused as the customers were carrying food with them. The witnesses denied that they were carrying food or that they were impaired by drink. They had initially intended walking home but when it started to rain heavily they decided to get a taxi. The driver stated that if they were not carrying food then he must have refused to take them for another reason, first suggesting the passengers may have been inebriated and then suggesting that he may have also have had another passenger in the car.

Members considered the statements and representations made by the witnesses to be credible and that the driver had acted unreasonably by refusing the fare.

RESOLVED – That the driver's Hackney Carriage/Private Hire Drivers licence be suspended for 10 days and the driver be required to complete the BTEC Level 2 Introduction to the Role of the Professional Taxi and Hackney Carriage Driver qualification within 3 months for refusal of the fare.

(2) Application 2

The Sub Committee considered a complaint from a customer who said that a driver had refused to take her home from the taxi rank at Central Railway Station. The complainant stated that she had finished work at 2330 and she had attempted to get a taxi. A number of taxis refused to take her. The driver's representative stated that the rank was self-regulated by drivers. The driver was not the first car in the queue and he had tried assist the customer by attempting to explain the queuing system.

The Sub Committee considered that on the balance of probability they could not be satisfied that the driver refused the fare.

RESOLVED – That no further action be taken.

(3) Application 3

The Sub Committee considered a second complaint from a customer who said that a driver had refused to take her home from the taxi rank at Central Railway Station. The second complaint related to the same incident. The complainant stated that she had attempted to get a taxi. A number of taxis refused to take her. The rank was self-regulated by drivers. Again, the driver stated that he was not the first car in the queue. The customer seemed confused and he had tried assist the customer by attempting to explain the queuing system.

The Sub Committee considered that on the balance of probability they could not be satisfied that the driver refused the fare.

RESOLVED – That no further action be taken.

(4) Application 4

The Sub Committee heard a complaint from a member of the public. It was alleged that on the day of a rugby international the customer hailed a taxi in Greyfriars Road. The customer told the driver that he wanted to go to Thornhill. The driver then said '£45'. The customer then said 'no way' to which the driver responded '£25'. The customer again refused and instructed the driver to use the meter. The driver closed his windows and turned off his roof light. The customer took a photograph of the taxi. The then caught another cab to Thornhill and the charge on the meter was £11.40. The driver denied that the conversation took place. He alleged that the customer had instructed him to go to Rhiwbina and the driver then advised him to go to the first vehicle in the rank. The complainant stated that there were no other vehicles on the rank. The cab was driving down Greyfriars Road with its roof sign illuminated.

The Sub Committee considered the witness testimony to be credible and accepted the representations made by the complainant. The Sub Committee agreed that the customer had been overcharged and the fare had been refused.

RESOLVED – That the driver's Hackney Carriage/Private Hire drivers licence be suspended for 12 days and the driver be required to complete the BTEC Level 2 Introduction to the Role of the Professional Taxi and Hackney Carriage Driver qualification within 3 months for overcharging and refusal of a fare.

(5) Application 5

The Sub Committee received representations from two witness who alleged that a taxi driver has attempted to overcharge them for a journey home from the City Centre. Members were advised that 2 females attempted to get a taxi from a rank on Westgate Street. They approached

the taxi and provided details of their intended destination. The driver stated that the journey would cost £20. The passengers considered this to be too much. The fare was described as 'extortionate' and as regular taxi users they queried the charge. The driver was said to have kept repeating that the journey would cost £20. Members were advised that the taxi marshals could see that the conversation was occurring and that the passengers has not left the rank. Upon seeing the marshals approaching the driver agreed to use the meter but as soon as the marshals turned he reiterated that the charge would be £20. The passenger refused to take the taxi and they were then assisted by the marshals to find another taxi and were advised to make a complaint about the incident. The complainants expressed concerns about the behaviour of the driver and they considered that he was putting their safety at risk and that is why they chose to bring the complaint. The driver claimed that the passengers were carrying food and he refused the fare on those grounds. The driver denied charging £20 for the fare and said that he only uses the meter. The complainants denied having food with them.

The Sub Committee considered the witnesses to be credible and that the driver had attempted to overcharge the passengers.

RESOLVED – That the driver's licence be suspended for 10 days and the driver be required to complete the BTEC Level 2 Introduction to the Role of the Professional Taxi and Hackney Carriage Driver qualification within 3 months for overcharging and refusing to use the meter.

(6) Application 6

The Sub Committee was asked to consider a disciplinary matter relating to an existing driver. The driver was charged with breaching a restraining order. Members were advised that the restraining order related to a civic matter. The driver was to had no contact with a former girlfriend. However on the day in question the girlfriend pulled alongside him at a set of traffic lights. The driver was subsequently charge and found guilty of breaching a restraining order. The drivers representative stated that the order prevented the driver from going within 50 metres of another individual. The judge removed that condition from the restraining order as it was deemed unreasonable.

Members were also advised that the driver had committed two speeding offences.

RESOLVED – That no further action be taken in respect of the breach of the restraining order and that the driver receive a written warning for driving offences.

(7) Application 7

RESOLVED – That the application for a hackney carriage/private hire drivers licence be refused as the Sub Committee did not consider the applicant to be a fit and proper person to hold a licence.

The meeting terminated at Time Not Specified