

PUBLIC PROTECTION SUB COMMITTEE

9 OCTOBER 2019

Present: Councillor Mackie(Chairperson)
Councillors Jacobsen and Derbyshire

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 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.

2 : HACKNEY CARRIAGE/PRIVATE HIRE MATTERS

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

(1) Application 1

The Sub Committee heard representations from a driver who had been involved in a dispute with a member of the public. Members were advised that the dispute had occurred because the driver was parked in a loading bay whilst waiting for a customer. The driver stated that he had written to the complainant and provided a written apology. The witness did not attend the meeting. The driver gave his account of the events on that day.

RESOLVED – That no further action be taken.

(2) Application 2

Deferred for 1 month

(3) Application 3

The Sub Committee received representations from driver who had found a mobile phone in the back of his vehicle. The driver explained that the phone was found by two customers. The female customer advertised the lost phone on social media and included his vehicle's plate number. The driver said that the phone was lost on a Saturday night. He kept the phone in a safe place. He did not work on Sunday or the following Bank Holiday Monday. On the Tuesday a man approached his vehicle and claimed that the phone belonged to him. He was able to describe the phone make and appearance. The driver stated that he gave the phone to this person.

Members asked the driver why he had not handed the phone to the Police as instructed to do so in the conditions of licence. The driver stated that he was planning to go to Cardiff Bay Police Station that day. He confirmed

that he was aware that any lost property should be handed in at a Police Station.

RESOLVED – That the driver be required to complete the BTEC qualification in Transporting Passengers within 3 months.

(4) Application 4

Deferred for 1 month

(5) Application 5

The Sub Committee received representations from a driver who had received 6 penalty points for a driving offence. The driver advised that he had been driving his personal vehicle and using his phone to play music. The phone was secured in a stand on the dashboard. The driver was unaware that he needed to disclose the conviction at the time but did so upon renewal of his licence.

RESOLVED – That the driver receive a verbal warning for receipt and non-disclosure of a driving offence.

(6) Application 6

Members were asked to consider the case of a driver who had received a caution for sending malicious communications. The driver had also received 3 penalty points for a driving offence. The driver explained the circumstances for the convictions. The caution was received as a result of messages posted on social media. The messages related to a family dispute. The speeding offence occurred when the driver was using his vehicle in a private capacity.

RESOLVED – That the driver receive a written warning for receipt and non-disclosure of a driving offence and for receiving a caution for sending malicious communications.

(7) Application 7

Deferred for 1 month

(8) Application 8

Deferred for 1 month

(9) Application 9

The driver did not attend the hearing.

RESOLVED – That the hackney carriage/private hire drivers licence be revoked as the driver has not produced a DBS certificate.

(10) Application 10

Deferred for 1 month.

(11) Application 11

A driver had received penalty points for two speeding offences. The driver stated that he runs a private chauffeur company and travels between 50,000 and 70,000 miles each year. The two offences occurred when he was taking clients to their destinations. Members were advised that the offences were lapses in concentration. The driver did not condone speeding and apologised. His business specialised in driving sports people and business people and the business would not be successful if he was reckless. The offences were declared when he came to renew his licences as he was unaware that he was required to declare the offences at the time.

RESOLVED – That the driver receive a verbal warning for two driving offences and for not declaring the offences at the time of conviction.

(12) Application 12

RESOLVED – That the application for the grant of a Hackney Carriage/Private Hire drivers licence be approved.

The meeting terminated at 2.30 pm

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Chairperson