

## PUBLIC PROTECTION SUB COMMITTEE

3 DECEMBER 2019

Present: Councillor Mackie(Chairperson)  
Councillors Goddard and Jacobsen

### 5 : 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.

### 6 : HACKNEY CARRIAGE/PRIVATE HIRE MATTERS

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

(1) Application 1

Deferred for 1 month

(2) Application 2

Deferred for 1 month

(3) Application 3

The Sub Committee received representations from a driver who had received 6 penalty points for driving without due care and attention. The driver stated that during a trip to London he attempted to u-turn and was involved in a collision with a motorcyclist. The motorcyclist was knocked off his bike but was uninjured. The driver pleaded guilty to driving without due care and attention and was awarded 6 penalty points and a £400 fine.

RESOLVED – That the driver receive a written warning and be required to complete the BTEC Introduction to the role of the Professional Taxi and Private Hire Driver within 3 months.

(4) Application 4

The Sub Committee was asked to consider the case of a driver who had failed to produce a valid DBS certificate upon renewal of his licence. The driver stated that he had attended the Licensing Office in City Hall and produced his DBS. He did not receive the reminder correspondence. The driver produced a valid DBS certificate at the meeting.

RESOLVED – That no further action be taken.

(5) Application 5

The Sub Committee received representations from a driver who had received 6 penalty points for driving without valid insurance following a prosecution for plying for hire without a valid licence. Members were advised that the driver was a private hire driver who had picked up passengers that had not pre-booked as part of a planned operation by Licensing Officers. The driver stated that it was raining on the day in question and he agreed to take the passengers because of the bad weather. He accepted he was at fault and apologised.

RESOLVED – That the hackney carriage/private hire drivers licence be revoked.

(6) Application 6

The Sub Committee received representations from a driver who had received 6 penalty points for using a mobile phone whilst driving. The Sub Committee was advised that the driver received a call for a pick up at Cardiff Airport. The mobile phone was used to check directions.

The driver's representative addressed the Sub Committee. A request was made that, as the offence was committed and reported when the previous guidelines were in force then they should be applied when the Sub Committee considered this matter. Members were also asked to consider the exemplary record of the driver concerned.

The driver explained the events on the day in question. The driver accepted that he was at fault and that the safety of the public is paramount and in preparation for the sub-committee meeting had voluntarily put himself through the BTEC course. The driver also produced good character witnesses and asked that this be taken into account

RESOLVED – That the driver receive a written warning and be required to complete the BTEC Introduction to the role of the Professional Taxi and Private Hire Driver within 3 months.

(7) Application 7

The Sub Committee received representations from a driver who received 5 penalty points when prosecuted for leaving the scene of an accident. The driver also receive 3 penalty points for a speeding offence.

Members were advised that the driver had picked up four passengers in the City Centre. The passengers were unhappy at being overcharged by other drivers and were acting aggressively. The driver was subsequently involved in a collision with another vehicle which resulted in a wing mirror being damaged. The driver gave the other party his telephone number.

After the incident the driver had a conversation with the other driver. The

other driver quoted a £160 cost for the repair of the wing mirror. The driver suggested he use another garage. The driver was subsequently contacted by South Wales Police. He was advised that he needed to provide his registration number not his telephone number and the matter would therefore need to be considered by the Courts.

The speeding offence was committed in Newport when the driver had a customer in the vehicle.

RESOLVED – That the hackney carriage / private hire drivers licence be suspended by 10 days for driving offences.

(8) Application 8

Members were asked to consider the application for a hackney carriage / private hire driver licence from an applicant who had a convictions for possession of a fire arm and possession of ammunition. The applicant made representations to support the application. The applicant provided details of the conviction. Members were advised that whilst in custody the applicant chose to re-educate and reform his character. He was released from prison over seven years ago. During that time he has worked as a fitness instructor and a door supervisor.

RESOLVED – That the application for grant of 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.

(9) Application 9

Members were asked to consider an application from an applicant who had a number of conviction mainly in relation to the supply and possession of Class A drugs. Members were advised that the applicant accepted that his convictions were 'appalling'. However in the past 11 years he had changed his lifestyle and he is no longer in any trouble. He is now married and has 3 children. The applicant is currently working for Flightlink Wales.

Members asked the applicant to explain the circumstances in relation to a conviction for neglect of a child. The applicant stated that he was in a 'toxic' relationship with the mother of a child who was not his. Both partners were irresponsible. He was unable to elaborate on the neglect.

RESOLVED – That the application for grant of 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 1.30 pm