

## PUBLIC PROTECTION SUB COMMITTEE

2 FEBRUARY 2021

Present: Councillor Mackie(Chairperson)  
Councillors Hudson and Jacobsen

### 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 of Schedule 12A of the Local Government Act 1972. RESOLVED – That the public be excluded from the meeting by resolution of the Committee pursuant to Section 100A(4) of the Local Government Act 1972 during discussion of this item.

### 2 : HACKNEY CARRIAGE/PRIVATE HIRE MATTERS

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

#### (1) Case 1

The Sub Committee were asked to consider circumstances in which a licenced driver became involved in an altercation with another driver, resulting in South Wales Police issuing a caution for assault by battery. Members received representations from the driver concerned and their legal representative.

Members were advised that the driver had been waiting outside a public house to collect a fare. Another taxi pulling in behind his vehicle effectively forming a queue. Customers came from the public house and got into the second vehicle. The driver considered that the driver of the second vehicle should have directed the customers to his vehicle as he was first in the queue and had been waiting longer. The driver got out of his vehicle in order to remind his colleague of the etiquette followed by all drivers.

The exchange became heated. The driver admitted putting his hand through the window and touching the other driver. The customers were concerned and called the Police. The driver was taken to the Police Station and subsequently received a caution for assault by battery.

The driver stated that he accepted he should not have acted in this manner and apologised for his actions. He regretted the incident had taken place and said that in future he would not repeat those actions. Members were asked to take into consideration that this incident had taken place during the pandemic at a point when drivers were not receiving any financial support. The driver was under a some pressure personally and this may have affected how he reacted during the incident because every fare was precious.

Members were also asked to note that the driver has been working as a taxi driver for 20 years. He previously had a clean criminal record,

although he had appeared before the Sub Committee on a disciplinary matter in 2010. The driver did not report the caution to officers of the Council because he understood that South Wales Police would be making a report to the authority.

RESOLVED – That the driver receive a 10 day suspension and be required to complete the SQA qualification in taxi driving within 12 months for unacceptable conduct.

(2) Application 2

The Sub Committee received representations from a driver who had accumulated 9 penalty points on his DVLA driving licence.

Members were advised that the driver received 6 points and a fine for not disclosing the identity of this driver of the vehicle for a speeding offence.

The driver stated that he was unaware of the offence as he had moved address. The driver accepted that he was at fault and he should have advised DVLA of his change of address but there were mitigating circumstances.

Members were advised that the driver's son has autism. When the family moved to there now home the son had great difficulty adjusting to their new surroundings. The driver was under considerable strain at the time and was suffering sleepless nights. He neglected to advise DVLA of the family's change of address and he was therefore unaware that correspondence had been sent to his former address in relation to a speeding offence. The driver confirmed that he did ask for mail to be forwarded to his new address but only for 1 month. He only became aware that the matter had been taken to court when bailiffs arrived at his new address.

The driver also received 3 penalty points for failure to comply with a traffic signal. Members were advised that after receiving the 6 penalty points for his previous offence the driver was very cautious when driving. He approached an amber traffic signal on Newport Road at 25mph but by the time he had cleared the junction the signal had turned to red.

The driver stated that he had learned from this experience. He had to pay over £800 in costs and he would never repeat his mistake. Members were asked to consider that the taxi profession offers enough flexibility to allow for the driver's family commitments. He had left his previous job with Tesco because it was not flexible enough for him to take care of his son when needs arise.

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

(3) Application 3

Deferred

The meeting terminated at 12.00 pm