

PUBLIC PROTECTION SUB COMMITTEE

3 AUGUST 2022

Present: County Councillor Michael(Chairperson)
County Councillors Kaaba and Driscoll

3 : 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. The public may 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.

4 : HACKNEY CARRIAGE/PRIVATE HIRE MATTERS

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

(1) Case 1

The Sub Committee was advised that complaints were received from two members of the public regarding the conduct of a driver. The complaints related to an incident when the driver was alleged to have refused to use the taxi meter and asked for a £50 deposit.

Members received representations from the Solicitor representing the Driver, stating that the driver had initially refused the fare but then asked for a £50 deposit as a precaution because the complainants were intoxicated and he had seen them argue with two other taxi drivers before approaching his car. He added that the driver had been a driver for 10 years, was married with 5 children, his wife doesn't drive and he wouldn't do anything to jeopardise his job just for extra money.

There were no questions to the driver at this point.

Members received representations from the complainants. Members were advised that 2 female customers had been to a concert, they had one drink there then after the concert they headed into the city centre and had one more drink. They then approached the taxi and the driver immediately said it would be £50 deposit. The complainants said they were not intoxicated, it was a work night, they had children at home. They told the driver that one of the women worked for the Local Authority and she asked for him to use his meter. She said he would not listen, he said no and repeated that he wanted £50 deposit. The women walked off and said they would be taking a picture of his badge and reporting him.

Members were then advised that the complainants approached another taxi who asked for £40 deposit, they refused and took a picture of his badge, this was included in the paperwork. They then approached another taxi who said he wanted 2 separate fares rather than them sharing. They refused and took a picture of his badge but this was too blurred to be in the paperwork. The next taxi they approached agreed to take them and to use the meter. The women advised this driver what had happened and he said it had become common

practice due the Uber etc. Members were advised that the trip had totalled £25 including a tip for both the women. The women added that they both have daughters and the are worried about them using taxis.

Responding to questions from the Sub Committee on the fare that took them home, the complainants clarified that the fare was £22 and they gave a £3 tip.

Responding to questions from the Sub Committee, the driver said he had been driving since 2012. Members asked if the driver has asked for deposits before as this is not normal practice and should be meter only. The driver said that he asks for deposits for fares outside the city.

RESOLVED – That the driver be suspended for 7 days for refusing a fare.

(2) Case 2

The Sub Committee was advised that a complaint had been received from a member of the public who was a wheelchair user, regarding the conduct of a driver. The complaint related to an incident when the driver was alleged to have refused to take the complainant in his wheelchair, with his brother.

Members received representation from the complainant, stating that they had approached a wheelchair accessible taxi close to the New Theatre, told the driver where they wanted to go and when they went to the back of the vehicle, he drive off. Sub Committee were provided with CCTV footage of the taxi rank at the time of the complaint.

Members received representations from the driver who stated that he had been flagged down by the New Theatre, a man approached him and mentioned going to Ely with his brother who was in a wheelchair. The driver said he told the man to go and get his brother, he waited for a long time but they didn't come. The driver claims that the man who approached him was swearing and he was frightened there may be trouble, he added that he did not speak to the wheelchair user. He added that he has been attacked and robbed previously so he is cautious.

The driver stated that he picks up disable drivers regularly, he regretted what had happened and apologised.

RESOLVED – That the driver be suspended for 7 days for refusing a fare.

(3) Application 3

The Sub Committee was asked to consider whether a driver was a fit and proper person to hold a licence after he had not disclosed a police caution on his renewal application. The Licensing Officer outlined the case and the driver was asked to explain the circumstances.

The driver explained that his father had taken three passengers to London, they were being investigated by the Police who went to the family home with a warrant to take the fathers car for a few days and the driver had obstructed the constable as he thought he was taking the car for good and it was his fathers livelihood.

At the police station the driver had asked if the caution would show on his file and whether he needed to declare it to the licensing authority and the police had advised him it would not show on his file. He stated if he had known he would

have declared it.

Responding to questions from the Sub Committee, the driver further explained the situation and explained that the police had apologised for not making the situation clear at the time and that there would be no further action taken against him.

The driver added that he had previously declared an offence on an application and he would have done so on this occasion if he had known it would show on the DBS check

The driver was remorseful and stated that he is a good person and taxi driving is his livelihood.

RESOLVED – That the driver receives a written warning for failing to disclose a police caution on his license renewal application. License renewal approved.

(4) Application 4

The Sub Committee was asked to consider whether a driver was a fit and proper person to hold a licence given that the Licensing Authority have been advised that Mr Hamad was subject to a conviction regarding consumer protection, unfair trading, hallmarking and Trademark offences. The Licensing Officer outlined the case and the driver was asked to explain the circumstances.

The driver explained that he had stopped taxi driving in 2019 and started work as a manager of a shop in Pontypool. He stated that his friend had brought tobacco and cigarettes from outside of the UK to sell in the shop. He had taken the good and a few days later, Trading Standards visited the shop to check the stock. They asked if the tax had been paid on the good when they were brought into the UK. The driver explained that he thought it had been but he then found that it had not. Trading Standards had taken the goods. The driver was taken to court in Newport he pleaded guilty and was fined. He had since resigned from the shop and has no connection to the business anymore.

The driver had declared the conviction on his licence renewal application.

RESOLVED – That no further action was required. Application renewal approved.

The meeting terminated at 11.45 am

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