

MINUTES of a meeting of the TAXI AND PRIVATE HIRE SUB COMMITTEE held in the Council Chamber, Coalville on TUESDAY, 20 NOVEMBER 2018

Present: Councillor R Ashman (Chairman)

Councillors J Hoult and M Specht

Officers: Mrs L Arnold, Mr M Pickering and Mrs R Wallace

1 ELECTION OF CHAIRMAN

It was moved by Councillor M Specht, seconded by Councillor J Hoult and

RESOLVED THAT:

Councillor R Ashman take the Chair for the remainder of the meeting.

2 APOLOGIES FOR ABSENCE

There were no apologies for absence.

3 DECLARATIONS OF INTEREST

There were no declarations of interest.

4 EXCLUSION OF PRESS AND PUBLIC

RESOLVED THAT:

In pursuance of Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following business on the grounds that it involved the likely disclosure or exempt information as defined in paragraph 7 of Part 1 of Schedule 12A to the Act, an in the circumstances of the matter under consideration, the public interest in disclosing the information.

5 REVIEW OF DUAL DRIVERS LICENCE

The Licensing Enforcement Officer presented the report, which asked Members to determine whether the licensed driver was still a fit and proper person to hold his licence following the receipt of a complaint.

There were no questions for the Licensing Enforcement Officer.

With the agreement of the Members, the licensed driver gave his representation by providing the following responses to questions from his solicitor, Mr J Weston:

- Regarding the subject of the complaint, the account of events given to the Licensing Enforcement Officer during interview was honest.
- The complainants first raised the question about the fare midway through the journey as they claimed to have paid twenty to twenty five pounds in the past. He told them that as a price had not been agreed prior to the journey he had to take the fare from the meter, which would be approximately forty pounds by the time they arrived at their destination.

Chairman's initials

- The complainants did not react well to the approximate fare price given and accused him of overcharging. He asked them on numerous occasions to call Yellow Cabs to check the price but they refused to do so.
- The conversation in relation to ending the journey and dropping the complainants off, first occurred after it was clear they were not going to call Yellow Cabs for a price or pay the fare.
- In relation to the reported bad language used during the journey, he explained that he felt he had done everything possible to complete the journey and receive his fare. He acknowledged that he did swear twice but this was out of frustration at the situation and it was not aimed directly at the complainants.

In response to a question from Councillor M Specht, the licensed driver explained that he could not remember exactly the context of the conversation in which he swore but he acknowledged that he had said 'f***ing hell' to himself out of frustration.

In response to a question from Councillor R Ashman, the licensed driver stated that he reported the incident on Monday morning to his employer so that it could be put on record.

Mr D Underwood, Managing Director of Yellow Cabs, addressed the Committee. He confirmed that the incident was reported to him as previously stated and a note was made should a complaint be made. In relation to the fare charged for the journey, he clarified that the complainants usually travelled with a taxi firm local to Syston, which obviously used different rates. He also clarified that with Yellow Cabs, the journey in question would usually cost twenty-eight pounds but as it was after midnight the rate was increased by a third and would be approximately thirty-eight pounds, therefore the licensed driver was accurate with his approximation. He added that at no point was a quote requested for the journey. He concluded that the licensed driver had been an employee of Yellow Cabs for six years and by using the computer information available from the previous 12 months, he had undertaken approximately 27,000 jobs in that time and had no other complaints. In his opinion, the licensed driver was a model employee and he was pleased to have him.

At the request of Councillor R Ashman, the licensed driver gave an explanation as to the events that led to the driving conviction in 2014.

Councillor R Ashman referred to the drop off point as shown in the appendices and asked why the licensed driver chose that location rather than to continue to a safer point. The licensed driver stated that it was poor judgement on his part and he was very regretful.

In response to a question from Councillor J Hoult, the licensed driver confirmed that it was normal procedure to take customers back to the pick-up point if they refused to pay. On the occasion in question, he was being spoken to in a horrible way and his emotions led to his poor judgement.

In response to a question from Councillor M Specht, the licensed driver stated that he had a clear understanding of the driver's code of conduct. He apologised for his actions and explained that he realised he had made a mistake once he had left the drop off point but he could not turn around straight away due to the nature of the highway. Once he had driven to the nearest roundabout and turned around, the complainants were no longer at the drop off point.

The Licensing Enforcement Officer asked the licensed driver how he would act in a similar situation in the future. The licensed driver stated that he had been driving for six years and he had never put anyone in danger. He added that the incident was purely poor judgement on his part and he had learnt a very valuable lesson.

Chairman's initials

All parties gave a brief closing statement reiterating points previously made during the hearing.

At 11.25am the Sub Committee adjourned to consider its decision. The meeting reconvened at 11.50am.

RESOLVED THAT:

The Dual Drivers Licence be revoked with immediate effect on the grounds of public safety.

The driver was advised of his right of appeal.

The meeting commenced at 10.30 am

The Chairman closed the meeting at 11.51 am