

PUBLIC PROTECTION LICENCING COMMITTEE

Decision Notice – Meeting, 16th December, 2021.

The Committee agenda is available [here](#).

Present: Councillor J.W. Thomas (Chair), P. Drake (Vice), J. Aviet, R. Crowley, V.P. Driscoll, R. Nugent-Finn K.F. McCaffer, A. Moore, J.M. Norman and M.R. Wilkinson.

AGENDA ITEM 1. APOLOGY FOR ABSENCE –

This was received from Councillor J.E. Charles

AGENDA ITEM 2. MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 16th November, 2021 be approved as a correct record.

AGENDA ITEM 3. DECLARATIONS OF INTEREST –

No declarations of interest were received.

EXCLUSION OF PRESS AND PUBLIC –

RESOLVED – T H A T under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 4 of Schedule 12A (as amended) of the Act, the relevant paragraphs of the Schedule being referred to in brackets after the minute heading.

AGENDA ITEM 5. REPORT FOR NOTING FOR DRIVER Z (DEH) (EXEMPT INFORMATION – PARAGRAPHS 12, 13 AND 14) -

RESOLVED – T H AT the report be noted and a letter be sent to Z reminding them of their duties under their hackney Carriage and Private Hire Vehicle Driver Licences.

Reason for decision

Having regard to the contents of the report and discussions at the meeting.

AGENDA ITEM 6. DISCIPLINARY HEARING FOR EXISTING DRIVER ES (DEH) (EXEMPT INFORMATION – PARAGRAPHS 12, 13 AND 14) -

RESOLVED - T H AT ES' Vale of Glamorgan Hackney Carriage and Private Hire Vehicle Driver Licence be revoked with immediate effect.

Reason for decision

In accordance with the adopted Guidance on Determining the Suitability of Applicants and Licensees in the Hackney and Private Hire Trades, Members were not satisfied that ES remained a fit and proper person to hold a Vale of Glamorgan Council's Hackney Carriage and Private Hire Drivers' Licence. Members were also not satisfied that ES could act with integrity and demonstrate conduct befitting the trust that the Council would require from them when acting as a taxi driver and could not be satisfied that the public would not be placed at harm. Taking account of the test in terms of fitness and propriety as outlined by the Legal Officer, Members expressed concern about placing members of their own family in a taxi with ES and expressed grave concerns about ES supporting vulnerable passengers in their role as a taxi driver. This was due to ES having been involved in a serious criminal case which had involved dishonesty and the exploitation of vulnerable victims.

ES was advised that they had the right of appeal to Cardiff Magistrate's Court against the decision of the Committee within 21 days and they should take independent legal advice if they were in any doubt as to their legal rights and / or responsibilities.

AGENDA ITEM 7. DISCIPLINARY HEARING FOR EXISTING DRIVER KS (DEH) (EXEMPT INFORMATION – PARAGRAPHS 12, 13 AND 14) -

RESOLVED - T H AT KS' Vale of Glamorgan Hackney Carriage and Private Hire Vehicle Driver Licence be revoked with immediate effect.

Reason for decision

In accordance with the adopted Guidance on Determining the Suitability of Applicants and Licensees in the Hackney and Private Hire Trades, Members were not satisfied that KS remained a fit and proper person to hold a Vale of Glamorgan Council's Hackney Carriage and Private Hire Drivers' Licence. Members were also not satisfied that KS could act with integrity and demonstrate conduct befitting the trust that the Council would require from them when acting as a taxi driver and could not be satisfied that the public would not be placed at harm. Taking account of the test in terms of fitness and propriety as outlined by the Legal Officer, Members expressed concern about placing members of their own family in a taxi with KS and expressed grave concerns about KS supporting vulnerable passengers in their role as a taxi driver. This was due to KS having been involved in a serious criminal case which had involved dishonesty and the exploitation of vulnerable victims.

KS was advised that they had the right of appeal to Cardiff Magistrate's Court against the decision of the Committee within 21 days and they should take independent legal advice if they were in any doubt as to their legal rights and / or responsibilities.