

LICENSING COMMITTEE INFORMATION SHEET

21 FEBRUARY 2024

LICENCE HOLDER: Adefemi (Tony) Adu
TAXI DRIVER'S LICENCE: 1073

COMPLAINT 1

On the 30 May 2023, a complaint was received in relation to taxi driver Adefemi Adu knowingly refusing a fare from three ladies with suitcases. He was requested to take part of the fare but refused on the grounds that his vehicle is "too new." Correspondence with Mr Adu confirms, he recalled the passengers having 12 suitcases but on inspection of the CCTV footage, they had 5.

Mr Adu drives a large WAV and so these would have comfortably fit in his vehicle, meaning the customers only had one fare to pay and not the two they ultimately had to pay.

COMPLAINT 2

A further complaint was received on 23/11/2023 from the management at Aberdeen Rail Station.

This complaint states that on 06/11/2023 Mr Adu became involved in a heated and potentially racially aggressive engagement with two other taxi drivers in full view of the public and other taxi drivers.

The incident has been reported to British Transport Police by a member of the public and Scotrail Station Management on review of the incident revoked the Rail Station Permits held by all three drivers involved.

This behaviour may constitute a breach of Taxi Driver Licence conditions 22 & 28

We have not yet been made aware of any Police action.

LEGISLATION/CONSULTEE

Taxi Driver Licence Condition 14. Subject to conditions 15 and 16 below, the driver of a taxi shall not refuse to drive a passenger to any place within the licensed area (Condition 15 relates to shared hires, Condition 16 relates to inebriated passengers)

Taxi Driver Licence Condition 22 - The driver of a taxi whilst so acting must at all times be strictly sober, clean and tidy in his person and clothing, shall conduct himself in a proper and civil manner and shall not smoke

Taxi Driver Licence Condition 28 - While at a stance or a place of public entertainment where other taxis are waiting, drivers must not congregate with others in any one taxi or on the footpath thereat

OBJECTIONS/REPRESENTATIONS

Legal

COMMITTEE GUIDELINES/POLICY

Possible breach of three taxi driver licence conditions each of which would constitute a criminal offence.

Is the licence holder a fit and proper person to hold a licence.

GROUNDINGS FOR SUSPENSION/REVOICATION

A licensing authority may suspend or revoke a licence if, in their opinion—

A licensing authority may order the suspension [or revocation] of a licence if in their opinion—

- (a) the holder of the licence or, where the holder is not a natural person, any director of it or partner in it or any other person responsible for its management, is not or is no longer a fit and proper person to hold the licence;
- (b) the activity to which the licence relates is being managed by or carried on for the benefit of a person, other than the licence holder, who would have been refused the grant or renewal of the licence under paragraph 5(3) above;
- (c) the carrying on of the activity to which the licence relates has caused, is causing or is likely to cause undue public nuisance or a threat to public order or public safety;
- (d) a condition of the licence has been contravened.

COMPLAINT 1

I witnessed a taxi driver refusing a hire on Saturday 20th May 2023 at approximately 7.30 pm at the railway station rank.

The driver of taxi registration number T10ADU refused 3 ladies with cases stating his vehicle was too new to take them.

The 3 ladies were very upset and eventually managed to have the driver of a smaller vehicle take them. They asked who they should complain to and they were given the relevant details.

Regards

Further to my complaint re driver of vehicle reg no T10 ADU refusing a hire. He was working on Saturday the 27th May 2023 and at 17.10 he took a party of 5 with 6 cases. The reason he is cherry picking his hires? The 2 ladies he refused on 20th May 2023 were only going a short distance. The recent example of him taking the party of 5? They were going (what he considered to be) a reasonable distance and he could charge fare + 50%. It doesn't seem fair that he can use spurious reasons to decide which passengers he takes/doesn't take to maximise his earnings. Surely, taxi drivers should take whatever hire presents itself, regardless of distance?

COMPLAINT 1 CCTV Images

1ST Case + Mr Adu Pulling Up



2ND Case + Mr Adu exiting vehicle



3RD Case



Mr Adu (dark top) Remonstrating with other driver



4TH Case



5TH Case



Mr Adu leaving Station



Second taxi required



COMPLAINT 2

Good afternoon

We were made aware of an incident within Aberdeen train station on the evening of Wednesday 6 November where one of our permit holders, Mr Tony Adu urinated in the station environment. Subsequently Mr Adu, Mr (redacted) and Mr (redacted) all participated in a heated and potentially racially aggressive manner in front of other customers and taxi permit holders.

All 3 permit holders were interviewed yesterday and ScotRail has made the decision to revoke their permits to ply for hire in the station on the grounds that they have breached condition 6 and 11.6 of our Ply for Hire Agreement.

The incident has also been independently reported to the BTP by another permit holder. This behaviour has no place in our station and will put ScotRail and Aberdeen into disrepute. I have attached copies of the letters issued to the permit holders today and would like this matter raised at your next licencing meeting as there may be a requirement for you to introduce some training for your taxi drivers on diversity and inclusive language.

23/11/23

Dear Mr Adu,

Thank you for attending our meeting on Wednesday 22 November 2023 in Aberdeen Station.

Having considered the complaint and your actions in association with this complaint I am writing to advise you that ScotRail has made the decision to revoke your permit to ply for hire within the taxi rank in the station under clause 14 of the agreement.

Termination of Permit

- 14 Without prejudice to any other provision of this Agreement, the Company may revoke the Permit if, acting reasonably, they believe the Operator or their Driver has breached the terms of this Agreement. The Operator may, within 7 days of the decision to revoke the Permit, lodge a request to recall the revocation, specifying grounds on which they believe the revocation should be recalled, along with any supporting documentation. This request should be made following the provisions in Clause 29. The revocation may be recalled at the sole discretion of the Company.

We have reasonable grounds to believe that you urinated in the station and then engaged in aggressive and racially aggravated behaviour with fellow taxi permit holders and have therefore breached Condition 6 and 11 of the Ply for Hire Agreement.

6. "The Operator and Drivers must always act in a manner that portrays professionalism and must not engage in any act that the Company feels to be unacceptable to the public, staff, or tenants whilst on the Company's property"

11.6 "At all times whilst at the Station and during any journey undertaken pursuant to a Permit, the Driver, shall not use any insulting or abusive or offensive language, or be guilty of any indecent or improper conduct".

Accordingly, your permit has been withdrawn. You must cease plying for trade in the station with immediate effect. Please return your permit to the station manager's office marked for the attention of ScotRail Permits.

Under clause 29 of the agreement, you have the right to appeal this decision. Your appeal must be made in writing to (name redacted), Customer Information Strategy Manager (email redacted) marked for the attention of Permits.

Yours sincerely,

(redacted),

Customer Information Strategy Manager