

LICENSING COMMITTEE INFORMATION SHEET

24 April 2024

TAXI DRIVER LICENCE 1743

LICENCE HOLDER: M Elbehaderie (PH054)

DESCRIPTION

- Licence held since 20/09/2017
- Current licence granted 17/02/2022 on renewal
- Expiry 19/09/2024

The first complaint was received on 27/11/2023 from another driver.

The complaint states that Mr Elbehaderie stopped on the edge of the taxi rank at the airport and asked people waiting at the rank to get into his vehicle.

The complaint also states that when told that this is illegal for him to do, Mr Elbehaderie proceeded argue with the driver in front of waiting passengers.

A second complaint was received on 25/01/2024 a different taxi driver stating that Mr Elbehadrie dropping off and picking up passengers from the taxi rank for Bristow's Heliport.

As you will see from the emails provided, when asked about this, Mr Elbehadrie admitted to dropping off at the taxi rank at Bristow's Heliport, but denied picking up a hire.

CONSULTEES

N/A

OBJECTIONS/REPRESENTATIONS

- Licensing

COMMITTEE GUIDELINES/POLICY

N/A

GROUNDS FOR SUSPENSION/REVOCATION

A licensing authority may, whether upon a complaint made to them or not, suspend or revoke a licence in accordance with the provisions of this paragraph.

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.

In considering whether to suspend or revoke a licence the licensing authority may—

(a) have regard to—

- (i) any misconduct on the part of the holder of the licence, whether or not constituting a breach of any provision of Part I or II of this Act or this Schedule, which in the opinion of the authority has a bearing on his fitness to hold a licence;
 - (ii) where the licence relates to an activity consisting of or including the use of premises or a vehicle or vessel, any misconduct on the part of persons frequenting or using the premises, vehicle or vessel occurring there or any misconduct in the immediate vicinity of the premises, vehicle or vessel which is attributable to those persons;
- (b) make such reasonable inquiries as they think fit and, subject to sub-paragraph (5) below, include the results of their inquiries in the matters to which they have regard in such consideration.

COMPLAINT 1

I'd like to put in a complaint against red plate 054 . Stopped right on edge of airport rank this morning and popped his boot open asking people off the rank to go into his car . When I pointed out to him it was illegal for him to pick up there I was told none of my business and he would pick up where he wanted . After again stating it was illegal I was told to dry my eyes he had hankies in his car . This led to a small argument in front of passengers waiting . It was very unprofessional on his part . I picked up and left and he was still waiting there trying to pick up . Thanks for your time ...



Complaint 2

Morning David.i have just had words with ph plate at bristow's rank.i witnessed him on rank dropping off passenger and agreeing to pick up pax who was waiting for taxi .this was confirmed by customer who told me he had approached ph car and driver told him he would take him.when I told driver he was out of order he was not concerned and laughed with pax he was dropping off.he then proceeded to take a photo of me picking up pax legally.i have attached photograph of car concerned thank you



Driver responses

Good afternoon,

Further to my email earlier today another complaint has come to my attention, which again states that you stopped near the taxi rank at Bristows on 27/11/2023 and actively plied for hire by asking waiting customers to use your vehicle (there is a photo attached).

A Private Hire Car is legally prohibited from plying for hire.

Therefore I have no choice other than to put both matters to the licensing Committee for the suspension or revocation of all licences held.

The complaints will be put before them on 24/04/2024 and you will receive an invite 14 days before that date.

Regards

Good afternoon,

Sorry we are not working from the office and a meeting is not possible.

As I have stated it is an offence for any vehicle other than a taxi to stop, park or wait on a taxi rank.

The photo attached cleared shows your vehicle, which is not a taxi stopped on a rank.

It also shows the rear PHC plate held on by two cable ties- this is a breach of conditions and therefore also a criminal offence.

I am happy to withdraw my warning and pass your case to the Licensing Committee if you prefer, and if they agree with what is shown in the photo they may suspend or revoke any licences held.

Regards

Subject: Re: Complaint Against Driver of PH054 & Vehicle Test

Good morning

I am looking to have a meeting with your good self, as I feel extremely upset and despondent by the fact of the outcome of your decision.

I feel greatly disappointed and unfairly treated.

I want to prove my innocence from the 2 criminal alleged charges.

Many thanks

Good morning,

I have noted your comments however they do not change the fact that you have committed two criminal offences.

Perhaps it would be a good idea if you reflected on that.

Regards

Subject: Re: Complaint Against Driver of PH054 & Vehicle Test

I have explained to you earlier in previous email, that I did drop off outside Bristows.

As for the taxi driver, who reported me to you. I had no choice but to report that taxi driver for his aggressive and rude behaviour in front of other passengers and other public people. The complaint was lodged to the Airport office with regards to the airport taxi driver's behaviour and aggressive attitude towards me.

I did not expect colleague to behave towards other colleague in such manner.

May be it is a good idea to reconcile between us (taxi driver) in order to get a good attitude towards each other as taxi driver.

I hope we all could live and work in peace.

Good afternoon,

We have photographic evidence that your vehicle stopped on the Taxi Rank at Bristows to at least drop off a fare (we are willing to accept that you did not collect a fare).

It is a criminal offence for any vehicle other than a taxi to stop, wait or park on a taxi rank- your vehicle is not a taxi.

In addition the same photo clearly shows the rear PHC plate being held on to the vehicle by two cable ties, which is a breach of the testing manual (being not secure) and therefore of licence conditions (which is also a criminal offence).

Therefore you should take this email as an official warning as to your future conduct.

These matters will be kept on file and should any further complaints be received your licences will be referred to the licensing committee for suspension or revocation.

Regards

Subject: Re: Complaint Against Driver of PH054 & Vehicle Test

Good morning

This is Mohamad ElBehaderie owner of Audi A6 plate number 54.

Yes I dropped outside Bristows, but I did not pick up any fare from there. I directed the passenger to the normal airport taxi.

As for the condition of my car, there is no problem with my car, clean and road trust worthy. I am to have my Hackney date 12 of February next month.

However I will take my car to Hackney test station as you have requested.

Kind regards

Good morning,

A complaint has been received against the drive of PH054 stating that the vehicle dropped off a passenger on the Bristows rank at the airport and collected a fare immediately thereafter that was not pre-booked, at approx. 12:00 on 25/01/2024.

I am sure you are aware that both of these would be a criminal offence.

You have 7 days to respond to this complaint by email.

In addition we have a concern relating to the condition of vehicle PH054 and therefore you are required to take it for inspection to the taxi testing centre today at 15:00

If you do not the licence will be suspended with immediate effect.

Regards