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**Minutes of a meeting of the
GENERAL PURPOSES LICENSING CASEWORK
SUB-COMMITTEE**

on Wednesday 30 May 2018

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Committee members:

Councillor Clarkson (Chair)

Councillor Lygo

Officers:

Daniel Smith, Lawyer

Lesley Rennie, Business Regulation Team Manager

Samantha Broome, Licensing Officer

Joshua Curnow, Licensing Compliance Officer

John Mitchell, Committee and Member Services Officer

Apologies:

Councillors Cook and Landell Mills sent apologies.

7. Exempt Matters

8. Application to Drive Hackney Carriages and Private Hire Vehicles

The Head of Community Services had submitted a report to inform the determination of Mr Iddris's application to drive Private Hire Vehicles in the City.

The Chair confirmed that Mr Iddris had received the paperwork associated with this item and that he had been alerted in advance to the fact that, on this occasion, the Sub-Committee would comprise two City Councillors.

Mr Iddris was accompanied by his legal representative Ms Tanya Ossack, a barrister who had represented him at the trial referred to below.

The Licensing Officer spoke to the report. Mr Iddris had held a Private Hire Driver Licence from 16 December 2015 until its expiry on 15 December 2017. His licence was suspended with immediate effect on 5th April 2017, following notification from Thames Valley Police that he had been arrested and charged with serious sexual offences. He was later acquitted of these charges at Oxford Crown Court on 11th December 2017.

On 4th January 2018, following his acquittal, Mr Iddris submitted an application to renew his Private Hire driver's licence. As part of the application process, an Enhanced Disclosure & Barring Service Disclosure was requested. The disclosure report contained information provided by Thames Valley Police which they believed "to be

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relevant to the application...for the role of taxi driver.” The information detailed the matters for which Mr Iddris had been indicted, the fact that he had pleaded not guilty on all counts and had been found not guilty on all counts.

The disclosure went on to say that the information was considered to be “... relevant and ought to be disclosed ... because the alleged offences suggest a transferable risk in relation to the post applied for where Mr Iddris may come into contact with lone or potentially vulnerable females.”

Mr Iddris’s legal representative addressed the Sub-Committee to provide some context to the case. She emphasised that there had only ever been allegations against Mr Iddris and that, ultimately, he had been found not guilty on all counts. The case had involved 18 young men of a similar age (16-17 at the time of the alleged offences, all of which involved the same complainants). While the subject of the allegations was clearly a serious one, Ms Ossack argued that, given the age of the defendants at the time of the allegation, this should not be compared with other contemporary cases involving ‘grooming’ of younger girls by older men.

The trial (and defendants) had been split into two, the first half taking place in Oxford, the second was due to take place in Banbury. Mr Iddris was in the first half. The second half never took place because of a recognition, after the first trial, that there was no realistic chance of conviction because of the unreliability of the witnesses. Mr Iddris had always contended that he was the subject of mistaken identity and there had been no evidence of any contact with the complainants.

Mr Iddris’s father was invited to address the Sub-Committee. He explained that his son had been a highly regarded member of the family’s hire car business (Five Star Chauffeurs) which tended to cater for corporate clients with high levels of repeat business. His son was often asked for by clients because who had got to know him. Much of their business was with language schools and his son was often commissioned to pick up young students from airports to take them to host families, on the basis that, as a younger employee, he would make them feel at home.

Ms Ossack tabled character witness statements for the benefit of the Sub-Committee which had been produced at the trial and had been accepted by the prosecution.

Following his arrest the police had searched for any soft intelligence about Mr Iddris but had found nothing untoward. There had been and were no other concerns about Mr Iddris which would suggest that he was not a fit and proper person to hold a licence to drive Private Hire Vehicles. Granting Mr Iddris a licence would not, in her view, pose any “transferable risk”.

Mr Iddris told the Sub-Committee that it had taken “Three months to prove my innocence.” It was a “Never ending nightmare” and that the outcome of the trial should prove that “I am no risk.”

Mr Iddris, Mr Iddris’s father, Ms Ossack and the Licensing Officer left the room while the Sub-Committee considered the points raised.

That Mr Iddris had been found not guilty on all counts was clear. The case was only before the Sub-Committee because of the information given in the Enhanced Disclosure & Barring Service Disclosure and the “suggestion” that there may be a transferable risk. The Sub-Committee gave weight to the Police information for the following reasons:

The Police are the responsible authority for the detection and prevention of crime and their view must be taken seriously. The Police and DBS believe the information sufficiently credible that it ought to be disclosed.

The Crown Prosecution Service had decided that the allegations were credible enough to provide a realistic prospect of conviction.

The primary objective in taxi licensing is to ensure public safety.

Mr Iddris, Mr Iddris's father, Ms Ossack and the Licensing Officer returned to the room.

The Chair thanked Ms Ossack for her helpful clarification of the circumstances of the case. The Sub-Committee's overarching responsibility in determining whether an applicant was a fit and proper person to hold a licence was to ensure the safety of the travelling public. Notwithstanding the fact that Mr Iddris had been found not guilty on all counts, the possibility of a transferable risk to which it had been alerted could not be discounted. The Sub-Committee had balanced the risk of granting Mr Iddris a licence in the event the allegations were true, against the consequences for him of his application being refused.

It had concluded that the potential risk to public safety outweighed the negative effect for him of the application being refused which left the Sub-Committee with no alternative but to refuse Mr Iddris's application.

It was explained that Mr Idriss could appeal to the Magistrate's Court against this decision within 21 days of receipt of the letter confirming it.

The Sub-Committee resolved to:

Refuse Mr Idriss's application for a Private Hire Driver Licence.

9. Application to Drive Hackney Carriages and Private Hire Vehicles

The Head of Community Services had submitted a report to inform the determination of Mr Abdulkarim Alesadi's application to drive Private Hire Vehicles in the City.

Mr Alesadi was not present to address the Sub-Committee and it was agreed that his application should be deferred until the next meeting of the Sub-Committee to enable him to do so.

The meeting started at 5.30 pm and ended at 7.00 pm

Chair

Date: Monday 25 June 2018

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