

Wednesday, 21 September 2022

LICENSING SUB-COMMITTEE

A meeting of **Licensing Sub-Committee** will be held on

Thursday, 29 September 2022

commencing at **9.30 am**

The meeting will be held in the Meadfoot Room, Town Hall, Castle Circus,
Torquay, TQ1 3DR

Members of the Committee

Councillor Douglas-Dunbar

Councillor Ellery

Councillor Barbara Lewis

Together Torbay will thrive

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Governance Support, Town Hall, Castle Circus, Torquay, TQ1 3DR

Email: governance.support@torbay.gov.uk - www.torbay.gov.uk

LICENSING SUB-COMMITTEE AGENDA

1. **Election of Chairman/woman**
To elect a Chairman/woman for the meeting.
2. **Apologies**
To receive apologies for absence, including notifications of any changes to the membership of the Sub-Committee.
3. **Minutes** (Pages 4 - 5)
To confirm as a correct record the Minutes of the meeting of a Sub-Committee held on 11 August 2022.
4. **Declarations of interests**
 - (a) To receive declarations of non pecuniary interests in respect of items on this agenda
For reference: Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.
 - (b) To receive declarations of disclosable pecuniary interests in respect of items on this agenda
For reference: Where a Member has a disclosable pecuniary interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

(**Please Note:** If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)
5. **Urgent items**
To consider any other items that the Chairman decides are urgent.
6. **Consideration of the fit and proper status of the holder of a dual Hackney Carriage and Private Hire Drivers' Licence** (Pages 6 - 35)
To consider a report on the fit and proper status of the holder of a dual Hackney Carriage and Private Hire Drivers' Licence.

Meeting Attendance

Please note that whilst the Council is no longer implementing Covid-19 secure arrangements attendees are encouraged to sit with space in between other people. Windows will be kept open to ensure good ventilation and therefore attendees are recommended to wear suitable clothing.

If you have symptoms, including runny nose, sore throat, fever, new continuous cough and loss of taste and smell please do not come to the meeting.

Minutes of the Licensing Sub-Committee

11 August 2022

-: Present :-

Councillors Ellery, Barbara Lewis and Sykes

18. Election of Chairman/woman

Councillor Ellery was elected as Chairman for the meeting.

19. Minutes

The Minutes of the meeting of the Sub-Committee held on 19 May 2022 were confirmed as a correct record and signed by the Chairman.

20. Torbay Party Barn, Stantor Barton Farm, Stantor Lane, Paignton, TQ3 1SU

Members considered a report on an application for a Premises Licence in respect of Torbay Party Barn, Stantor Barton Farm, Stantor Lane, Paignton.

Written Representations received from:

Name	Details	Date of Representation
Member of the Public	Written representation objecting to the application on the ground of 'The Prevention of Public Nuisance'.	Undated.

Oral Representations received from:

Name	Details
Applicant	The Applicant outlined the Application for a Premises Licence and responded to Members questions.

Decision

That the application for a Premises Licence in respect of Torbay Party Barn, Stantor Barton Farm, Stantor Lane, Paignton, be approved as applied for.

Reasons for Decision

Having carefully considered all the written and oral representations, Members resolved to grant the application for a Premises Licence, as they could not be

satisfied on the evidence before them, that the noise referred to by the objector, emanated from this premises.

In coming to that decision, Members had regard to the written representation referring to noise outbreak being 'the last three weekends in a row', however, the Applicant confirmed that the Premises did not host events on all three of those weekends. Added to this, Members noted the oral representation from the Licensing Officer, that the Premises had applied for and been granted four Temporary Event Notices this year, without any complaints being submitted to the Licensing Authority or the Public Protection Officer.

In knowledge of the geographical area and the proximity of the nearest residential premises, Members were satisfied that the Applicant had put appropriate measures in place which addressed any concerns they had.

In concluding, Members noted that there had been no representations received from any of the Responsible Authorities and determined in all the circumstances, that the Licensing Objectives would not be undermined in granting this application.

Should any issues arise as a result of this grant, Members noted that a Review of the Premises Licence was available to any Responsible Authority of Interested Party.

Chairman/woman

TORBAY COUNCIL

Report No: Public Agenda Item: **Yes**

Title: **Consideration of the fit and proper status of the holder of a dual Hackney Carriage and Private Hire Drivers' Licence**

Wards Affected: **All**

To: **Licensing Sub-Committee** On: **29th September 2022**

Key Decision: **No**

Change to Budget: **No** Change to Policy Framework: **No**

Contact Officer: **Shaun Rackley**
Telephone: **01803 208026**
E.mail: Shaun.rackley@torbay.gov.uk

1. What we are trying to achieve

This report asks Members to consider relevant facts relating to the holder of a Torbay Council issued dual Hackney Carriage and Private Hire drivers licence. This follows Torbay Council's Licensing Department receiving a number of complaints in respect of his conduct whilst working as a licensed driver. Further to this, the licence holder has failed to meet specific requirements as set out in the current Hackney Carriage and Private Hire Licensing Policy 2022, by virtue of having failed to inform Torbay Council of accident damage to his Hackney Carriage vehicle. Members are requested therefore to determine on the facts laid before them, whether or not the Applicant remains a 'fit and proper person' to hold such a licence.

2. Recommendation(s) for decision

- 2.1 This matter must be determined on its individual merits and any supporting facts or testimony advanced at a hearing. Therefore, there is no recommendation. The options available to Members however, are highlighted in paragraph **A3.1 of Annex 1** to this report.

3. Key points and reasons for recommendations

- 3.1 Under provision of the Local Government (Miscellaneous Provisions) Act 1976 (the 1976 Act), Torbay Council is the Licensing Authority in respect of Hackney Carriage and Private Hire Vehicles and drivers within Torbay.
- 3.2 Sections 51 and 59 of the 1976 Act, in conjunction with section 46 of the Town Police Clauses Act 1847, make provision for the licensing of drivers and state that a district council shall not grant a licence to drive a Private Hire or Hackney

Carriage vehicle unless they are satisfied that the driver is a 'fit and proper' person to hold a driver's licence.

- 3.3 There is no judicially approved test of fitness and propriety and therefore it is the responsibility of Licensing Authorities to determine whether a driver, or an Applicant is indeed fit and proper to hold such a licence. In the absence of such a test, a number of practices have developed over time and have stood up to scrutiny in the Courts and are therefore commonly accepted amongst the majority of Licensing Authorities.
- 3.4 This report follows five separate complaints within the last four months received by Torbay Council's Licensing Department regarding Mr George Savva, who holds a Torbay Council dual drivers' licence number LD0505. The complaints relate specifically to Mr George Savva losing his temper, aggression and driving standards.
- 3.5 Mr George Savva has also failed to notify the Licensing Authority, as required by virtue of its Taxi Policy, of accident damage sustained to the Hackney Carriage vehicle which Mr Savva holds the vehicle proprietors licence for.
- 3.6 It is for the Licensing Sub-Committee to consider whether Mr George Savva remains a 'fit and proper person' to hold a Torbay Council issued dual Hackney Carriage and Private Hire drivers' licence.
- 3.7 There is a right of Appeal to the Magistrates' Court as provided under section 61 (3) of the 1976 Act against the Licensing Sub-Committee decision. Such an appeal must be lodged within 21 days from the date of a Notice following the decision.

For more detailed information on this proposal please refer to the Supporting Information.

**Steve Cox
Environmental Health Manager (Commercial)**

Annex 1 - Supporting information

A1. Introduction and history

- A1.1 Under provision of the Local Government (Miscellaneous Provisions) Act 1976 (the 1976 Act), Torbay Council is the Licensing Authority in respect of Hackney Carriages, Private Hire Vehicles and their drivers within Torbay.
- A1.2 Sections 51 (in respect of Private Hire drivers) and 59 (in respect of Hackney Carriage drivers) of the Act state that a district council shall not grant a licence to drive a Private Hire vehicle or Hackney Carriage unless they are satisfied that the driver is a 'fit and proper person to hold a driver's licence'.
- A1.3 There is no judicially approved test of fitness and propriety and therefore it is the responsibility of Licensing Authorities to determine whether a driver, or an applicant is indeed fit and proper to hold such a licence. In the absence of such a test, a number of practices have developed over time and have stood up to scrutiny in the Courts and are therefore commonly accepted amongst the majority of Licensing Authorities.
- A1.4 Mr George Savva has been subject to a series of recent complaints about his conduct and driving standards. These are listed in date order below.
- A1.5 On the 7th of June 2022 the Licensing Department received a complaint about the following two incidents which occurred on the 3rd and 6th June 2022, involving Mr George Savva:

On Friday the 3rd of June 2022 on Paignton railway station rank, the complainant entered the rank, and the taxis were parked in various locations. The complainant asked a driver which taxi he should get in and did as he was told. He alleges that Mr George Savva came up to that taxi shouting at him for getting in that vehicle. Mr Savva then proceeded to have an argument with the other driver in front of the complainant and became abusive and would not stop shouting at either the complainant or driver.

The complainant then came back to the same rank on Monday the 6th of June 2022 and spoke to Mr Savva and asked if he would like to apologise for his behaviour from the previous week and Mr Savva simply told, him that he was never wrong, and it was the complainant's fault.

Mr Savva then refused to take the fare of the complainant and as he left the rank with another customer on board, he was shouting at the complainant to such an extent that Mr Savva clipped the roadside kerb and pulled out of the rank onto the main road in front of another car. The car sounded its horn at him, and Mr Savva then proceeded to sound your horn back, wave his arm out of the window and as he drove up to the traffic lights which were on green, he stopped his Taxi. When the lights changed to amber he went through the lights and the car behind then had to wait at a red light. Details of the incident can be found at **Appendix 4**.

- A1.6 On the 30th of June 2022, Devon & Cornwall Police contacted the Licensing Department regarding an incident that had occurred on the 10th of June 2022 at Beverly Holiday Park, Goodrington Road, Paignton involving Mr George Savva.

The Police report is as follows:

The details are as follows, there is no CCTV from the Holiday Park. This case has been closed as word V Word.

Date: Friday 10/06/2022 between 17:45 – 18:00

Location: Beverly Park Holiday Reception. Goodrington Road, Paignton, TQ4 7JE

Account from Victim:

VICTIM IS EMPLOYEE OF HOLIDAY PARK AND POLITELY ASKED THE DRIVER TO MOVE HIS VEHICLE AS IT WAS BLOCKING ENTRANCE AND CAUSING SAFETY ISSUE FOR CUSTOMERS. DRIVER OBJECTED AND BECAME ABUSIVE BEFORE PUNCHING VICTIM ON THE ARM

The male was shouting at main reception doors, as Evening customer services had asked the male to move his car into the drop off zone. (He was blocking the main entrance to the park) The reception manager also came out and he started shouting at her. I walked over to try and deescalate the situation, and politely asked the male to move his car into the drop off as he was blocking people coming and going. The male escalated and started shouting abuse at us all, he said that we are racist, and shouting.

The male continued escalating and threw a punch at myself (against my arm). I detained the male against his own taxi, and told the male to calm down, the male continued to say he would not calm down and making threats. The male (who already has injury to his face, as seen in the photo before the restraint) was telling passers-by that I had caused the injury to his face (which was completely untrue). The male did appear to calm down, so was released. He then did get into his taxi and started moving off. Continuing to shout abuse. He then stopped and reversed back, at the time Venue manager and Bar manager from Beverly showed up and the male listened to them and did eventually leave the site. Lots of witnesses.

This document can be found at **Appendix 3**.

- A1.7 On the 18th June 2022, the Licensing Department received a complaint from a licensed driver that witnessed Mr George Savva verbally abuse an elderly customer on the Paignton Railway Station Taxi rank on the 16th June 2022. The following witness statement was made by that driver and a video of part of the incident supplied.

An elderly passenger tried to get in my car at third position, George Savva was number one and she didn't want to get in with him as she had problems with him before, so I told her to get in with (name removed) who was second car. Well, this is when George Savva clocked her, got out of his car and was verbally abusing her. He was saying "oh its her, where did I touch you, tell me, you fucking bitch, you bastard, lesbian". Now this was a 90 year old lady he was yelling at through another taxi drivers window. I managed to film some of it and he saw I was filming it as you will hear. This is not the first time this has happened to this lady in question, in fact it happens every time she comes on the rank and George Savva is around.

Well ever since Thursday when it happened, he has been trying to intimidate me. As soon as I pull onto the rank, he is out of his taxi standing right beside my taxi

staring in at me, pretending to take pictures of me. And again, on Saturday, as soon as I pulled onto the rank he was up at my car yelling "I know about you and your fucking boyfriend, you killed a girl". To be fair I am not at all intimidated by this stupid vile old man, but his vile abuse towards this poor lady has to stop and so does his actions towards me and other female drivers on the Paignton rank.

This document can be found at **Appendix 1** and a copy of the video recording can be found at **Appendix 2**.

- A1.8 Due to the number of complaints within a short period of time and the serious nature of them, Mr Savva was written to by Shaun Rackley of Torbay Council's Licensing Team on the 4th of July 2022, to request his submission which would be put before Licensing Committee. This document can be found at **Appendix 5**.
- A1.9 Mr Savva has responded by email to the letter of the 4th of July 2022 and explained the three incidents. This document can be found at **Appendix 6**.
- A1.10 On the 8th of August 2022, the Licensing Department received an additional complaint about Mr Savva's alleged threatening behaviour. This incident took place on the 6th of August 2022 and was against another licensed driver on Paignton Railway Station Taxi rank. The following witness statement was made by that driver and a video of part of the incident supplied.

The incident happened on Saturday 6th August 2022 approx 12.20pm. I was stood behind my car talking to (name removed) on Paignton taxi rank when George Savva pulled on. He got out of his car and stood there just glaring at the both of us. He then walked over shouting you two are murderers you killed a women. I am going to give evidence in the court and you are both going to prison. I know what you did and I am going to get some people to murder you! You will get what you deserve. I was car one during this and the family getting into my car were shocked and appalled by his behaviour. For a change he did not swear at me. The family got into my car and as (name removed) was walking back to her car I could see George Savva following her and still shouting at her. As I was about to pull off the rank I could see (name removed) looking visibly distressed in my mirrors so I asked the family if it was ok to make sure she was ok. To which the mum said oh god yes that man is disgusting. That is when I got more verbal from him. He then got back in his car and I pulled away with the customers. Other drivers were on the rank at the time but I don't know why they will not report him or say anything to him about his outrageous behaviour. I do feel the guy has lost the plot!

This document can be found at **Appendix 7** and a copy of the video recording can be found at **Appendix 8**.

- A1.11 On the 12th of August 2022, Mr Savva was again written to by Shaun Rackley of Torbay Council's Licensing team regarding the new complaint made against him. Mr Savva was again requested for a submission be put before the Licensing Committee. This document can be found at **Appendix 9**.
- A1.12 Mr Savva has responded by email to the letter of the 12th of August 2022 but has failed to provide any information relating to the incident. This document can be found at **Appendix 10**.
- A1.13 On the 17th August 2022, the Licensing Department received a further complaint

about Mr Savva's conduct and driving standards surrounding a Road Traffic Collision on the 16th August 2022. It is alleged that Mr Savva driving Hackney Carriage 068, which he holds the vehicle proprietors licence for, failed to stop at a road junction and t-boned the complainant's vehicle, this left the female driver with leg and foot injuries from the crash impact. The Licensing Department is still awaiting the full statement and video footage from the complainant; however, the matter has been reported to Devon & Cornwall Police due to the alleged aggressive behaviour of Mr Savva towards the female driver.

Under Torbay Council's Taxi Policy, the vehicle proprietor must report any accident damage to the Licensing Department within seventy two hours. Mr Savva failed to report this and was subsequently written to by Jonathon Edwards of Torbay Council's Licensing Team to present the vehicle for a full inspection. This inspection took place on the 25th August 2022 and a copy of the vehicle inspection report can be found at **Appendix 12**.

A1.14 On the 5th of September 2022, Mr Savva was again written to by Shaun Rackley of Torbay Council's Licensing team regarding his failure to notify the Licensing Department of the accident damage to his Torbay Council registered Hackney carriage that he holds the vehicle proprietors licence for. Mr Savva was again requested for a submission be put before the Licensing Committee. This document can be found at **Appendix 11**.

A1.15 Mr Savva has responded by email to the letter of the 5th of September 2022. This document can be found at **Appendix 13**.

A1.16 The Statutory Taxi and Private Hire vehicle standards, as issued by the Department for Transport state:

5.12 Licensing authorities have a duty to ensure that any person to whom they grant a taxi or private hire vehicle driver's licence is a 'fit and proper' person to be a licensee. It may be helpful when considering whether an applicant or licensee is fit and proper to pose oneself the following question:

5.13 Without any prejudice, and based on the information before you, would you allow a person for whom you care, regardless of their condition, to travel alone in a vehicle driven by this person at any time of day or night?

If, on the balance of probabilities, the answer to the question is 'no', the individual should not hold a licence.

5.14 Licensing authorities have to make difficult decisions but (subject to the points made in paragraph 5.4) the safeguarding of the public is paramount. All decisions on the suitability of an applicant or licensee should be made on the balance of probability. This means that an applicant or licensee should not be 'given the benefit of doubt'. If the committee or delegated officer is only "50/50" as to whether the applicant or licensee is 'fit and proper', they should not hold a licence. The threshold used here is lower than for a criminal conviction (that being beyond reasonable doubt) and can take into consideration conduct that has not resulted in a criminal conviction.

Relevant excerpts of Torbay Councils Taxi policy state:

13.1 All drivers are expected to act professionally and in an appropriate manner at all times and are required to adhere to the specified Code of Conduct at Appendix B.

14.12 The proprietor of any Hackney Carriage or Private Hire vehicle must report to the Licensing Authority, within seventy two hours, the occurrence of any accident involving the Hackney Carriage or Private Hire vehicle.

Appendix B: Driver Code of Conduct

1. The driver **must at all times**, when driving a Hackney Carriage or Private Hire vehicle:

c) Behave in a civil and orderly manner towards all persons, including, but not limited to, other road users, pedestrians, customers, the general public, other licensed operators and drivers, police officers, licensing officers and elected Members of the Council

d) Be courteous to all passengers e.g. greeting passengers, assisting with bags, push chairs, wheelchairs etc

2. The driver **must not**, at any time, when driving a Hackney Carriage or Private Hire vehicle:

a) Use offensive, racist, abusive, profane or insulting language or behaviour

i) Obstruct other drivers or vehicles from undertaking their normal hiring and driving activities

A1.17 Members are requested to consider whether Mr George Savva remains a 'fit and proper person' to hold a Torbay Council issued dual Hackney Carriage and Private Hire Drivers' licence.

A1.18 There is a right of Appeal to the Magistrates' Court against the Licensing Sub-Committee decision. Such an appeal must be lodged within 21 days from the date of a Notice following the decision.

A2. Risk assessment of preferred option

A2.1 Outline of significant key risks

A2.1.1 There are two risks. The first risk to be considered is whether Mr George Savva presents a risk to the general public should he continue to hold a licence to drive a Hackney Carriage or Private Hire vehicle.

A2.1.2 The second risk relates to the potential for an appeal should Mr George Savva's licence be revoked or suspended and/or have additional conditions imposed.

A3. Options

A3.1 The options are:

- (i) To do nothing, if satisfied that Mr George Savva remains a 'fit and proper' person to drive a Hackney Carriage or Private Hire vehicle
- (ii) To give a formal written warning
- (iii) To require additional training and/or to successfully undertake such training i.e. an advanced RoSPA driving course, or, an anger management course, or, an equivalent standard training
- (iv) To suspend Mr George Savva's licence to drive a Hackney Carriage or Private Hire vehicle and to require that additional training and/or an advanced RoSPA driving course, and/or, an anger management course, or, an equivalent standard training is required
- (v) To revoke Mr George Savva's drivers licence on grounds that he is no longer considered to be a 'fit and proper' person to hold such a licence

A4. Summary of resource implications

A4.1 There are some resource implications if there is an Appeal to the Magistrates' Court.

A5. What impact will there be on equalities, environmental sustainability and crime and disorder?

A5.1 There are no environmental sustainability issues, equalities or crime and disorder issues other than as outlines in this report.

A6. Consultation and Customer Focus

A6.1 There has been no public consultation on this matter and there is no requirement for the Licensing Sub-Committee to consult the public on this matter.

A7. Are there any implications for other Business Units?

A7.1 There are no implications for other business units.

Documents available in members' rooms

None

Appendices

Appendix 1	Email complaint regarding abuse dated 18 th June 2022
Appendix 2	Video footage 18 th June 2022 (will be played at the meeting)
Appendix 3	Information received from Devon & Cornwall Police dated 30 th June 2022
Appendix 4	Complaint details received relating to incidents on 3 rd & 6 th June 2022
Appendix 5	Letter to George Savva requesting information on 3 incidents and any mitigating circumstances dated 4 th July 2022
Appendix 6	Response from George Savva supplying information dated 17 th July

2022

- Appendix 7 Email complaint regarding abuse dated 8th August 2022
- Appendix 8 Video footage 8th August 2022 (will be played at the meeting)
- Appendix 9 Letter to George Savva requesting information on additional incidents and any mitigating circumstances dated 12th August 2022
- Appendix 10 Response from George Savva supplying information dated 15th August 2022
- Appendix 11 Letter to George Savva requesting details due to breach of Taxi Policy dated 5th September 2022
- Appendix 12 Hackney carriage 068 - Vehicle inspection report form dated 25th August 2022
- Appendix 13 Response from George Savva regarding failure to notify Licensing Department of accident damage dated 12th September 2022

Background Papers:

The following documents/files were used to compile this report:

Torbay Council's Hackney Carriage & Private Hire Licensing Policy 2022
Department of Transports, Statutory Taxi and Private Hire vehicle standards 2020

From: [REDACTED]
Sent: 18 June 2022 12:58
To: shaun.rackley@torbay.gok.uk <shaun.rackley@torbay.gok.uk>
Subject: Verbal Abuse

Hi Shaun,

As you know I am not one to complain, if ever, but i am very concerned about an incident that happened on Thursday afternoon on the paignton rank.

I have camera evidence of this. An elderly passenger tried to get in my car at third position, George Saava was number one and she didn't want to get in with him as she has had problems with him before, so i told her to get in with [REDACTED] who was second car. Well this is when George Saava clocked her, got out of his car and was verbally abusing her. He was saying "oh its her, where did i touch you, tell me, you fucking bitch, you bastard, lesbian". Now this was a 90 year old lady he was yelling at through another taxi drivers window. I managed to film some of it and he saw i was filming it as you will hear. This is not the first time this has happened to this lady in question, infact it happens every time she comes on the rank and George Saava is around.

Well ever since thursday when it happened he has been trying to intimidate me. As soon as i pull onto the rank he is out of his taxi standing right beside my taxi staring in at me, pretending to take pictures of me. And again on saturday, as soon as i pulled onto the rank he was up at my car again yelling "i know about you and your fucking boyfriend, you killed a girl". To be fair i am not at all intimidated by this stupid vile old man, but his vile abuse towards this poor old lady has to stop and so does his actions towards me and other female drivers on the paignton rank.

Looking forward to your responce in this matter.

[REDACTED]

From: [REDACTED] <[REDACTED]@devonandcornwall.pnn.police.uk>

Sent: 30 June 2022 17:16

To: Rackley, Shaun <Shaun.Rackley@torbay.gov.uk>

Subject: RE: Taxi Driver assault - [REDACTED]

Hi Shaun,

The details are as follows, There is no CCTV from the Holiday park. This case has been closed as word V Word.

Date: Friday 10/06/2022 between 17:45 – 18:00

Location: Beverly Park Holiday Reception. Goodrington Road, Paignton, TQ9 7JE

Account from Victim:

VICTIM IS EMPLOYEE OF HOLIDAY PARK AND POLITELY ASKED AND DRIVER TO MOVE HIS VEHICLE AS IT WAS BLOCKING ENTRANCE AND CAUSING SAFETY ISSUE FOR CUSTOMERS DRIVE OBJECTED AND BECAME ABUSIVE BEFORE PUNCHING VICTIM ON THE ARM

The male was shouting at main reception doors, as Evening customer services had asked the male to move his car into the drop off zone. (He was blocking the main entrance to the park) The reception manager also came out and he started shouting at her. I walked over to try and deescalate the situation, and politely asked the male to move his car into the drop off as he was blocking people coming and going. The male escalated and started shouting abuse at us all, he said that we are racist, and shouting. The male continued escalating and threw a punch at myself (against my arm). I detained the male against his own taxi, and told the male to calm down, the male continued to say he would not calm down and making threats. The male (who already has injury to his face, as seen in the photo before the restraint) was telling passers by that I had caused the injury to his face (which was completely untrue). The male did appear to calm down, so was released. He then did get into his taxi and started moving off. Continuing to shout abuse. He then stopped and reversed back, at the time Venue manager and Bar manager from Beverly showed up and the male listened to them and did eventually leave the site. Lots of witnesses.

Do you feel race, disability, religion, sexual orientation, or transgender identity were a factor in this crime?

Yes

Please tell us why you feel this way

The male said that we were racist against him.

Suspect: ASIAN MALE IN HIS 60'S 5'7" SHORT GREY HAIR GREY BEARD NAVY JUMPER GREY TROUSERS





[Redacted]

IRC Crime Officer

Tel: Internal [Redacted] – Ext [Redacted]

Investigation Resolution Centre

Teignmouth Police Station, Exeter Road, Devon, TQ14 9FN

Team email IRC-SouthDevon@devonandcornwall.pnn.police.uk

Taxi - Complaint Form

Contact Details

Name		██████████
Address		████████████████████
Postcode		██████
Email		████████████████████

Complaint Details

What does your enquiry relate to?		Make a complaint
Drivers Name or Licence Number		George Savva
Please give full details of your complaint		<p>As I came onto the rank outside paignton train station taxis were all over the place so I asked a driver which 1 I should get in . I did as he said and another driver came up with an old lady shouting at me . The taxi I was in said I was in the right one and told the abusive driver this but he didn't stop shouting even when I told him I went where I was told . I spoke to him again today and asked if he would like to apologise I was told he is never wrong and it was my fault . He then wouldn't take me which didn't bother me at all , as he drove away he's was turning round shouting at me to such an extent that he clipped the kerb . I saw him pull out of the taxi rank in front of another car who sounded his horn , the taxi driver sounded his horn and waved his arms about and drove upto the green traffic light and stopped . He then waited till lights changed and drove off so as other driver had to wait .</p>

Please reply to: Mr Shaun Rackley

Licensing & Public Protection
Town Hall
Castle Circus
Torquay
Devon
TQ1 3DR

Mr G A Savva
[REDACTED]

Email: Shaun.rackley@torbay.gov.uk

Telephone: 01803 208025

Website: www.torbay.gov.uk

Date: 4th July 2022

Dear Mr Savva,

Local Government (Miscellaneous Provisions) Act 1976 – various complaints

I am writing to you regarding three separate incidents which have been reported to the Licensing Department regarding your conduct whilst operating as a Licensed Driver. I will outline each complaint in detail below.

Incident 1 –

On Friday the 3rd of June 2022 on Paignton railway station rank, a customer entered the rank, and the taxis were parked in various locations. The customer asked a driver which taxi he should get in and did as he was told. He alleges that you came up to that taxi shouting at him for getting in that vehicle. You then proceeded to have an argument with the other driver in front of the customer and became abusive and would not stop shouting at either the customer or driver.

The customer then came back to the same rank on Monday the 6th of June and spoke to you and asked if you would like to apologise for your behaviour from the previous week and you simply told him that you are never wrong, and it was the customers fault.

You then refused to take the customer and as you left the rank with another customer on board, you were shouting at the complainant to such an extent that you clipped the roadside kerb and pulled out of the rank onto the main road in front of another car. The car sounded its horn at you, and you then proceeded to sound your horn back, wave your arm out of the window and as you drove up to the traffic lights which were on green, you stopped your vehicle. When the lights changed to amber you went through the lights and the car behind then had to wait at a red light.

Incident 2 –

On Thursday the 16th of June 2022 at 14:25 hrs on Paignton railway station taxi rank, it is alleged that you verbally abused a 90-year-old lady as she would not travel in your

licensed Hackney Carriage which was placed first on the taxi rank and she was trying to gain a ride in an alternative vehicle.

It is alleged that when you realised the lady was trying to obtain another vehicle, you shouted "oh it's you, where did I touch you eh". You then proceeded shouting at her saying "you fucking whore, you fucking bastard, lesbian"

The lady got into the second car on the rank and then after you shouted the abuse at her, you told the driver of that vehicle "you can take her now, go".

This incident was captured via mobile phone footage which I will send you via email as part of this complaint for your observations.

When you realised you was being filmed, you then turned your attention to the female driver who was recording the incident and started shouting at her saying "you can report me, you can report me".

As part of this complaint, I am attaching 2 witness statements relating to the incident.

Incident 3 –

Devon & Cornwall Police have contacted and provided the Licensing department with the following information relating to an incident at Beverly Park Holiday resort, Paignton on the 10th of June 2022. Although they have closed the case against you, this incident again relates to your conduct whilst working as a Licensed Driver.

The details are as follows, there is no CCTV from the Holiday Park. This case has been closed as word V Word.

Date: Friday 10/06/2022 between 17:45 – 18:00

Location: Beverly Park Holiday Reception. Goodrington Road, Paignton, TQ4 7JE

Account from Victim:

VICTIM IS EMPLOYEE OF HOLIDAY PARK AND POLITELY ASKED THE DRIVER TO MOVE HIS VEHICLE AS IT WAS BLOCKING ENTRANCE AND CAUSING SAFETY ISSUE FOR CUSTOMERS. DRIVER OBJECTED AND BECAME ABUSIVE BEFORE PUNCHING VICTIM ON THE ARM

The male was shouting at main reception doors, as Evening customer services had asked the male to move his car into the drop off zone. (He was blocking the main entrance to the park) The reception manager also came out and he started shouting at her. I walked over to try and deescalate the situation, and politely asked the male to move his car into the drop off as he was blocking people coming and going. The male escalated and started shouting abuse at us all, he said that we are racist, and shouting.

The male continued escalating and threw a punch at myself (against my arm). I detained the male against his own taxi, and told the male to calm down, the male continued to say he would not calm down and making threats. The male (who already has injury to his face, as seen in the photo before the restraint) was telling passers-by that I had caused the injury to his face (which was completely untrue). The male did appear to calm down, so was released. He then did get into his taxi and started moving off. Continuing to shout abuse. He then stopped and reversed back, at the time Venue manager and Bar manager from Beverly showed up and the male listened to them and did eventually leave the site. Lots of witnesses.

I attach the 2 images supplied with this report from the Police.

Because of the serious nature and number of complaints received against you, I am referring this matter to Torbay Council's Licensing Committee for consideration as to whether you remain a fit and proper person to hold a Licensed Drivers badge with this Local Authority.

I stress the importance of timely and detailed information being supplied to me that I may then put before Committee for consideration. I request that you submit the above information, in writing to the address above, or via email to shaun.rackley@torbay.gov.uk, to include any matter (including any mitigating circumstances) that you believe to be relevant, by no later than **Thursday 18th July 2022**.

I have not set a hearing date, however, once I am in receipt of your information a report will be written and sent to you prior to the hearing date.

I look forward to receiving the requested information in due course.

Yours sincerely



Shaun Rackley
Licensing Officer
Licensing and Public Protection

Please note that, apart from personal details subject to the Data Protection Act, information contained in this letter may be divulged to members of the public under the Freedom of Information Act 2000.

Incident 1 witness statements –

1 –

As you know I am not one to complain, if ever, but I am very concerned about an incident that happened on Thursday afternoon on the Paignton rank.

I have camera evidence of this. An elderly passenger tried to get in my car at third position, George Savva was number one and she didn't want to get in with him as she has had problems with him before, so I told her to get in with [REDACTED] who was second car. Well this is when George Savva clocked her, got out of his car and was verbally abusing her. He was saying "oh it's her, where did I touch you, tell me, you fucking bitch, you bastard, lesbian". Now this was a 90 year old lady he was yelling at through another taxi drivers window. I managed to film some of it and he saw I was filming it as you will hear. This is not the first time this has happened to this lady in question, in fact it happens every time she comes on the rank and George Savva is around.

Well ever since Thursday when it happened he has been trying to intimidate me. As soon as I pull onto the rank he is out of his taxi standing right beside my taxi staring in at me, pretending to take pictures of me. And again on Saturday, as soon as I pulled onto the rank he was up at my car again yelling "I know about you and your fucking boyfriend, you killed a girl". To be fair I am not at all intimidated by this stupid vile old man, but his vile abuse towards this poor old lady has to stop and so does his actions towards me and other female drivers on the Paignton rank.

2 –

Date : 16th June 2022

Time : 14.25 pm

On Paignton Rail rank :

George Savva was car 1

[REDACTED] car 2

[REDACTED] car 3

[REDACTED] car 4

I was chatting to [REDACTED] through our windows when a lady came to [REDACTED] car and asked if she could take her home? [REDACTED] pointed to car 1 and told her George Savva was the next car out? The lady responded and said I don't want to get in with him?

Then George Savva was out of his car shouting "oh it's you !!! Where did I touch you eh , where" .

The lady got into [REDACTED] car with George Savva shouting at her " you f...ing whore, f.... Bastard , lesbian " !!!! He then told [REDACTED] to take her now and waved him on ! Then turned his attention to [REDACTED] and shouted to her " you can report me , you can report me" !!!

The lady never said anything to George Savva and to me he was acting in a very aggressive and intimidating manner!

Incident 3 –



From: [REDACTED] <[REDACTED]>
Sent: Sunday, 17 July 2022, 17:36
To: [REDACTED] <[REDACTED]>
Subject: Dad

Get [Outlook for Android](#)

Dear Shaun

Please see below the information you previously requested.

Incident No.1:

This incident is all nonsense, I will explain it the best I can on paper. There were two taxis on the rank and I was opposite on the 'feeder'. An old Lady with a walker came to my taxi thinking I was first car, I explained the system and helped her to the first car. By the time we got there with the walker another customer got in, I then took the Lady to taxi no2 who was next but the driver had allowed a customer to get in the car even after watching the dear old lady struggle.

I was then feeling quite awkward for the customer and explained to the driver and customer in the car that the Lady is next.

The Lady driver and customer wasn't having any of it and the customer was abusive and remained seated in the back of the car. The driver understands the system and is the first one to complain when other drivers, members of the public and delivery drivers do not adhere, but clearly this rule is for others and not for herself. I know she didn't want to take the lady because she did not want to get out of the car to help with her walker that I have witnessed on previous occasions.

The following week the customer who remained seated in car no2 got into my taxi. I did not recognise him until he spoke and he asked me to apologise. I then realised it was the same man that caused the conflict. I told him to "get out of my taxi". He smelt of alcohol and marijuana and I knew he would be trouble, he said he was going to report me so I said go ahead and give him my card.

Incident No 2:

Regarding the 90 year old lady who is only 12 years my senior. Approximately three years ago I was first in the queue on Paignton rail when 'The Lady' quite loudly shouted that she didn't want to go with me, she then went with [REDACTED]. I did ask [REDACTED] to try and find out the reason why. I didn't take a job as I wanted to wait for [REDACTED] to return as I was quite concerned. [REDACTED] said she didn't tell me anything which I now know to be untrue.

I needed to know why this lady that I did not recognise would not come with me. The next time I saw her on the rank and asked her she replied "you need to keep your hands to yourself". This had a great impact on me, what was she implying? Being Greek Cypriot I talk with my hands and arms, did she mean that or was she accusing me of touching her inappropriately?

She never explained what I had done and that allegation is detrimental to my good character and I needed it to be sorted. It is awful to be accused of something so bad and not have a conclusion to what she meant, and it bothers me.

There then was an investigation following the incident by Mr Noble who was the Licensing Officer at the time, he understood exactly how I felt and the incident was not taken any further.

The police must have been involved as they told me she as an 'intention seeker'.

Three years on, I still do not know where I was supposed to of put my hands.

The lady now waits for me to be first car and delights in shouting 'I wont go with HIM' and makes sure everybody can hear. She seems to know how to push my buttons, to get a reaction and then reports me for being rude.

I am a very caring and kind driver who goes above and beyond for my customers and extremely bothered by her accusation.

I am not proud of my actions on the video that [REDACTED] ([REDACTED] Girlfriend) recorded, but this lady needs to tell the truth.

Recently there has been an anonymous report to the Rail Manager which led to my instant suspension pending an investigation regarding 'this woman'.

I immediately contacted him and we had a good talk on the phone, the gentleman on the phone was very nice and said 'George forget about it' and he instantly lifted my suspension.

I have a good working relationship with the Rail Staff. I think this incident was about the woman in question and encouraged by [REDACTED] and [REDACTED].

Incident No 3:

I took four ladies to Beverly Park who had just arrived in Paignton. I dropped my customers to the same place I have used for 16 years and other drivers do to. I normally drop at the park and return to the rank. It was 17:30pm and the Ladies were concerned about provisions for their holiday and wondered if the on-site shop was open. I myself went to Reception to ask on their behalf, and was told the Shop was just opposite. I went to the Shop and the lady said they close at 18:00pm. I gave the Ladies who had disembarked this information. The ladies thanked me for my help and kindness. The Drop Off Point, Reception and Shop were all very close together so I wasn't very long in finding out the information.

On approaching my Taxi I was aggressively shouted at "is that your car, move it". I didn't know who he was and tried to explain the situation, things quickly escalated. The man in question started taking photos of me, so at this point I tried to grab the phone, I did NOT punch him. Who was he to take a photo of me? At the time I had a black eye which was caused by tripping over a raised flag stone outside Paignton Library. I did not want my photo taken with a black eye. Two men then came, I think one was the Manager. The Manager calmed the situation and we talked about a previous problem they had with the Drop Off Point, because he spoke to me with decency, I listened and then left. I am aware this case has been closed as it's word vs word but if it hadn't I would have fought it as no one has the right to put their hands on me.

These incidents added together look bad, but out of thousands of customers over 16 years holding a taxi licence and many many regular customers, local and holiday makers, these three complaints are set to lose my good name and business.

I have so many people say I am the best taxi driver, I have a framed picture from one of my customers thanking me for looking after her so well. I have a letter of appreciation from a holiday maker saying I made their holiday, they took my card and phoned me prior to their arrival when they next visited. Local Police will ask me to pick up their wife's and children because they trust me. Children run to my taxi shouting George because I welcome them. I have had numerous excellent feedback on Spotted Torquay and Paignton page on Facebook.

I know I treat people with respect and kindness, I love my work and the people I meet, I go out of my way to help them. If a young Lady is out late at night on her own I will wait in my taxi until she is safely inside her door, and if someone genuinely hasn't got any money and it's late and they are decent I will take them home and they can give me the money next time.

I am a Greek Cypriot and came to England in 1960. I have had a Restaurant and two Cafes in Torbay. I have learnt from and loved the English people and the way of life, but I retain my foreign looks and my Mediterranean ways, hospitable and jolly and sometimes volatile.

I was involved with [REDACTED] for 10 years, voluntarily coaching children for after school Football Club. If children needed to be taken home, Parents had no hesitation to ask me. I am very well known and respected in Torbay, not only having Businesses but also my involvement with Torquay United, having my own teams where we played against the Police where I made lots of good friends.

I really feel this accusation from the Lady is so damaging and although I am not proud of my reaction it is the way I am when being accused of something I am not guilty of.

Your Sincerely
Mr G A Savva

From: [REDACTED] <[REDACTED]>
Sent: 08 August 2022 13:43
To: Rackley, Shaun <Shaun.Rackley@torbay.gov.uk>
Subject: Re: Taxi complaint

Hi Shaun

The incident happened on Saturday 6th August 2022 approx 12.20pm. I was stood behind my car talking to [REDACTED] on Paignton taxi rank , when George Savva pulled on . He got out of his car and stood there just glaring at the both of us. He then walked over shouting you two are murderers you killed a women ? I am going to give evidence in the court and you are both going to prison? I know what you did and I am going to get some people to murder you ! You will get what you deserve? I was car one during this and the family getting in to my car were shocked and appalled by his behaviour. For a change he did not swear at me . The family got in to my car and as [REDACTED] was walking back to her car I could see George Savva following her and still shouting at her . As I was about to pull off the rank I could see [REDACTED] looking visibly distressed in my mirrors so I asked the family if it was ok to make sure she was ok . To which the mum said oh god yes that man is disgusting. That is when I got more verbal from him. He then got back in his car and I pulled away with the customers. Other drivers were on the rank at the time but I don't know why they will not report him or say anything to him about his outrageous behaviour. I do feel the guy has lost the plot! Hope this helps .

Kind Regards

[REDACTED]

Please reply to: Mr Shaun Rackley

Licensing & Public Protection
Town Hall
Castle Circus
Torquay
Devon
TQ1 3DR

Mr G A Savva
[REDACTED]

Email: Shaun.rackley@torbay.gov.uk

Telephone: 01803 208025

Website: www.torbay.gov.uk

Date: 12th August 2022

Dear Mr Savva,

Local Government (Miscellaneous Provisions) Act 1976 – complaint

I am writing to you as I have received a complaint against your conduct whilst operating as a Licensed Driver. I previously wrote to you on the 4th of July 2022 where I requested detailed information regarding three separate complaints/incidents against you. This new complaint has been reported to the Licensing Department and again involves your alleged conduct whilst operating as a Licensed Driver.

I will outline the complaint in detail below where the complainant has provided the following statement.

Statement provided by complainant –

On Saturday the 6th of August 2022 at approximately 12.20pm. I was stood behind my car talking to [REDACTED] on Paignton taxi rank, when George Savva pulled on. He got out of his car and stood there just glaring at the both of us. He then walked over shouting you two are murderers you killed a women? I am going to give evidence in the court and you are both going to prison? I know what you did and I am going to get some people to murder you! You will get what you deserve? I was car one during this and the family getting into my car were shocked and appalled by his behaviour. For a change he did not swear at me. The family got in to my car and as [REDACTED] was walking back to her car I could see George Savva following her and still shouting at her. As I was about to pull off the rank I could see [REDACTED] looking visibly distressed in my mirrors so I asked the family if it was ok to make sure she was ok. To which the mum said oh god yes that man is disgusting. That is when I got more verbal from him. He then got back in his car and I pulled away with the customers. Other drivers were on the rank at the time but I don't know why they will not report him or say anything to him about his outrageous behaviour. I do feel the guy has lost the plot!

A report regarding the previous three incidents is due before Torbay Council's Licensing Committee and this is for consideration as to whether you remain a fit and proper person

to hold a Licensed Drivers badge with this Local Authority. The new complaint will also be included in the report.

Please can you respond to me either in writing to the address above, or via email to shaun.rackley@torbay.gov.uk, to include any matter (including any mitigating circumstances) that you consider relevant. I stress the importance of timely and detailed information being supplied to me that I may then put before Committee for consideration. Please can you respond by no later than the **19th of August 2022**.

A hearing date has been set for the 8th September 2022 at 09:30hrs and a report will be sent to in due course when prepared along with an invite to attend.

I look forward to receiving the requested information in due course.

Yours sincerely



Shaun Rackley
Licensing Officer
Licensing and Public Protection

Please note that, apart from personal details subject to the Data Protection Act, information contained in this letter may be divulged to members of the public under the Freedom of Information Act 2000.

From: [REDACTED] <[REDACTED]>
Sent: 15 August 2022 13:24
To: Rackley, Shaun <Shaun.Rackley@torbay.gov.uk>
Subject:

Dear Shaun

This is a short reply to the latest complaint from the same two people , [REDACTED] and [REDACTED].

I am aware they have both been asking other drivers on the rail to complain about me.

They are not prepared to as they have also seen [REDACTED] break up three marriages, thus destroying families over the years by having affairs with at least four drivers.

I will plead my case at the meeting .

Regards
George savva

Please reply to: Mr Shaun Rackley

Licensing & Public Protection
Town Hall
Castle Circus
Torquay
Devon
TQ1 3DR

Mr G A Savva
[REDACTED]

Email: Shaun.rackley@torbay.gov.uk

Telephone: 01803 208025

Website: www.torbay.gov.uk

Date: 5th September 2022

Dear Mr Savva,

**Local Government (Miscellaneous Provisions) Act 1976 –breach of Taxi Policy
Hackney Carriage – 068, Vehicle Registration – AU67 XPZ**

I am writing to you regarding a complaint made against you and a recent Road Traffic Collision (RTC) involving your licensed Hackney Carriage vehicle. Following the accident you failed to report the accident to the Licensing Department, this is a breach of Torbay Council's Taxi Policy.

On Tuesday the 16th of August 2022, Hackney Carriage 068 was involved in a RTC, where you failed to stop at a junction and T-boned the other vehicle leaving that driver with injuries.

As per Torbay Council's Taxi Policy, it states the following:

14.12 The proprietor of any Hackney Carriage or Private Hire vehicle must report to the Licensing Authority, within seventy two hours, the occurrence of any accident involving the Hackney Carriage or Private Hire vehicle.

As you failed to report the accident, you were written to by Jonathon Edwards of Torbay Council's Licensing Department and requested to present the vehicle for a full inspection and that inspection took place on the 25th of August 2022. Although Mr Edwards supplied a copy of the inspection report form, I attach a copy for your records.

I have previously written to you on two separate occasions where I have requested detailed information regarding separate complaints/incidents against you.

Please can you respond to me either in writing to the address above, or via email to shaun.rackley@torbay.gov.uk, to include reasons why you have failed to notify the Licensing Department within the required time frame as per Torbay Council's Taxi Policy of the accident.

A report regarding the previous four incidents is due before Torbay Council's Licensing Committee and this is for consideration as to whether you remain a fit and proper person to hold a Licensed Drivers badge with this Local Authority. The failure to comply with requirements set out in the Taxi Policy will also be included.

I must also stress that I will be writing to you in due course regarding this incident for additional information as whilst speaking to the complainant, they have also questioned your conduct as a Licensed Driver which has resulted in them taking the matter to Devon & Cornwall Police. I am awaiting a full statement and video footage from them on this matter.

I stress the importance of timely and detailed information being supplied to me that I may then put before Committee for consideration. Please can you respond by no later than the **12th of September 2022**.

A hearing date has been set for the 29th September 2022 at 09:30hrs and a report will be sent to in due course when prepared along with an invite to attend.

I look forward to receiving the requested information in due course.

Yours sincerely



Shaun Rackley
Licensing Officer
Licensing and Public Protection

Enc – Vehicle inspection report form dated 25th August 2022

Please note that, apart from personal details subject to the Data Protection Act, information contained in this letter may be divulged to members of the public under the Freedom of Information Act 2000.

Hackney Carriage / Private Hire Vehicle Number	HC068
Vehicle Registration Number	AU67 XPZ - Black Hyundai i40.
Driver	George Adam Savva. [REDACTED]

This Vehicle has today been examined and found not to comply with the Schedule of Vehicle Condition, as detailed below. The following defects need to be addressed, within the timescale stated, and the vehicle will be re-examined by the inspecting officer issuing this notice. The vehicle does not comply with the conditions in the following respects:

front bumper need repairing.

Drivers side wing mirror. Driver passenger has scratches that need repairing.

Rear lights and cracked and need repairing immediately. The lights are working.

Rear bumper has scratches that need repairing.

Passenger side mirror needs repairing.

This Vehicle must be re-inspected within:

- 1 Day
- 1 Week
- 2 Weeks
- 1 Month

From the Date of this Notice

You are reminded that failure to supply the vehicle for inspection within the time stated may result in the suspension of the vehicle license.

Signed: [Signature]	Name (block capitals): JOHN EDWARDS
Date: 25/08/22.	Time: 10:30

Admin Use Only

Paintwork		Windows	
Bodywork		Other	
Trims		No Action Necessary	
Lighting		Time Allocated	
Interior Furnishings			

From: [REDACTED] savva <[REDACTED]>
Sent: 12 September 2022 08:16
To: Rackley, Shaun <Shaun.Rackley@torbay.gov.uk>
Subject: Re: HC068 Accident damage and request for information

Dear Mr rackley.

In answer to your recent email regarding my failure to report an accident .

I did try to get hold of you but you weren't answering . I also received an email to say you where going on holiday. However , Jonathan Edwards phoned me and asked me about the accident and straight away I took it for inspection. The insurance company took a while to give the go ahead and the repairs are due to be completed within the next few days.

During this time I have not been working .

I hope this explains.

Regards

George