

TORBAY COUNCIL

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: 20th September 2022

Dear Mr Savva,

Local Government (Miscellaneous Provisions) Act 1976 – complaint

I am writing to you as I have received a complaint against your alleged conduct whilst operating as a Licensed Driver and driving a Torbay Council licensed Hackney Carriage on the 16th of August 2022.

As you will be aware, a report is due to be presented to Torbay Council's Licensing Sub Committee on Thursday the 29th September 2022 regarding other complaints made against you and your failure to comply with Torbay Council's Taxi Policy in relation to failing to report accident damage to the Licensing Department. As mentioned in that report and in relation to the accident damage, I was awaiting further information from a complainant, however, they have now submitted the following statement regarding your alleged conduct from the incident.

Statement provided by complainant –

At my husband's advice, I sent you attach the footage of the accident I was victim of on the date of 16th August 2022 at around 8:50 hours morning, when one of your taxis hit me from a side road emerging in one way street, Winner Street.

I also would like through this email to give you a statement of the incident that day. At around 9:50 am I was driving towards an appointment for a regular / monthly blood test to my GP doctors. The route was from my residence in [REDACTED] to [REDACTED] [REDACTED] in Paignton.

After I had entered the 20 miles/hour limit in Winner Street, and coming up to a junction on my left, I have seen a black taxi approaching and the driver looking in the opposite direction from where the traffic was coming. So, I slowed down when at safe distance, and then the taxi came to a stop, and I assumed he was aware of traffic on coming. As I was passing the junction he pulled out with a sharp acceleration, and I remember I have got a grip of the wheel, look ahead and around my car to see if I have safe room to avoid full

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If you require this in a different format or language, please contact me.

impact. I was lucky it was no traffic in front of me at that time, no pedestrians around me, nor on the pavement, and press the acceleration hard, so the taxi only just caught my front passenger door tangential, and then back passenger door and wheel arch harder, so hard that it pushed the back of my car towards my right or perpendicular with his movement. But I kept the control of the car and then executed an emergency stop. No one else was fortunately hurt.

I was still in shock and disbelieve, and looked in the back mirror, and saw this black taxi pulling in a parking space out of two, on our left/near side. Then I reversed in the second slot, to allow traffic, and be safe as well, and I remember feeling relieved that the taxi driver stopped and we can exchange details.

As soon as I came to a stop, and turn off the engine, and just about coming out of my car, I saw the taxi pulling out again, and taking off. That it's when I have shouted to him to stop, and said, if I remember well, 'What on earth you think you're doing?!! Do you know what have you done?' and his reply was 'I haven't done anything'!

By that time the first witness was already shoulder to shoulder with me, asking if I was alright, which I said 'I think I am', and then I asked the passenger in the taxi, an elderly woman if she was alright. She answered that she is, but did not say anything else, and her face looked really void.

My first witness asked the taxi driver to calm down, and give me his insurance details as he has just drove into my car, and that is illegal to drive off like that.

As a response, he shouted and used offensive language addressed to both me and my witness, told us to 'F Off', got back in his driving seat, and screamed that he has a client to take to Paignton Hospital and that he will come back.

I remember my shock that not for one moment did he asked his client whether she is alright or whether she wanted to continue her journey. She seemed a lady in her nighties. Drove off before we could say anything else. Fortunately, before he has got back in his taxi, I took a photo of his number plate and back of his car, and I caught him as well in the frame by luck, because as you can appreciate it all happened very quick.

After he left, I called the police 999 to ask for their help, as I didn't know if the taxi driver will return. They arrived 30 or 20 minutes at the accident after the taxi driver has already returned. during which I only heard more abuse from the taxi driver who had no intention to calm down, nor to show any respect or remorse of any sort.

At that time when he returned the second witness was by my side, telling me he has got a footage of the accident as he was parked farther behind waiting for a barber shop to open. The taxi driver parked lower on the road, and came back at a pace and I could see he is angry. He came on the side of passenger touched and rubbed the damage he has done, and angry he said 'This was ten years here!'. Now I was fully aware that he has no intention to exchange details.

The witness number two said in reply, 'Come and I play the footage to see that you have done it, please'. Which he did, also tried to calm him down, walked to his car to show him the damage of his car, and tried to get his insurance details from him in a gentlemen like way. But it was no result, and anything he said further made the taxi driver be even more abusive towards me, saying also that 'You are a woman and seduce all these men to take your side, pointing towards my chest, and looking at me with a very inappropriate look. At that point I really didn't feel safe at all, and started to feel physically nauseated. I

apologized to the second witness, and I said I am going to sit in my car until the police arrives.

The taxi driver kept pacing up and down, shouting that I have sworn at him and everyone was denying him, so he kept saying they take my side because I am a woman and I have indeed seduced all of the men on that road.

I have never felt so shocked, and I couldn't wait for all to end.

I am very grateful for all the witnesses and all their evidence they have provided to the police and my insurance company. I am grateful that you have also showed interest in making justice, and I thank you for that. I also have pressed charges with the police for the abuse I have suffered next day when I was strong enough and collected. My husband was great support with it all.

I hope this statement of facts will help you in this case of not only car incident, but abuse of the most disgusting manner.

I will send a copy of the video to your registered email address, although the quality of the video supplied is very poor.

As this incident relates to another matter which is being considered by the Licensing Sub Committee over your suitability to retain a Torbay Council licensed drivers badge, I am adding the alleged complaint to the report which goes before members on the 29th September.

Therefore, 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 **09:00hrs on the 26th of September 2022**.

Once I have a response from you, I can circulate the necessary paperwork prior to the hearing.

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.