

RECORD OF INTERVIEW

Person interviewed: T Mahmood Date of Birth: 09.11.1961

Place of interview: Swadlincote Police Station Number of pages: 24

Date of interview: 22.06.06

Time commenced: 11:34 Time concluded: 12:13 pm

Duration of interview: 39 minutes Tape reference no(s)

Interviewing Officer(s): Jason Salter

Signature of interviewing officer:

Other persons present: Mike Sunter

Tape counter times	Person speaking	Text
	JS	This interview is being tape recorded and my name is Jason Salter, I'm a Licensing and Enforcement Officer employed by South Derbyshire District Council, also present is
	MS	Mike Sunter, Licensing Enforcement Officer, South Derbyshire District Council
	JS	Mr Mahmood would you please identify your self for the purpose of the tape, if you state your full name and your date of birth please
	TM	My name is Thomas Mahmood and the date of birth is 9 11 61
	JS	Ok, thank you for that, if you speak loudly and clearly so that the microphone can pick it up, I'd appreciate that. Ok the date today is Thursday the 22 nd of June 2006 and the time by my watch is 11:34am. Mr Mahmood you've attended Swadlincote Police Station voluntarily for interview in relation to some concerns that myself and Mike have in relation to the operation of Alpha Cars, is that correct?
	TM	Yeah that's right
	JS	Uhm, indeed on the 31 st of May uhm of 2006 I wrote to you uhm and informed you that I would like to, to interview you in relation to a couple of matters namely the record of bookings as identified by Condition number 6 of South Derbyshire District Council Private Hire Operators License Conditions and secondly the use of unlicensed drivers to carry out private hire work. Before I ask you any questions about those matters and some other matters that have since come to light, uhm I must tell you that you are not under arrest and you are not obliged to remain here, do you understand that?

Tape Counter Times	Person Speaking	Text
	TM	Yeah
	JS	Ok, you are entitled to legal representation for the purpose of this interview, do you wish, I note that you've come on your own, do you wish to have legal representation at the interview or not?
	TM	No, I don't think I'm here for anything, for something like this I need a legal representative, I should be alright
	JS	Ok if you just speak up please
	TM	Uhm
	JS	Coz I think the tape, tape might have difficulty in hearing you. If at any time during the course of the interview you change your mind and you feel that you do need legal representation, tell me, I'll turn the tape off and then give you the opportunity to go and get some
	TM	Yeah, ok
	JS	Ok, is that fair. Ok, Mr Mahmood will you please for the benefit of the tape, will you please tell me your role within Alpha Cars a Private Hire firm in Swadlincote, South Derbyshire. What is your role?
	TM	I'm the operator of the firm
	JS	You're the operator of the firm, ok, when the Council issued you with your Operator's Licence you would have been given a copy of the Operators Licence Conditions, would you not, for the benefit of the tape I'm showing Mr Mahmood a copy of the Operator's Licence Conditions, will you give him one of those
	MS	Yeah
	TM	Yeah
	JS	So you've had one, have you familiarised yourself with the Conditions contained in the booklet, it's a three page document
	TM	Yeah probably
	JS	Yeah?
	TM	Thumb office, yeah
	JS	Ok, right if we talk about your responsibilities as operator, do you accept them, that you are responsible for all vehicles, all drivers and the Conditions identified in the Operators Licence of Conditions that's your responsibility to, to look after all those issues isn't it?
	TM	Yes it is and it depends on a certain extent even if there had bothered drivers and things like those

Tape Counter Times	Person Speaking	Text
	JS	Ok, uhm I'll refer you then to Condition number 4, of the Conditions of Licence uhm and again for the benefit of the tape I've showed Mr Mahmood the document, number 4 was detailed, details of drivers and it says 'the operator shall keep and maintain at his premises in a suitable book the following details of all drivers currently employed, used or controlled by him, and it says a) name and address, b) badge number, c) driving license number and d) expiry date of the Private Hire Driver's Licence, do you accept that's your responsibility?
	TM	Yeah, inaudible
	JS	Uhm, ok, COUGH on uhm the 28 th of April this year myself and Mr Sunter were out working in the evening, on that night in question we had occasion to speak to one of your drivers, uhm a Mr Raheil Abbasi uhm you'll be aware that we've already interviewed Mr Abbasi in relation to uhm his badge and his licence, can you tell me where Mr Abbasi's Private Hire Driver's License expired please?
	TM	Mr Abb, I think its expired, actually dwelling on my knowledge but it expired when I found out after the interview whether it expired the 3 rd or 4 th I think end of April, the 30 th of April
	JS	Und, right, that's actually incorrect uhm but I accept that you know, that you may not have that information to hand, so again for the benefit of the tape I'm showing you photograph of Mr Raheil Abbasi's badge, can you please confirm for the tape when that badge expired?
	TM	The 31 st 3 of 2006
	JS	The 31 st of March 2006
	TM	Yeah
	JS	Thank you, at that time on that night in April myself and Mr Sunter were not aware that that badge had expired, it was only after that evening and because of his attitude that night that we made some checks on him and we established that his badge ha, had in fact expired, so in effect you were using an unlicensed driver, were you not to carry out private hire work?
	TM	Yeah, I mean the, the case was I wasn't using him deliberately that err, he wasn't, I was quite a lot of drivers working for me an wasn't aware of him, all of them normally they don't use their badges, I've never had this problem since I've been running the operation
	JS	Ok, well how many drivers do you employ?
	TM	I mean all together we probably have err, at the present moment, you know, I would say probably about sixteen, seventeen drivers working
	JS	Sixteen, seventeen drivers, well you already accept, did you not earlier

Tape Counter Times	Person Speaking	Text
		on in the interview that its your responsibility to make yourself familiar with the expiry date of the Private Hire Driver's License
	TM	Yeah I did, I'm not saying, but at the end of the day we are all human beings we can make mistakes, and I, I bet in all of the cases the Council has made a lot of mistakes as well, I can give you a prime example man, inaudible
	JS	Inaudible
	TM	Well no, that's, that's important, I want to listen this tape in the future and I have a right to say as well
	JS	Ok, if I stop you there at the end of the interview I will give you ample opportunity to add an, anything you wish, wish to, ok, but we, if we deal with these questions, for I have a number of question to ask you, and Mr Sunter may have some to ask you as well, if we deal with those issues first
	TM	Yeah, that's no problem
	JS	Then I'll give you the opportunity to say what you want, ok
	TM	The thing was, I mean, it wasn't err specifically the case of Abbasi, you know
	JS	Uhm
	TM	I, I mean, I know its my mistake as well at the end of the day, probably I didn't have a look at it properly then said err licence has expiring, like I said I never had this kind of chance since I've been in the operation but, every driver when they have a new license is due they come and get it signed by me, but unfortunately one of them incidents err err he didn't do it as well
	JS	So what you're saying then is that you're both at fault?
	TM	Inaudible
	JS	You've, you've not taken, checking on your drivers
	TM	Yeah, but
	JS	And your driver for not telling you
	TM	Yeah but the other thing I would like to, yeah, you can say that, I agree
	JS	Ok
	TM	Because of being the operator, but the other thing is, I would like to say as well, but when he was stopped on err, in April I think err outside err sh, Sir Nigel I wasn't aware of but the Enforcement Officers after a couple of days they were aware of his badge that had run out but I was

Tape Counter Times	Person Speaking	Text
		never informed by the Enforcement Officers that he shouldn't be driving, at least immorally when they can come, with a little metal, come and find out they could have informed me that this guy's badge had run out, I would have stopped him there and then, he, he probably drew after a few times then afterwards he didn't drive that much anyway
	JS	I under, I understand where you're coming from
	TM	Inaudible
	JS	Ok, uhm but I have to say this, its your responsibility and yours alone as the operator of the firm
	TM	Uhm
	JS	To know when your drivers badges have expired, equally it's the drivers responsibility to tell you
	TM	Yeah I know it's the driv, yeah
	JS	To not drive after that event. There's something else that concerns me uhm Mr Mahmood
	TM	Uhm
	JS	Uhm, I wrote to you did I not asking you for uhm a detailed list of all the jobs that Mr Raheil Abbasi carried out after the date his badge expired ie the 31 st of March
	TM	Uhm
	JS	2006 and for the benefit of the tape I'm now showing uhm Mr, Mr Mahmood a list uhm of jobs that were identified by him. Mr, Mr Mahmood can you please identify first of all the dates on which Mr Abbasi worked after the 31 st of March, I think the first one is
	TM	5 5
	JS	06
	TM	Yeah
	JS	The 5 th , 5 th of May
	TM	Yeah 11
	JS	The 11 th of May
	TM	1 12 th inaudible
	JS	12 th and
	TM	and 10 th

Tape Counter Times	Person Speaking	Text
	JS	As far as you're concerned is that a comprehensive list of all the jobs he did after the 31 st of March
	TM	Yeah
	JS	Ok, well myself and Mr Sunter err visited your base on the 11 th of the 5 th 06 ok, we spoke to the bookkeeper who provided us with details of jobs that Mr Abbasi, Mr Raheil Abbasi
	TM	Uhm
	JS	Did on the 17 th of the 5 th and again on the 19 th of the 5 th which are not on the list that you provided to us, can you err please give us an explanation why that's so, what, the point I make is that the list you provide
	TM	Uhm
	JS	Is not a full and comprehensive list, is it?
	TM	Actually I asked my bookkeeper to write all the job, unless he missed err one or two days, inaudible other wise the problem with Mr Abbasi was even when you caught him, the day he was working, he hasn't been coming to work, you know, he was, I don't know what ever the problems he had, his family problems or whatever he as well, he not coming now and again, it might have been a week he might turn up one day a week, you know, and wh, that's when he came and I asked the bookkeeper to write me all the jobs, but err I don't know how can, some of the jobs I'm missing
	JS	Well, again, I have to say this, you as the operator
	TM	Uhm
	JS	Err have a responsibility to furnish Officers of the Council with information at their request, now I wrote to you, I didn't write to your bookkeeper
	TM	Inaudible
	JS	Whether you passed the request onto your bookkeeper is, is a matter for you, but the point is that that is not a comprehensive list of all the jobs that he did, because the bookkeeper, me, myself and Mike went up to the office
	TM	Uhm
	JS	And the bookkeeper pointed out some jobs
	TM	Uhm

Tape Counter Times	Person Speaking	Text
	JS	That he did, and some of those jobs were on dates that you haven't identified on you list to us, ok?
	TM	Uhm
	JS	So, I'm not going to elaborate on that matter further, ok?
	TM	Alright inaudible
	JS	Right, COUGH I think that's uhm just to summarise then, do you accept the you as the operator or Alpha Cars were using an unlicensed driver in Raheil Abbasi after the 31 st of March, this year to do private hire work in a controlled district area namely South Derbyshire District Council, do you accept that you were using him?
	TM	I mean you can say, but at that time, I didn't have a knowledge that he had had his badge, that his badge had expired, so inaudible
	JS	Yes, but if you've read the conditions
	TM	Uhm
	JS	And familiarised yourself with the conditions, we've talked about it earlier, you've go a duty to familiarise yourself with the expiry date of all your private hire drivers licenses haven't you?
	TM	Yes I accept that, but
	JS	So, you, you
	TM	Like I said, we are all human beings, you know, we can make mistakes
	JS	Ok
	TM	And probably the mistake was made by me as well
	JS	So, so, so do you accept, yes or no, that you, you were using an unlicensed driver after the 31 st of March?
	TM	If you look at it thero, theoretically point of view at that time, no, I would say no because as he, I didn't have a knowledge of this that his license expired
	JS	Why not?
	TM	Pardon?
	JS	Why not, why didn't you kno, have any knowledge, did you do any checks
	TM	Yeah we do checks but, I mean like I said, I've got fifteen / sixteen drivers working and sometime things can be missing, you by, not,

Tape Counter Times	Person Speaking	Text
		notice something, you know, one of them like I said, previously since I've been on Alpha Cars I never had this kind of problem, you know
	JS	Uhm
	TM	Never, because always the drivers err badge has been running out they coming to sign us, and I've been signing them and I've been checking them, like I said but, its one of those incidents, Mr Abbasi, I probably, since I've been running it I've probably had about inaudible since then, coming and going, you know
	JS	Uhm
	TM	I've never, ever operated ou, unlicensed driver, this case inaudible did have a license, so like you say, inaudible so he came its obvious he made a inaudible unfortunately one of those things that err
	JS	What checks do you do, do you carry out to ensure that your drivers are wearing their identity badge?
	TM	What checks?
	JS	Uhm
	TM	I mean the office, they always check the make sure they're, I mean also then they'd wear them
	JS	Most of them?
	TM	Yeah inaudible badges on
	JS	Most of them or all of them?
	TM	All of them, inaudible always see them, why if somebody doesn't wear it outside I can't see it can i
	JS	Well, after, after that date
	TM	Inaudible
	JS	And I think Mike will uhm support me in this, we visited the base after the 28 th of April and we saw Mr Raheil Abbasi in the base office after that date and again he wasn't wearing his badge
	TM	He probably, I'm not sure about that date, or specific incident, he probably just came to office that day, he probably wasn't working
	JS	Uhm
	TM	He not necessarily

Tape Counter Times	Person Speaking	Text
	JS	He said he was in his car, he was using that day
	TM	Uhm
	JS	And we asked ho, we asked him to go and show us the badge and he couldn't produce it, so he was driving a private hire vehicle without a private hire badge
	TM	He prob like I say, he, its obvious, you know, like his badge was run out and I was unaware of it as I was unaware of it, inaudible and plus I would like to ask, I repeat this question again, why I wasn't informed went the Enforcement Officers knew, at least they could have done us a favour when they knew a driver was driving a vehicle without a badge
	JS	Mr, Mr Mahmood I take your point and I put it to you that on the evening of that initiative ie the 28 th of April we came, myself and Mike, came into the base office and spoke with yourself
	TM	Uhm
	JF	About Mr Raheil Abbasi, one because he wa, he wasn't wearing a badge
	TM	Uhm
	JS	Ok, and we informed you that day, did we not the we'd asked him to go home and collect his badge, did we not?
	TM	No that night you didn't mention that, you mentioned about the behaviour
	JS	No, no we talked about the badge and he behaviour and his attitude
	TM	Inaudible babe was because he was fuming as well, and I was pretty annoyed why he behaved like this and I said to him there and then, you know, because I am going to sort him out as well
	JS	The initial reason we had to stop him was to check
	TM	Uhm
	MS	Badge, fire extinguisher, first aid and that's why we stopped him, he then came to you to say we haven't, he hasn't got his badge and then follow up about his behaviour towards us
	JS	So the point to make is Mr Mahmood that you were aware that he was working that night without a badge coz me Mike came and told you that
	TM	Inaudible I mean I could have been myself, when you came back and you told me about his behaviour
	JS	Yes we did tell you about his

Tape Counter Times	Person Speaking	Text
	TM	And you weren't happy about him
	JS	The reason we came to you was two reasons really, as a matter of courtesy to let you know, one that he'd gone home, that he wouldn't be doing any jobs until he'd got his badge because he didn't have his badge and two because of his attitude and behaviour, is that not right?
	TM	I mean if you say so, you probably, I'm not saying, what, like inaudible that was the conversation between
	JS	I remember it vividly, because he, COUGH because he wasn't wearing his badge and there is a requirement for him under the legislation to, to wear his badge and for that reason we sent him home, we said to him that night that he wouldn't be able to continue working without his badge
	TM	Uhm
	JS	So
	TM	And the err when was the ca, err Enforcement Officer that was aware of that his ba, badge had expired?
	JS	Not till after that night
	TM	So I mean after that night, probably a couple of days it was Friday night I think when you stopped him, that incident happened
	JS	Uhm
	TM	His behaviour and whatever, you know
	JS	I think it was err aft, after that night we came into the office err
	TM	And err, err I mean you must have know the following Monday then wouldn't you
	JS	No not necessarily, not necessarily I can't give you a specific date to be quite honest with you uhm but I think we, if my memory serves me right we carried out checks after we uhm saw him err failing to wear his badge again, albeit in the base office, and he said it was in his car and that's when uhm he raised doubts in both Mikes mind and my own mind and we carried out the checks after that. We then interviewed him an we told him that until such time as he got a current and bode badge he couldn't drive, because his badge was expired, so he knew
	TM	That, that it was expired?
	JS	Uhm, uhm
	TM	To tell you the truth it probably am, I'm can't defend him in any,

Tape Counter Times	Person Speaking	Text
		probably, like I said, this is at the end of the day
	JS	Ok, I'll now go off that err the driving matter but as far as I'm concerned, you as the operator were using an unlicensed driver to carry out private hire work, ok?
	TM	Uhm
	JS	Is there anything before we carry on Mike that you want to say about it?
	MS	Not, un, inaudible
	JS	In addition to that driver, ok
	MS	No thank you
	JS	We'll now go on to talk about vehicles that you operate, ok, uhm, again we carried out an initiative on the 19 th of May
	TM	Uhm
	JS	In conjunction with the Police, the Vehicle Inspectorate and ourselves and DSS and a number of vehicles were stopped that night and checked, ok, two of your vehicles that you operate uhm the first one being T 270 TAW
	TM	Uhm
	JS	Sorry uhm that, that's incorrect the first number is LM 51 JPF
	TM	Uhm
	JS	That vehicle, I think the driver was Admen Rahna that night
	TM	Yeah, that's right
	JS	Is that correct?
	TM	Uhm
	JS	Peugeot, red
	TM	Yeah, that's righ
	JS	Ok, that vehicle was issued with an immediate Prohibition Notice, ok, bec, an that, that uhm served the purpose of removing that vehicle off the road there and then, with immediate effect because it had no ha, no hand break, ok, and one of the tyres was defective, ok
	TM	Uhm

Tape Counter Times	Person Speaking	Text
	JS	In addition to that ano, another one of your vehicles P 239 MLK
	TM	Uhm
	JS	Was issued with a Delayed Prohibition Notice because the fuel tank was leaking
	TM	Uhm
	JS	Ok, there're serious matters aren't they?
	TM	Yeah the are, I mean they are, I mean that night specifically we had six or four vehicles I believe been checked up, out of them I know that the red car and as long as the hand brake was concerned somebody had snapped it severely and err the tyre well the, one of the tyre was under the limit as far as I was aware of, and its up to the err carriage man as well, in the back to cal, to inaudible to the tyre, I accept that license fo vehicle were err out of six was one I think err one came off the road
	JS	Yes but do you err agree Mr Mahmood that the are both safety issues, whether, is doesn't matter how many are taken off the road, the disappointing thing from our point of view was that any vehicles were taken off the road, we don't want vehicles to be taken off the road
	TM	No, uhm you're right
	JS	The reason behind the checks was to ensure the safety of the public
	TM	Yes, I suppose
	JS	Ok?
	TM	And we'd like err it obvious we'd like to put those kind of vehicles on the road but its one of, one of those things, like I said the hand breaks and every things right, and I wasn't aware of it, the driver was driving it, and the tyre, only I think err same day I had a check up, we took it to, what's it called, Pit Stop
	JS	Uhm
	TM	And he was saying its just under the legal limit, get a tyre Monday inaudible
	JS	So you allowed your driver to carry on driving knowing that he had a defective tyre then?
	TM	No, because I, we, we, what we were told by err Pit Stop
	JS	Uhm
	TM	Its just under the legal limit

Tape Counter Times	Person Speaking	Text
	JS	Just under the legal limit?
	TM	Yeah, it, it, he said he could drive it till he get a tyre on Monday, that's why other why would have probably put more like if, if he two losses over the limit
	JS	Could I stop you there then, so if somebody's telling you, giving you information that's just under the legal limit
	TM	Uhm
	JS	You know yourself that its very much boarder line case, don't you?
	TM	I mean, they'd, I mean
	JS	Yes, yes or no?
	TM	It could be on the boarder line, it depends there, what you call under the limit
	JS	If they told you that on the Friday
	TM	Uhm
	JS	Obviously it'd be, the weekend is a busy time so
	TM	Uhm
	JS	Would be used the Friday to Saturday, Saturday night
	TM	Uhm
	JS	So by the time the weekend is over it would be illegal
	TM	Actually no
	JS	If it was on, on, on the limit
	TM	Yeah, I kn, yeah, I know, I'll, I'll come to that point, I mean like I'm not support of the tyre's fault, he knew it's the weekend it effects the business and its busy at all them
	JS	Uhm
	TM	And he said its alright if you drive till Monday, there's no problem with the tyre
	JS	Well, that, to be, to be quite frank with you Mr Mahmood that's irrelevant what he said to you, the fact is that that vehicle was on the road with a defective tyre, now its your responsibility to ensure that all

Tape Counter Times	Person Speaking	Text
		vehicles are on the road with serviceable tyres in good order and COUGH that they aren't defective in any way, shape or form, now what checks do you carry out to ensure that all your vehicles are, are roadworthy?
	TM	What checks
	JS	Uhm
	TM	What ever I could check myself, will do it, and err plus.
	JS	Inaudible
	TM	Err sort of obvious when the car go for service or something
	JS	Uhm
	TM	For different reasons even minor effects and always make sure the mechanic checks the car properly, if it needs anything else doing, according to mechanically, you know
	JS	Do you not thi, do you not think it would be good practice, I don't know, to get your drivers to check the vehicle, just give it a quick visual check each day before they go out
	TM	I mean, I
	JS	Check the tyres, check the water
	TM	Yeah, it wouldn't, tell you the truth I mean if you come to office you'd probably notice, I even got a notice board as well there for all the drivers before they come and sign their shift, check their lights, indicators, tyres, oil, water
	JS	Uhm, unfortunately that notice isn't signed and dated, is it?
	TM	Pardon?
	JS	That notice isn't signed and dated is it? so I didn't know, the point I'm making is I don't know when that was put up
	TM	Err it was err I could tell you to err be frank with you, it came with the premises last time, and when you mentioned about one of the drivers that was slight, err side light was working retro
	JS	Uhm
	TM	And since then I've put that notice up
	JS	Ok

Tape Counter Times	Person Speaking	Text
	TM	Straight away because err for little matters, you know, if somebody come in the evening and come and just start driving you, you probably don't notice
	JS	Uhm
	TM	And that's why I put that notice, is then for these little matters at least they should have some responsibility as well, the drivers as well
	JS	Ok
	TM	Because sometimes I'm not there, you know what I mean?
	JS	Uhm
	TM	I might not come for, well for different reason and you know this and formalities and as well you know, I might not come for a few days
	JS	Uhm
	TM	But that's for little matters when you told me last time, I specially put up that notice, same about the badges, same about the disab, car parking
	JS	Uhm
	TM	That err they annoying, I, and often they've been told, err off inaudible as well
	JS	So what action have you taken in respect, I don't know, of Mr Raheil Abbasi for example after it came to your attention that he was driving without a current and valid private hire badge, what action have you taken against him?
	TM	Honest, the action what I've taken against him is that first of all his badge was expired, even if it, its something like this, this was inaudible I'd probably still would have suspended him for a while
	JS	Would you?
	TM	Yeah
	JS	Would you?
	TM	I would have done, ev, even whatever my relationship are with him, that's not, beside the point because he works there he shouldn't drive because he,
	JS	Uhm
	TM	Then he put me in that kind situation as well, you know, I mean I don't want to out, I don't want to have this kind of situation for little matters, I mean why not

Tape Counter Times	Person Speaking	Text
	JS	What situation is he put you in?
	TM	I mean like the same thing, you know, miss, because LAUGH asking all these questions for example, on the behalf of him, you know
	JS	So you do accept res, that he's your responsibility as a driver?
	TM	I mean its all err of the drivers are my responsibility, I'm not saying, I'm not denying this from point one
	JS	Uhm
	TM	Like I sa, said from, form the start
	JS	Uhm
	TM	Its one of those incidents, like we had him on a ding, we had a mistake, but basically I've blame on him
	JS	Uhm
	TM	And I probably bollocked him pretty hard as well since then, when I found out all about this, you know
	JS	Ok
	TM	I did, do with him, I know what I did with him, I, you know, then I know
	JS	Alright, ok
	TM	Inaudible
	JS	Another, another matter that gave myself and Mike cause for concern uhm one day in April uhm, is it your brother, Lake, is he your brother or your cousin or?
	TM	Lake is my brother
	JS	La, Lake is your br, Alid Mahmood
	TM	Alid Mahood
	JS	He came uhm to the Council Offices on a matter and he was driving a white Peugeot, registration number T 270 TAW at that time it was a licensed private hire vehicle, I know its not now, uhm bearing in mind it was April uhm the vehicle was displaying uhm an excise license which had expired, ok, on the 31 st of the 3 rd 06 for the benefit of the tape, I'm now showing Mr Mahmood a photograph of that excise license, ok, can you please explain to me why you were operating vehicles that didn't have a current excise license?

Tape Counter Times	Person Speaking	Text
	TM	Well without looking at it I could remember, err when you came to the office last time as well, and I think err I make sure the vehicle, err, but this week especially he was always been used by one driver mostly and he was doing nights
	JS	Yeah
	TM	And basically most of the time, what was happening when I came to work he was already going, you know
	JS	Uhm
	TM	About seven o'clock or about half seven
	JS	Uhm
	TM	Yo, are, really especially that most rarely I saw him
	JS	Uhm
	TM	Unfortunately that's why I could spot that the vehicle has an inaudible tax, otherwise like, when I could, car park all the inaudible today, then I go round in all the vehicles which is parked during the day you know, always keep an eye on them, how I look, and most of the vehicles, like some of them they get used at night for, they still do the day
	JS	Yeah, I understand what you're saying but again Mr Mahmood its not my responsibility, its not Mike's responsibility
	TM	No, no
	JS	To tell you to get your vehicles taxed
	TM	No, I've, I've
	JS	Its your responsibility
	TM	Yeah, it is, I would expe, accept this, I'm not saying that its yours and my responsibility and err and when I found out and ev, when you came to visit the premises
	JS	Uhm
	TM	And I showed, I've, there and then we went to get the tax, first thing we did
	JS	Uhn
	TM	We inaudible we went to get the tax before that, and most few things we mentioned about this vehicle, as, you know, we had a couple of complaint, or whatever

Tape Counter Times	Person Speaking	Text
	MS	Position, yeah
	TM	I just wondered if, and that's why you want, specifically I took that vehicle off the road
	JS	Yeah
	TM	And I mentioned to you, I'm, my plea, and I've, since then I've took about three or four vehicles and they were err applied for the plates again, you know, that your taxiing and the transit and this one, you know I thought, I've inaudible better vehicles on the road
	JS	Ok
	TM	The roadworthy
	JS	In relation to Mr Abbasi then, uhm sorry to keep going back to him, you asked why we hadn't let you know that his badge had expired, uhm
	TM	Well, that was, it sounds, I'm not saying that was your duty to let me know, you know what I mean, or, Mike's or anybodies, I'm like, when, if I'd been infirmed for other little things you know, the thing was I could have stopped him there and then
	JS	Uhm
	TM	You know what I mean?
	JS	I'm now going to show you a copy of a letter uhm that's uhm was sent to Mr Raheil Abbasi on the 9 th of March, so well before his badge uhm expired, ok, reminding him of his duty to renew it, if he so wished, for the benefit of the tape I'm now showing Mr Mahmood that letter. Mr Mahmood is reading the letter now, and I will ask him the question in a minute when he's finished reading
	TM	Yeah, yeah, inaudible
	JS	So, do you accept then that its difficult for me to accept that Mr Raheil Abbasi couldn't have know that his badge was going to expire on the 31 st of March given that letter?
	TM	I mean, PHEW you are rather like
	JS	Its not a great down, the point I'm making is, its not the Council's fault, I won't accept that the Council is at fault on this occasion, in any way, shape or form
	TM	No, no I'm, I'm
	JS	Because

Tape Counter Times	Person Speaking	Text
	TM	Yeah
	JS	We do remind drivers to, when their badge is up for renewal, we don't have to, its just a cou, a matter of courtesy that we do do it, ok, I don't get a reminder when my MOTs due for renewal on my private err my private vehicle
	TM	Uhm
	JS	Ok, when its somebody's livelihood, which it quite clearly is in this case, I put it to you that the driver and you should be responsible for maintaining all records including when their license expires as identified in these conditions
	TM	I mean, the thing was I'm not saying I never said that the Council is at fault because of the badge has expired at the end of the day
	JS	I think you did earlier in the interview, and I'm disputing it, I'm saying there're not
	TM	No, no I didn't say that, but what I said, I'm still going to repeat that point again, what I said, when the Council found out
	JS	Uhm
	TM	Yeah, if I'd found out after the day the Council found out I wouldn't let him drive a single inaudible
	JS	The point I'm making is, the Council found out and knew about it on the 9 th coz we wrote him a letter
	TM	Yeah you did write him a letter, I'm not even disputing that
	JS	No if Mr Abbasi is not communicating with you as the operator then clearly that's a breakdown in communications between you two, isn't it?
	TM	Yeah, you could say that, and plus
	JS	I am saying that
	TM	Yeah, I don't know what reason, why I didn't err apply err for the renewal, I mean you had these inaudible taken there must have been an explanation, I don't know about him, why he didn't do it
	JS	Ok, I now want to talk very briefly uhm about the Operators Licence Conditions err you say that you've had a copy of this document before but I'm gona give you another copy, I've brought a spare one along with me today
	TM	Yeah
	JS	Ok, uhm, number six, it says the operator shall before the

Tape Counter Times	Person Speaking	Text
		commencement of each journey record in a suitable book the following details of each booking, ok, before the commencement of each journey, right, every journey and before that journey takes place, the time and date of the booking, the method by which it was received ie telephone, personal call, the picking up and setting down points by reference to street names, the date and time of the journeys to commence, the name and address of the hirer, the registration number of the vehicle allocated to the booking, the plate number of the vehicle allocated to the booking, the name and badge number of the driver allocated to the booking and the call sign of the vehicle allocated to the booking. Can you tell me whether you keep your bookings in accordance with that condition please?
	TM	Yes we do
	JS	No you don't
	TM	Why not?
	JS	Because I viewed your COUGH books on a number of occasions Mr Mahmood and vary rarely is the registration number of the vehicle allocated to the booking recorded, certainly the plate number of the vehicle allocated to the booking isn't recorded, all that's usually in your book is a time and a date, obviously
	TM	Yeah
	JS	And a destination, and may be a call sign
	TM	Yeah that's what it is, the call sign, whoever's about, whoever's driving, then we know which drivers it is, was driving and everything
	JS	I've never seen the name and address of the hire recorded in your book any way
	TM	What do you mean the name and address?
	JS	The name and address of the person requesting the private hire vehicle, I've never seen that recorded any where
	TM	Inaudible
	JS	And yet in this conditions it says you've got to
	TM	Yeah, we asked them especially if err somebody's ringing from pub and err from the town centre, because house bookings
	JS	Uhm
	TM	I don't think any operator now in South Derbyshire and East Staffordshire

Tape Counter Times	Person Speaking	Text
	JS	Uhm
	TM	They'll have all these journeys written down, the decision of the vehicle license of the vehicles and all this, everybody will have a call sign because they'll know which car was working
	JS	Uhm
	TM	Because of the driver you know which car he was driving
	JS	Uhn
	TM	Because otherwise you won't have that, that much room on a booking to write everything
	JS	Err again I'm not going to elaborate on that point, all I'm asking you to do really, can you please ensure from now on that accurate details in accordance with these conditions are recorded in a bookings book, because I'm aware that on a Friday and a Saturday night you use a system of uhm
	TM	Dockets
	JS	Dockets to record jobs, now there's no provision to do that according to these conditions, you have to put them all in a book, now when, if you've got ten phones in your base office
	TM	Uhm
	JS	And they can't be answered and is very busy, then I suggest you get moor than one bookkeeper
	TM	Yeah, but the dockets, you want the dockets, it's the same thing you write on a book or a docket and at the end of the night we keep records of all of the jobs
	JS	I put it to you that the docket system is flawed, isn't it? because
	TM	Inaudible
	JS	They're on loose sheets of paper
	TM	Yeah
	JS	Which could be mislaid, which could get loosed
	TM	Uhm
	JS	And if we were to get a complaint about a job that you recorded on a docket
	TM	Uhm

Tape Counter Times	Person Speaking	Text
	JS	And you've lost that piece of paper, where do, where does that leave us?
	MS	Does the information on the dockets get transferred to the book? After the weekend?
	TM	No
	JS	Well
	TM	What we do at the end of the, end of the night, of the shift, yeah, all the doc, dockets they get wra,wrapped up in a sheet
	JS	Uhm
	TM	Then we have sellotape the top of it
	JS	Uhm
	TM	Then we put the dates
	JS	Uhm, I accept what you're saying
	TM	On, err on them then we leave on one side and then inaudible phoned yesterday
	JS	Yeah
	TM	The want some from written err about a job in September
	JS	Uhm
	TM	You know, last September, so like err I'm gona go through my record
	JS	Uhm
	TM	And have a look and inform them whatever and that, job, as long as you're talking about fraud, what kind of fraud can you do in a book
	JS	Not fraud
	TM	Yeah
	JS	Flawed
	TM	Oh flawed, I'm saying
	JS	Yeah
	TM	I mean the thing is, at the end of the day the only reason we do it, it makes it easier to work with bookings the same over the weekend, from

Tape Counter Times	Person Speaking	Text
		Monday to Thur, err Friday, yeah
	JS	Inaudible
	TM	All, all the jobs
	JS	I'll stop you there if I may
	TM	Yeah
	JS	Mike made a very good point actually, if you're going to use that system
	TM	Uhm
	JS	Which clearly isn't identified in the conditions
	TM	Uhm
	JS	Then that's a matter for you, but, can I suggest that wh, when you wrap up all your dockets together
	TM	Uhn
	JS	At some stage there after during the following week they need to, all those jobs need to be transferred into a book, now whether you keep a separate book for a Friday and Saturday is a matter for you, err at that, I'm not, I'm not too concerned about that but all I'm asking you to do is transfer all the jobs into a book
	TM	Uhm
	JS	Ok, thereby you're ensuring that loose sheet of paper can't be misplaced or get lost, its not really sou, satisfactory from our point of view, if we come to you and say can we have a look at the books for a job on a Friday or a Saturday night, instead of looking at a page in, in a book we're looking at pieces of paper, loose pe, bit, bits of paper which may not, may or not be there, ok
	TM	Ok
	JS	Alright, have you any complaints about the manner in which this interview was conducted or carried out?
	TM	No, no, no inaudible
	JS	Well thank you for coming
	TM	Inaudible
	JS	Thank you for co-operating with us, uhm I haven't any further questions to ask you at this time, anything Mike

Tape Counter Times	Person Speaking	Text
	MS	I've got no further
	JS	Uhm what will happen now err we're gona sign the master tape seal and if you sign it now before I switch the tape machine off
	TM	Yeah
	JS	I will give you a copy of one of the tapes, one tape will stay here at the Police Station
	MS	COUGHING
	JS	And a third tape will be used by myself and Mike to do the transcript
	TM	Yeah, that's alr, I mean I've got not complaints or objections about the interview
	JS	Ok
	TM	I mean, as and when, whatever I can do previously co-operate with the Council in future I'll do it as well, I'll try to improve
	JS	Ok
	TM	Around the system or whatever
	JS	Alright
	TM	But the thing is I'm made to work, here to work you know, and err we want to runt the best way we can, you know, the best way we can
	JS	Alright
	TM	And its easier for the Council for anybody else
	JS	Alright, thank you for that Mr Mahmood, the time by my watch now is 12:13 pm, the interview is concluded, I'm gona turn the tape machine off.

Signature(s)

Vehicle Excise and Registration Act 1994 (c. 22)

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Part III Offences

Offence of using or keeping unlicensed vehicle

Penalty for using or keeping unlicensed vehicle.

29.—(1) If a person uses, or keeps, on a public road a vehicle (not being an exempt vehicle) which is unlicensed he is guilty of an offence.

(2) For the purposes of subsection (1) a vehicle is unlicensed if no vehicle licence or trade licence is in force for or in respect of the vehicle.

(3) A person guilty of an offence under subsection (1) is liable on summary conviction to an excise penalty of—

(a) level 3 on the standard scale, or

(b) five times the amount of the vehicle excise duty chargeable in respect of the vehicle,

whichever is the greater.

(4) Where a vehicle for which a vehicle licence is in force is transferred by the holder of the licence to another person, the licence is to be treated for the purposes of subsection (2) as no longer in force unless it is delivered to the other person with the vehicle.

(5) Where—

(a) an application is made for a vehicle licence for any period, and

(b) a temporary licence is issued pursuant to the application,

subsection (4) does not apply to the licence applied for if, on a transfer of the vehicle during the currency of the temporary licence, the temporary licence is delivered with the vehicle to the transferee.

(6) The amount of the vehicle excise duty chargeable in respect of a vehicle is to be taken for the purposes of subsection (3)(b) to be an amount equal to the annual rate of duty applicable to the vehicle at the date on which the offence was committed.

(7) Where in the case of a vehicle kept (but not used) on a public road that annual rate differs from the annual rate by reference to which the vehicle was at that date chargeable under section 2(2) to (4), the amount of the vehicle excise duty chargeable in respect of the vehicle is to be taken for those purposes to be an amount equal to the latter rate.

43.

