

BRISTOL CITY COUNCIL

**MINUTES OF A MEETING OF THE
PUBLIC SAFETY AND PROTECTION SUB-COMMITTEE B
HELD ON 11TH FEBRUARY 2014 AT 10.00 AM.**

P Councillor Fi Hance (in the Chair)
P Councillor Jeff Lovell
P Councillor David Morris
P Councillor Ron Stone

PSP

106.2/14 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were none.

PSP

107.2/14 DECLARATIONS OF INTEREST

There were none.

PSP

108.2/14 PUBLIC FORUM

Nothing was received.

PSP

**109.2/14 CONSIDERATION OF THE SUSPENSION OF COMMITTEE
PROCEDURE RULES (CMR 10 AND 11) RELATING TO THE
MOVING OF MOTIONS AND RULES AND DEBATE FOR THE
DURATION OF THE MEETING**

**RESOLVED - that having regard to the quasi-judicial nature
of the business on the agenda, those Committee Rules
relating to the moving of motions and the rules of debate
(CMR 10 and 11) be suspended for the duration of the
meeting.**

PSP

110.2/14 EXCLUSION OF PRESS AND PUBLIC

RESOLVED - that under Section 100A(4) of the Local

Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act as amended by the Local Government (Access to Information) (Variation) Order 2006.

PSP

111.2/14

APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER LICENCE – AB

(Exempt paragraph 3 – Information relating to person's financial or business affairs)

The Sub-Committee considered an exempt report of the Director of Neighbourhoods (Agenda Item No. 6) considering an application for the grant of a Private Hire Driver (PHD) licence.

AB was in attendance, accompanied by GH.

The Chair explained the procedure that would be followed and everyone introduced themselves.

The Licensing Officer introduced the report and summarised it for everyone.

GH presented the case for AB and answered questions highlighting the following:

- Another one of the company's drivers received a similar exemption 18 months ago; this resulted from the company being asked to provide a female driver by some customers
- AB has worked for the Royal Family and has completed Police and Anti Terrorist Training; he was recommended to the company when it took on more work
- AB will not work in Bristol and will only work for Home James, he will not be taking cash and most journeys will be long distance; he will be taking the NVQ Gold Standard
- The company applies due diligence and all journeys are carefully researched and planned; they do not rely solely on sat. nav.

- AB has held a North Somerset Council Private Hire Licence for 14 years
- If AB leaves Home James any licence granted would be surrendered; (it was noted that this is not enforceable)
- 3 of the points on the DVLA Licence held by AB are due to be removed soon
- The company seeks to work with Bristol City Council
- He summed up the case

AB stated that he has held a North Somerset Driver's and Operator's Licence and has now joined Home James.

All parties and the representatives of the Director of Neighbourhoods left the room.

Details of the Committee's findings and reasons for the decision are set out in Appendix 1.

All parties and the representatives of the Director of Neighbourhoods returned to the room to hear the decision of the Committee.

RESOLVED – (i) that AB be granted an exemption from be required to Knowledge Test; and

(ii) that, subject to him passing the other elements of the fit and proper test, Officers be delegated to issuing him with a Private Hire Driver's Licence.

**PSP
112.2/14**

CONDITIONAL CAUTION OF A HOLDER OF A HACKNEY CARRIAGE DRIVER LICENCE AND PRIVATE HIRE DRIVER LICENCE – DP

(Exempt paragraph 3 – Information relating to person's financial or business affairs)

The Sub-Committee considered an exempt report of the Director of Neighbourhoods (Agenda Item No. 7) determining if any action is required as a result of a Conditional Caution being received by a licensed Hackney Carriage Driver (HCD) and Private Hire Driver

(PHD).

DP was in attendance accompanied by his wife.

The Chair explained the procedure that would be followed and everyone introduced themselves.

The Licensing Officer introduced the report and summarised it for everyone.

Members noted the statements received in support of DP.

DP presented his case and answered questions highlighting the following:

- He had just dropped off a previous passenger and was flagged down by a woman on Fishponds Road; the woman got into the car, asked him to drive around the corner and stop; there she offered him sex and a blow job; he refused the offer; she then asked to be taken to another destination, paid her fare and got out of the car
- About a mile from the drop off point he was stopped by Police in an unmarked car; he was put in the Police car and accused of kerb crawling in relation to a known prostitute; he was not aware that she was a prostitute; he was told it was an offence to have picked up the woman and was threatened with prosecution and being named in the newspapers; he was frightened and intimidated by this and accepted the Caution
- He consulted a solicitor who gave him bad advice in advising him to accept the Caution; he now wished that he would have gone to court as he did not do anything wrong; he has never been in any kind of trouble before; his wife confirmed that she supported his decision to take the Caution, but neither of them realised the consequences of this decision
- He reported the Caution to the Licensing Office the following day
- He attended the Change Course and felt he learnt a lot from it; however he was wrongly advised by the Course Instructor that no taxi driver had ever lost their licence as a result of a Caution

- It was not an unusual request to be asked to stop by a customer a very short distance from the pick up point
- He will do his best to never being put in the same situation again by being much more careful
- He summed up his case by reading out a statement and asking that no action be taken on his licences

It was noted that a Hackney Carriage driver cannot refuse to pick up a passenger without good cause.

All parties and the representatives of the Director of Neighbourhoods left the room.

Details of the Committee's findings and reasons for the decision are set out in Appendix 2.

All parties and the representatives of the Director of Neighbourhoods returned to the room to hear the decision of the Committee.

RESOLVED – that no action be taken against DP.

DP was also recommended to take the Gold Standard Training.

PSP

113.2/14

CONVICTION OF A PRIVATE HIRE DRIVER – SAK

(Exempt paragraph 3 – Information relating to person's financial or business affairs)

The Sub-Committee considered an exempt report of the Director of Neighbourhoods (Agenda Item no. 8) considering whether any action is necessary in respect of the private hire driver's licence.

SAK was in attendance, accompanied by a colleague. Councillor Khan was also in attendance.

The Chair explained the procedure that would be followed and everyone introduced themselves.

The Enforcement Officer introduced the report and summarised it for everyone. He confirmed that SAK had pleaded guilty.

Members noted the statements of support for SAK including those from Councillors Choudhury and Khan, and Jenny Smith, as well as the other letters tabled.

SAK presented his case and answered questions highlighting the following:

- He is very sorry for committing the offences and he pleaded guilty
- He explained the circumstances of the offences and the difficulties he would be presented with if he lost his licence
- He is aware that what he did is illegal and acknowledged that he should have been more careful and not picked up the passengers; this the first time he has ever done this and will never do it again

Councillor Khan made a statement on behalf of SAK.

SAK's colleague also made a statement on behalf of SAK.

SAK summed up his case and asked that he be dealt with sympathetically

All parties and the representatives of the Director of Neighbourhoods left the room.

Details of the Committee's findings and reasons for the decision are set out in Appendix 3.

All parties and the representatives of the Director of Neighbourhoods returned to the room to hear the decision of the Committee.

RESOLVED – that the Private Hire Driver's Licence held by SAK be suspended for a period of three months.

PSP

114.2/14

CONVICTION OF A PRIVATE HIRE DRIVER – KP

(Exempt paragraph 3 – Information relating to person's financial or business affairs)

The Sub-Committee considered an exempt report of the Director of Neighbourhoods (Agenda Item No. 9) considering whether any action is necessary in respect of the private hire driver's licence.

KP was not in attendance.

It was therefore

RESOLVED – that consideration of this case be deferred until a future Meeting of the Committee.

PSP

115.2/14

CONVICTION OF A PRIVATE HIRE DRIVER – SIS

(Exempt paragraph 3 – Information relating to person's financial or business affairs)

It was noted that this item had been removed from the Agenda.

INFORMATION ITEM

PSP

116.2/14

DATE OF NEXT MEETING

RESOLVED – that the next meeting be held on Tuesday 11th March 2014 at 10.00 a.m. and is likely to be a meeting of Sub-Committee A.

(The meeting ended at 1.00 pm.)

CHAIR

BRISTOL CITY COUNCIL**MINUTES OF MEETING
OF THE PUBLIC SAFETY AND PROTECTION
SUB-COMMITTEE B
HELD ON 11th FEBRUARY 2014 AT 10.00 AM****PSP 111.2/14****Agenda Item No. 6****Agenda title****APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER LICENCE –
AB****Decision**

That AB be granted an exemption from be required to Knowledge Test.
That, subject to him passing the other elements of the fit and proper test,
Officers be delegated to issuing him with a Private Hire Driver's Licence.

Reasons for Decision

Members considered very carefully all of the written and verbal evidence presented to them.

Members noted that AB has worked for the Royal Family implying a high level of competence and knowledge, and that he has received high level security clearance as well as Police and Anti Terrorist Training. They also noted that this work (for the Royal Family) is not conventional private hire work. Finally they noted the offer of the return of the licence should he leave Home James, (even though this is not enforceable).

They therefore agreed to make an exception to their Policy and grant AB an exemption from being required to take the Knowledge Test.

Chair's Signature

BRISTOL CITY COUNCIL

**MINUTES OF MEETING
OF THE PUBLIC SAFETY AND PROTECTION
SUB-COMMITTEE B
HELD ON 11th FEBRUARY 2014 AT 10.00 AM**

PSP 112.2/14

Agenda Item No. 7

Agenda title

**CONDITIONAL CAUTION OF A HOLDER OF A HACKNEY CARRIAGE
DRIVER LICENCE AND PRIVATE HIRE DRIVER LICENCE – DP**

Findings of Fact

DP received a Conditional Caution in relation

Decision

That no action be taken against DP.

DP was recommended to take the Gold Standard Training.

Reasons for Decision

Members considered very carefully all of the written and verbal evidence presented to them.

Members noted that DP is aware of the impact of his actions, he is remorseful, he was carrying his duties as a hackney carriage driver at the time of the incident, his previous good character and that he has completed the Change Course. Members also accepted that this was a one off incident which is unlikely to be repeated.

Members therefore agreed to make an exception to their Policy and take no action against DP. They also recommended him to take the Gold Standard Training.

Chair's Signature

BRISTOL CITY COUNCIL

**MINUTES OF MEETING
OF THE PUBLIC SAFETY AND PROTECTION
SUB-COMMITTEE B
HELD ON 11th FEBRUARY 2014 AT 10.00 AM**

PSP 113.2/14

Agenda Item No. 8

Agenda title

CONVICTION OF A PRIVATE HIRE DRIVER – SAK

Findings of Fact

SAK was convicted of unlawfully plying for hire and no insurance on 4th December 2013.

Decision

That the Private Hire Driver's Licence held by SAK be suspended for a period of three months.

Reasons for Decision

Members considered very carefully all of the written and verbal evidence presented to them.

Members noted that SAK is remorseful and pleaded guilty to the offences. They noted his previous good record as well as the statements of support.

Members therefore decided to make an exception to their Policy and suspended the Private Hire Driver's Licence held by SAK for a period of only three months.

Chair's Signature