

**BRISTOL CITY COUNCIL**

**MINUTES OF A MEETING OF THE  
PUBLIC SAFETY AND PROTECTION SUB-COMMITTEE A  
HELD ON 4<sup>TH</sup> JUNE 2013 AT 11.15 A.M. OR ON THE  
RISE OF THE FULL COMMITTEE**

P Councillor Chris Davies (part)  
P Councillor Jay Jethwa  
P Councillor Mike Langley  
P Councillor Ron Stone

**PSP  
20.6/13**

**ELECTION OF CHAIR AND VICE-CHAIR**

**RESOLVED - that Councillor Jay Jethwa be elected Chair and Councillor Ron Stone Vice-Chair of the Public Safety and Protection Sub-Committee A for the 2013/14 Municipal Year.**

**PSP  
21.6/13**

**APOLOGIES FOR ABSENCE, SUBSTITUTIONS AND  
DECLARATIONS OF INTEREST**

There were none.

**PSP  
22.6/13**

**SUB-COMMITTEE TERMS OF REFERENCE**

**RESOLVED - that the Terms of Reference agreed at the Annual Meeting of the Public Safety and Protection Committee on 4<sup>th</sup> June 2013 be noted.**

**PSP  
23.6/13**

**PUBLIC FORUM**

Nothing was received.

**PSP  
24.6/13**

**CONSIDERATION OF THE SUSPENSION OF COMMITTEE**

**PROCEDURE RULES (CMR 10 AND 11) RELATING TO THE MOVING OF MOTIONS AND RULES OF 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  
25.6/13**

**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 items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A to the Act, as amended.

**PSP  
26.6/13**

**REPORT OF A REQUEST FOR EXEMPT FROM DISPLAY OF LICENCE PLATES**

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

The Sub-Committee considered an exempt report of the Director of Neighbourhoods (Agenda Item No. 7) considering a request that a private hire vehicle be exempt from displaying licence plates.

CD was in attendance representing the taxi company.

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

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

The Representative of the Service Director, Legal and Democratic Services explained the legal situation concerning the requested exemption - the Council has the discretionary power to allow plates

not to be displayed but must specify when this is allowed; when exercising its discretion the Council must establish the reason(s) for the exemption, therefore the applicant must state the reason(s) the exemption is requested, for example a wedding; any exemption must not undermine the licensing regime and therefore there is a need to be clear when any exemption will apply. She also explained that previous exemption have been allowed by Officers under delegated powers.

CD put his case and answered questions highlighting the following:

- He distributed advertising leaflets
- He stated that any exemption would only apply for executive work where companies have accounts with his company and not for cash transactions
- He noted that other companies and vehicles have been granted exemptions for executive work and weddings
- The car has leather upholstery and the driver wears a suit
- Executive work involves senior staff using high quality transport for transfers to airports, etc. who do not want to be seen in a private hire vehicle
- There are no disability facilities in the vehicle in question, however the need for such facilities is always established at the time of booking
- He would like an exemption for executive work and weddings, etc.
- The seats in the vehicle can be reconfigured as the vehicle is also used for ordinary private hire work
- The driver provides a chauffeuring service as well as looking after passengers; the driver wears a company shirt and tie, as well as jacket and trousers
- The exemption is requested to provide a service for passengers who request the removal of plates; most of the work is corporate; the drivers and vehicle are traceable through the

company booking; all drivers are aware of their responsibilities;  
no company logos are displayed on the vehicle

- The vehicle would be used for weddings, funerals and corporate clients - companies which have an account and want a chauffeur service; the vehicle can also take a lot of luggage and provides wi-fi; passengers are allowed to drink their own alcohol

At this point the Members viewed the vehicle.

- A similar sized vehicle - a Viano - already has an exemption
- In response to comments about the comfort of 8 passengers, he stated that not all bookings are for 8 passengers, also 8 passengers would be more uncomfortable than 4 large passengers in a saloon car
- He summed up his case - it is larger than vehicles already granted an exemption; the exemption would only be for account customers and weddings; he understands the reasons for requiring a vehicle to be plated; he sees no problem in allowing the requested exemption

The Representative of the Service Director, Legal and Democratic Services explained that although the current Policy only allows 7 passengers, there is a pilot for 8 passengers. She also noted that if no badge or plates are displayed it may be difficult to trace the driver. It would also make it difficult for Enforcement Officers to identify the vehicle as a licensed vehicle. Any exemption granted must specify the occasions when the plates may be removed.

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

**RESOLVED - (Voting 3 for, 1 abstention)**

**that an exemption be granted for the vehicle when being used for weddings and funerals, and corporate account customers where there are 7 or fewer passengers.**

**As an additional resolution, Members also agreed unanimously that Licensing Officers be requested to prepare a Policy on Requests for Exemptions from Displaying Licence Plates to be presented at a future Meeting of the Full Committee for agreement.**

**PSP**

**27.6/13**

**REPORT OF A CONVICTION RECEIVED BY THE HOLDER OF A HACKNEY CARRIAGE DRIVER'S LICENCE – SA**

(Exempt paragraph 3 – Information relating to a 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.

SA was not in attendance.

The Enforcement Officer introduced the report and summarised it for everyone. He explained that they had tried to SA on two different mobile phones without success. The letter was hand delivered to his address.

It was noted that as the license previously held by SA has expired, this was an application to renew the license.

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

**RESOLVED - that the application for renewal of a Hackney Carriage Driver's License be refused as SA is not considered to be a fit and proper person to hold such a license.**

(Councillor Davies left the meeting at this stage.)

**PSP  
28.6/13**

**APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER LICENCE – RR**

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

The Sub-Committee considered an exempt report of the Director of Neighbourhoods (Agenda Item No. 8) considering an application for the grant of a Private Hire Driver (PHD) licence. (Request for exemption from Knowledge Test.)

RR was in attendance, accompanied by FH.

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

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

The Representative of the Service Director, Legal and Democratic Services advised that any decision must not undermine the Policy. Members were not being asked to determine the application.

FH stated that he met RR through an advert he placed on the website. RR was employed in marketing but also to carry out long distance driving work when licensed. RR has a great knowledge of the area.

RR put his case and answered questions highlighting the following:

- His present work is in marketing
- All of his driving work would involve transport from Bristol to outside of Bristol

- His minimum fare would be £30 and minimum distance 20 miles
- His passengers would be mainly picked up from business addresses or hotels
- He has lived in Bristol all of his life and considers that he has enough geographical knowledge to find the best routes out of the city; all routes are fully planned
- He intends to complete the other fit and proper tests depending on the decision concerning his request to be exempted from the Knowledge Test
- He stated he is willing to accept conditions attached to his license; his father was a taxi driver and he does not want to be private hire driver
- He summed up his case

FH added that the type of work RR would be doing does not require him to pass the Knowledge Test. RR would be willing to accept a condition only allowing him to work for FH's company.

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

**RESOLVED - that the request from RR to be exempted from undertaking the Knowledge Test be refused.**

**PSP  
29.6/13**

**REPORT OF THE CONVICTION OF A PRIVATE HIRE DRIVER - ET-N**

(Exempt paragraph 3 - Information relating to a 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.

ET-N was 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.

ET-N put his case and answered questions highlighting the following:

- He has never done this before
- It was raining and woman flagged him down; he felt sorry for her and agreed to take her even though he new it was wrong
- He has learnt his lesson and apologised for the offence
- He found the fine difficult financially
- He summed up his case and stated that he would like to keep his license

The Representative of the Service Director, Legal and Democratic Services advised Members that their Policy allowed a suspension of up to 6 months. She reminded Members that he has already been off the road from 8<sup>th</sup> February 2013 to 2<sup>nd</sup> April 2013.

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

Details of the Committee's findings and reasons for the decision are set out in Appendix 4.

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

**RESOLVED - that ET-N be issued with a verbal warning and no further action taken.**



**PSP**

**30.6/13**

**REPORT OF THE CONVICTION OF A PRIVATE HIRE DRIVER -  
AB**

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

AB was not in attendance.

It was therefore

**RESOLVED - that his case be deferred until 2<sup>nd</sup> July 2013 when it will be heard whether or not he is in attendance; AB to be offered the opportunity to put forward a written statement for consideration by Members if he is not able to attend on 2<sup>nd</sup> July 2013.**

**INFORMATION ITEM**

**PSP**

**31.6/13**

**DATE OF NEXT MEETING**

**RESOLVED - that the next meeting be held on Tuesday 2<sup>nd</sup> July 2013 at 10.00 a.m. and is likely to be a Meeting of Sub-Committee B.**

(The meeting ended at 3.00 pm.)

CHAIR

**BRISTOL CITY COUNCIL****MINUTES OF MEETING  
OF THE PUBLIC SAFETY AND PROTECTION  
SUB-COMMITTEE A  
HELD ON 4<sup>TH</sup> JUNE 2013 AT 11.15 AM****PSP 26.6/13****Agenda Item No: 7****Agenda title****REPORT OF A REQUEST FOR EXEMPT FROM DISPLAY OF LICENCE PLATES****Decision**

That an exemption be granted for the vehicle when being used for weddings and funerals, and corporate account customers where there are 7 or fewer passengers.

As an additional resolution, Members also agreed unanimously that Licensing Officers be requested to prepare a Policy on Requests for Exemptions from Displaying Licence Plates to be presented at a future Meeting of the Full Committee for agreement.

**Reasons for Decision**

Members considered very carefully all of the written and verbal evidence presented to them. They also noted the vehicle when they inspected it. They expressed concerns about the comfort of the vehicle if transporting 8 passengers for a long distance. However they noted that previous exemptions have granted by Officers and therefore did not consider that this request could be refused. Noting concerns about the comfort of carrying 8 passengers on longer journeys, Members decided that an exemption be granted for the vehicle when being used for weddings and funerals, and corporate account customers where there are 7 or fewer passengers.

Councillor Davies stated he had concerns about granting any exemption in particular about identifying the vehicle and abstained.

Members noted that previous exemptions have granted by Officers, however they were not clear on the criteria used by Officers to agree (or otherwise) these exemptions. They therefore considered that a Policy on this issue should be introduced and agreed unanimously that Licensing Officers be requested to prepare a Policy on Requests for Exemptions from Displaying Licence Plates to be presented at a future Meeting of the Full Committee for agreement.

**Chair's Signature**

## BRISTOL CITY COUNCIL

MINUTES OF MEETING  
OF THE PUBLIC SAFETY AND PROTECTION  
SUB-COMMITTEE A  
HELD ON 4<sup>TH</sup> JUNE 2013 AT 11.15 AM

PSP 27.6/13

Agenda Item No: 8

**Agenda title**

**REPORT OF A CONVICTION RECEIVED BY THE HOLDER OF A  
HACKNEY CARRIAGE DRIVER'S LICENCE – SA**

**Finding of Fact**

SA was convicted of using an uninsured vehicle and a mobile phone while in control of a vehicle on 3<sup>rd</sup> June 2011.

**Decision**

That the application for renewal of a Hackney Carriage Driver's License be refused as SA is not considered to be a fit and proper person to hold such a license.

**Reasons for Decision**

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

They considered the offence of driving an uninsured vehicle to be serious. They also expressed concerns about the honesty of SA. They also noted that he had been given the opportunity to explain himself to Members but had not taken this opportunity. They therefore decided that the application for renewal of a Hackney Carriage Driver's License be refused as SA is not considered to be a fit and proper person to hold such a license.

**Chair's Signature**

**BRISTOL CITY COUNCIL**

**MINUTES OF MEETING  
OF THE PUBLIC SAFETY AND PROTECTION  
SUB-COMMITTEE A  
HELD ON 4<sup>TH</sup> JUNE 2013 AT 11.15 AM**

**PSP 28.6/13**

**Agenda Item No: 9**

**Agenda title**

**APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER LICENCE –  
RR**

**Decision**

That the request from RR to be exempted from undertaking the Knowledge Test be refused.

**Reasons for Decision**

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

Members did not consider that they received enough evidence to persuade them to make an exception to their Policy in this case and therefore refused the request.

**Chair's Signature**

**BRISTOL CITY COUNCIL****MINUTES OF MEETING  
OF THE PUBLIC SAFETY AND PROTECTION  
SUB-COMMITTEE A  
HELD ON 4<sup>TH</sup> JUNE 2013 AT 11.15 AM****PSP 29.6/13****Agenda Item No: 10****Agenda title****REPORT OF THE CONVICTION OF A PRIVATE HIRE DRIVER - ET-N****Finding of Fact**

ET-N was convicted of Unlawfully Plying for Hire and having No Insurance on 1<sup>st</sup> May 2013.

**Decision**

That ET-N be issued with a verbal warning and no further action taken.

**Reasons for Decision**

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

Members noted that ET-N has not committed any other offences and that he readily admitted the offences. They also noted that he has already been off the road from 8<sup>th</sup> February 2013 to 2<sup>nd</sup> April 2013. They therefore decided to issue him with a verbal warning and no further action taken.

**Chair's Signature**