

**BRISTOL CITY COUNCIL**

**MINUTES OF A MEETING OF THE  
PUBLIC SAFETY AND PROTECTION SUB-COMMITTEE A  
HELD ON 8<sup>TH</sup> OCTOBER 2013 AT 10.00 A.M.**

P Councillor Jay Jethwa  
A Councillor Chris Davies  
P Councillor Fi Hance (for Cllr Davies/Leaman) (in  
the Chair)  
P Councillor Mike Langley  
A Councillor Tim Leaman  
P Councillor Ron Stone

**PSP**

**74.10/13 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies were received from Councillors Davies and Leaman;  
substitute Councillor Hance.

**PSP**

**75.10/13 DECLARATIONS OF INTEREST**

No further declarations were received.

**PSP**

**76.10/13 PUBLIC FORUM**

Nothing was received.

**PSP**

**77.10/13 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**

**78.10/13 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 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**

**79.10/13 REQUEST FOR AN EXEMPTION FROM UNDERTAKING THE KNOWLEDGE TEST AS PART OF AN APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE DRIVER'S LICENCE – SW**  
(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 a request for an exemption from undertaking the Knowledge Test as part of the application for the grant of a Hackney Carriage Driver's (HCD) Licence.

SW was not in attendance.

The Licensing Officer introduced the report and summarised it for everyone. She confirmed that the applicant is seeking an exemption from being required to pass the Knowledge Test. He has already failed the Knowledge Test and has the other parts of the Fit and Proper Person Checks/Assessments to take.

The Representative of the Service Director, Legal and Democratic Services reminded Members that there is no Policy relating to Applicants applying for an exemption to the Knowledge Test. Applicants must satisfy Members that any applicant is a Fit and Proper Person to hold the type of licence they are applying for irrespective of whether or not they pass the Knowledge Test.

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 - that the request for an exemption from undertaking the Knowledge Test as part of the application for the grant of a Hackney Carriage Driver's (HCD) Licence be refused.**

**PSP  
80.10/13**

**REQUEST FOR EXEMPTIONS FROM UNDERTAKING THE KNOWLEDGE TEST AS PART OF APPLICATIONS FOR THE GRANT OF PRIVATE HIRE DRIVER LICENCES - PM, EP, MD AND DK**

(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) considering requests for exemptions from undertaking the Knowledge Test as part of the four applications for the grant of a Private Hire Driver (PHD) Licences.

All 4 Applicants were in attendance.

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

The Licensing Officer introduced the report and summarised it for everyone. She confirmed that each of the applications should be treated separately and explained which parts of the Fit and Proper Person Checks/Assessments each of the Applicants has completed.

Led by PM, each of the Applicants put their case and answered questions highlighting the following:

- The company is aiming at up market customers with a view to competing with first class train travel; the customers will be mostly corporate and the service will allow them to work for 4 to 5 hours extra during their journeys; it is expected that most journeys will be door to door involving motorway travel rather than local trips

- The company has a number of new MPV's equipped for executive travel; they also have a 4 door Aston Martin for weddings and other special occasions
- The company is still being set up; the vehicles have been purchased and contact is being made with prospective customers
- They consider that their drivers have enough local knowledge of the road network in and around Bristol to not be required to pass the Knowledge Test; all vehicles have sat navs.
- It is planned that bookings will be taken 7 days in advance of journeys, although a shorter lead in time may be allowed; this will allow time to plan routes taking account of traffic and other prevailing conditions
- Journeys will be charged on the basis of distance
- None of the Applicants want to work for any other companies

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 requests by PM, EP, MD and DK for exemptions from undertaking the Knowledge Test as part of their applications for the grant of Private Hire Driver's Licences each be refused.**

**PSP  
81.10/13**

**APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE LICENCE SEEKING DEPARTURE FROM BRISTOL CITY COUNCIL POLICY**

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

It was noted that this Item has been removed from the Agenda.

**PSP**

**82.10/13**

**REPORT OF A CONVICTION RECEIVED BY THE HOLDER OF A PRIVATE HIRE DRIVER LICENCE**

(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) determining if any action is required as a result of a conviction received by the holder of a Private Hire Driver (PHD) licence.

HS was in attendance accompanied by his wife AK.

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

The Licensing Officer introduced the report and summarised it for everyone. HS is appealing against his convictions and penalties received on 21<sup>st</sup> June 2013.

HS and AK put his case and answered questions highlighting the following:

- His DLVA Licence is with the DVLA as a result of his court case
- Members were shown papers from HS's barrister
- The court case on 21<sup>st</sup> June 2013 resulted from accident he had whilst driving along Hotwells Road; he hit a parked car; he considers the accident was caused by a tyre blow out although it was found to be a mechanical fault; he was found to have invalid insurance, although he disputes this; he was using the vehicle in good faith; he was not speeding; he was not falling asleep at the time of the accident; he had to go to hospital following the accident; a Police Officer stated that he would lose his licence, so they lodged a complaint about him
- His Appeal is scheduled for 11<sup>th</sup> October 2013 and his Driving Test for 23<sup>rd</sup> October 2013
- The offence on 14<sup>th</sup> February 2013 relates to an incident on Whiteladies Road when an unknown number of people got into

his taxi; they were using abusive language and forced him to drive them down the road

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

Members noted that his Appeal is due to be heard on 11<sup>th</sup> October 2013. They therefore decided that they would adjourn the case, pending the outcome of the Appeal, until the next Meeting on 5<sup>th</sup> November 2013.

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 case be adjourned pending the outcome of the Appeal by HS until the next Meeting on 5<sup>th</sup> November 2013.**

## **INFORMATION ITEM**

**PSP**

**83.10/13 DATE OF NEXT MEETING**

**RESOLVED - that the next meeting be held on Tuesday 5<sup>th</sup> November 2013 at 10.30 a.m. and is likely to be a meeting of Sub-Committee B.**

(The meeting ended at 12.30 pm.)

CHAIR

**BRISTOL CITY COUNCIL**

**MINUTES OF MEETING  
OF THE PUBLIC SAFETY AND PROTECTION  
SUB-COMMITTEE A  
HELD ON 8<sup>th</sup> OCTOBER 2013 AT 10.00 AM**

**PSP 79.10/13**

**Agenda Item No. 6**

**Agenda title**

**APPLICATION FOR AN EXEMPTION TO UNDERTAKING THE  
KNOWLEDGE TEST AS PART OF AN APPLICATION FOR THE GRANT OF  
A HACKNEY CARRIAGE DRIVER'S LICENCE – SW**

**Decision**

That the request for an exemption to undertaking the Knowledge Test as part of the application for the grant of a Hackney Carriage Driver's (HCD) licence 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 had been presented with any reason to persuade them that SW could be considered a Fit and Proper Person without taking the Knowledge Test

They therefore refused the request for an exemption to undertaking the Knowledge Test.

**Chair's Signature**

**BRISTOL CITY COUNCIL****MINUTES OF MEETING  
OF THE PUBLIC SAFETY AND PROTECTION  
SUB-COMMITTEE A  
HELD ON 8<sup>th</sup> OCTOBER 2013 AT 10.00 AM****PSP 80.10/13****Agenda Item No: 6****Agenda title****REQUEST FOR EXEMPTIONS FROM UNDERTAKING THE KNOWLEDGE TEST AS PART OF APPLICATIONS FOR THE GRANT OF A PRIVATE HIRE DRIVER LICENCES - PM, EP, MD AND DK****Decision**

That the requests by PM, EP, MD and DK for exemptions from undertaking the Knowledge Test as part of their applications for the grant of Private Hire Driver's Licences each 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 heard enough evidence to persuade them that any of the 4 Applicants could be considered a Fit and Proper Person without undertaking the Knowledge Test. They noted that they have no means to condition any licences issued to ensure that all of the Applicants could only work for this specific company.

They therefore agreed that the requests from each of the applicants for an exemption from undertaking the Knowledge Test be refused.

**Chair's Signature**