

Bristol City Council

**Minutes of the Meeting of the
Public Safety and Protection Committee
Held on 14 April 2015 10.00am**

A Councillor Fi Hance
P Councillor Jay Jethwa
P Councillor Mike Langley
A Councillor Tim Leaman
P Councillor Jeff Lovell
P Councillor David Morris
P Councillor Steve Pearce
P Councillor Estella Tincknell

PSP

1. Apologies for Absence and Substitutions

Apologies were received from Councillors Hance and Leaman.

PSP

2. Declarations of Interest

There were none.

PSP

3. Public Forum

A statement had been received from Cllr Fi Hance in relation to the review of Hackney Carriage and Private Hire Policy proposed changes.

PSP

**4. Minutes – Public Safety and Protection Full Committee 10
February 2015**

The minutes will be considered at the next full committee meeting.

PSP

5. 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 in view of the fact that there was no quasi judicial business on the Agenda the Committee Procedure Rules were not suspended.

PSP

6. Review of Hackney Carriage and Private Hire Policy – proposed changes

The Committee received a report from the Strategic Director, Neighbourhoods in respect of proposed changes to the Hackney Carriage and Private Hire Policy.

Nick Carter, Regulatory Manager, outlined this report and explained that the policy had been considered by the Public Safety and Protection (PSP) committee 7 years ago. At that time, the committee made a number of policy changes to the way that hackney hire carriages are licensed and some of the policy changes have been actioned, for example the Bristol Blue livery.

However, there still needs to be an implementation of the new vehicle policy requirements. This equates to about 500 hackney carriages which, on the basis of the current policy, need to be replaced with vehicles to meet the new vehicle specification by May 2016.

There have been some significant changes in the City since 2008, including the economy having gone through a recession, changes to the way that the night-time economy is managed for instance the provision of late night buses and the Council's shift to greener, cleaner policies.

The current situation is that the Council has been lobbied by the hackney carriage trade both with public forum statements and large scale attendance at Full Council in September 2014. As a result of the lobbying, a series of conversations has taken place about whether or not the policy that was agreed in 2008 is still a reasonable policy to apply in 2015.

Nick Carter explained that the Council could delay the 2016 implementation to take time to consider the policy as it currently stands in relation to the impact

on the hackney carriage trade and also the impact on the public and public safety. For instance, does a hackney carriage need to be a brand new hackney carriage (for example, London style taxi) or could it still be one to a standard that is purpose built but does not meet the higher specification (for example, the Fiat Doblo). The current policy would see the Fiat Doblo hackney carriages being taken off the road, although they have a lower entry point to the vehicle making them more wheelchair accessible. The suggestion is that the licensing team research this and come back to PSP later on this year.

In addition, it is proposed that a taxi demand survey is carried out to see if there are already enough hackney carriages in operation. And linked to this is the proposal that the determination of applications for the grant of new hackney carriage licences is deferred until the results of the demand survey has been considered by the committee.

The following points/comments were considered:

- It was noted that there had been close discussions between Cllr Radice and the mayor and what is proposed is probably the best approach.
- There was concern that commissioning a tax demand survey would cost money. The Licensing Officer confirmed that the Licensing team would recover the cost of the survey through vehicle licence fees
- Attention was brought to Appendix A to the report which is an extensive list of recommendations from the National Taxi Association (NTA). The licensing officer confirmed that the issues are being addressed in forum meetings with the NTA.
- The trade has also been asked about their top four priorities – three of which will be helped by the proposals being put forward today (with the exception of the issue in relation to MoTs).

The Chair thanked the Licensing and Legal teams for a very good report and in particular welcomed the actions being taken in respect of out of town hackney carriages illegally plying for hire in Bristol. She confirmed that the the committee agreed with the set of proposals outlined in the report and is confident that the survey will be undertaken in an effective way.

RESOLVED:

The Committee unanimously supports the proposals contained in the report:

- (1) Delay implementation of new vehicle policy by 12 months from May 2016 to May 2017

- (2) Undertake a survey to measure demand levels for hackney carriages in Bristol
- (3) Defer determination of applications for the grant of new hackney carriage licences until the results of the survey have been considered by the committee
- (4) That the committee receives a report from officers early in the next municipal year recommending the commencement of a review of the policy

PSP

7. Review of street trading designations

The Committee received a report from the Strategic Director, Neighbourhoods in respect of a Review of Street Trading Designations.

Nick Carter, Manager Regulatory Services, introduced this report and explained that this matter had been considered at the last full meeting of the PSP committee on 10 February 2015. The PSP committee had acknowledged the statutory consultation process that the review of street trading designations would go through, but the committee was concerned whether that was sufficient. It had felt that there should also be a focus on consulting with the public and the relevant Neighbourhood Partnerships.

Officers had gone away to consider members' concerns around this and the proposal is that the Licensing Team sends a briefing note to Neighbourhood Partnerships in the wards affected and also carries out a formal consultation on the Council's website to supplement the statutory process.

Nick Carter explained that he has reviewed the streets that are being considered to be made consent streets and many of the streets were prohibited for a variety of reasons, some because they were busy streets, for instance Park Street and some because they were small streets, for example Leonard's Lane off the city centre. By changing those to consent streets it would increase flexibility in street trading. He commented that it is important to bear in mind that street trading consents are an area over which Licensing has almost complete control. The Council can grant a street consent and if the environment changes, it can revoke the licence easily.

In 2009 the Council took a big decision to make every street, other than those that were covered in previously agreed designations which were primarily in the city centre, a consent street. In the last 6 years there have not been many

issues. He feels that with the combination of the consultation suggested and also the powers Licensing have it should give the committee confidence in its decision.

The following comments/issues were highlighted:

- The Chair commented that the committee should consider the impact on local traders, particularly in view of the current recession. The Council does not want to exacerbate the difficult trading conditions or lose the quality of the retail offer on those streets.
- Nick Carter mentioned that this particular report is the first stage in a much wider review of street trading which will focus on the quality of the retail offer. The team are carrying out the street trading element of the review first, as it is a lengthy process, but will then do a fuller review in terms of the quality of the retail offer.
- Cllr Jeff Lovell confirmed that he has no objections with the proposals and welcomes observations and comments in relation to this.
- It was agreed that notices on lampposts were important but also that Licensing would need to do an effective consultation with trading associations, residents associations, Neighbourhood Partnerships and Neighbourhood Watch in the areas concerned.
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RESOLVED: The committee agreed:

1. Publish a Notice of intention to pass the draft street trading resolution set out below:

(1) pursuant to paragraph 2 of schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 (“the Schedule to the Act”) and with effect from 1 September 2015

(i) the existing resolution governing street trading in the City shall be varied as follows:-

Those streets currently designated as “prohibited streets” shall be designated as consent streets except for those listed below, which will remain as prohibited streets:-

All Saints Street/ The Arcade / Barrs Court / Bridewell Street / Broadmead East/ Broadmead West / Broad Weir / Callowhill Court / Cannon Street/ Fairfax Street / Hanover Court / Haymarket / Haymarket Walk / The Horsefair / Merchant Street North / Merchant Street South /Nelson Street (part of) from its junction with Bridewell Street to Broadmead / Newgate / Old King Street Court / Penn Street / Pithay Court / Quakers Friars / Silver Street /Union Street / Whippington Court /Wine Street from Broad Street to its junction with The Pithay

2. The notice shall state that representations relating to the draft resolution may be made in writing to the Council within a period of 31 days beginning with the day after publication of the Notice;
3. A copy of the Notice will be served on the Chief Officer of police for the area;
4. As soon as is reasonably practicable after the end of the period referred to in paragraph (2) of this resolution, the committee shall consider any representations relating to the proposed resolution.
5. In addition to the statutory process, the following additional public consultation should be carried out:
 - (a) A formal public consultation
 - (b) A briefing note should be sent to:
 - Neighbourhood Partnerships in the wards affected
 - Trading associations, residents associations and Neighbourhood Watch in the wards affected

(The meeting ended at 11.10am)

CHAIR