

DISCLAIMER

The attached minutes are DRAFT minutes. Whilst every effort has been made to ensure the accuracy of the information, statements and decisions recorded in them, their status will remain that of a draft until such time as they are confirmed as a correct record at the subsequent meeting.



Agenda Item No: 5

Bristol City Council

Minutes of the Public Safety and Protection Committee

(Sub-Committee A)

Tuesday, 23rd February 2016 at 10am

Members Present:-

Councillors Hiscott, Councillor Means

Officers in Attendance:-

Pauline Powell – Team Leader – PT&R, Legal Services

Patricia Jones– Democratic Services Officer

Carl Knights – Senior Licensing Policy Officer

1. Apologies for absence and substitutions

Apologies were received from Councillor Hance.

2. Declarations of Interest

There were no declarations of interest.

3. Public Forum

It was noted that no Public Forum items had been received..

4. Minutes – PSP Sub-Committee A Tuesday 22nd December 2015

Resolved – that the minutes of the above meeting be agreed and signed by the Chair.

5. Consideration of the Suspension of Committee Procedure Rules (CMR 10 and CMR 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 Procedure Rules relating to the moving of motions and the rules of debate (CMR 10 and CMR 11) be suspended for the duration of the meeting.

6. Exclusion of the Press and Public

Resolved – that under Section 11A (4) of the Local Government Act 1972, the public be excluded for the following items of business on the ground that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act, as amended.

7. Application for the Renewal of a Hackney Carriage Licence seeking departure from Bristol City Council Policy - SRA

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

The applicant was not in attendance. The committee noted that this matter was adjourned from a hearing held on 26th January 2016 which the applicant had also failed to attend.

The committee considered an application for renewal of a Hackney Carriage Licence which would involve a departure from council policy if approved.

The Licensing Officer summarised the detailed report. Below is a summary of the key points noted by the committee:-

- In May 2015, the applicant was notified of the policy changes affecting transitional arrangements (grandfather rights) and vehicle specification.
- The applicant subsequently purchased the vehicle, aware that the existing licence expired on 2nd December 2015. He applied to renew the licence on 1st December 2015.
- The application was refused because it did not comply with the vehicle specification policy. The vehicle was over 10 years old and the transitional arrangements ("grandfather rights") did not apply in this case.

The committee noted from correspondence to the authority dated 15th December 2015, that the applicant had placed reliance on a letter sent by the authority reminding him that the licence was due to expire and enclosing a renewal form. It was clarified that this correspondence was generated automatically, that every proprietor had the right to seek renewal in any event and that applications were duly processed when submitted. Guidance on the effect of the policy had been sent to the applicant in May 2015 and that it was clear from this that he would know that the policy would not anticipate renewal of this licence. It was difficult to anticipate any basis on which the applicant could persuade the Council that a departure from the policy in his particular case would not undermine the achievement of the policy purpose, however the applicant had been provided with two opportunities to attend and make such a case but had failed to do so on both occasions.

Following careful consideration of all of the written and verbal evidence presented, the committee:-

Resolved – that the application should be refused.

8. Date of Next Meeting

Tuesday 22nd March 2016 at 10.00am - Sub-Committee B.

CHAIR

(The meeting ended at 11.15pm)