

BRISTOL CITY COUNCIL

MINUTES OF A MEETING OF THE  
PUBLIC SAFETY AND PROTECTION EMERGENCY SUB-COMMITTEE  
HELD ON 4<sup>TH</sup> AUGUST 2011 AT 1.30 P.M.

P Councillor Brenda Hugill  
P Councillor Tim Leaman  
P Councillor David Morris (in the Chair)

**PSP**  
**53.8/11 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

None were received.

**PSP**  
**54.8/11 DECLARATIONS OF INTEREST**

There were no further declarations of interest.

**PSP**  
**55.811 PUBLIC FORUM**

Nothing was received.

**PSP**  
**56.8/11 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**  
**57.8/11 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  
58.8/11**

**APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE DRIVER'S LICENCE**

**APPLICANT – MR**

(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. 6) relating to the application for the grant of a Hackney Carriage Driver's Licence.

MR was in attendance, accompanied by a Trade Union representative.

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 The Committee noted that the applicant's licence had been revoked on 9 July 2011 after the altercation, after checks were made and it was found that the applicant had failed to return his licence to the DVLA for an endorsement relating to a speeding offence committed previously. The Licensing Officer confirmed that this matter had now been resolved and the licence had been revoked in error due to a miss-communication between Bath magistrates and the DVLA.

MR and his representative then made his case and answered questions highlighting the following:

- The applicant had prepared a written statement which he submitted to all parties as an aid to explain events;
- The applicant had been a hackney carriage driver for eight years and a private hire driver prior to that;
- He had never been involved in any other incidents prior to

this;

- He was unclear what precisely happened to the male to cause his injuries but he believed he fell into the kerb. He confirmed that he had had no contact whatsoever with the male;
- The applicant's representative had been driving for many years and with all his experience he felt he would not have acted much differently if faced with such a situation;
- The male was a soldier and the applicant did not wish to confront him and felt frightened in the situation he found himself in;
- There had been no charges made due to the on-going investigation but it was unreasonable and unfair to revoke his licence and therefore his livelihood until the investigations were completed. The applicant was prepared to accept a limited licence up to the date of his bail and then review the situation;
- His wife and seven children were being penalised for an incident for which no-one knew the outcome;
- The applicant was a proud, working man who wanted to pay his way and not live on hand-outs. If his licence was not reinstated he would be faced with that situation.

MR summed up his case.

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 the decision of the Committee.

**RESOLVED - that the Hackney Carriage Licence be granted and be time limited to a year.**

**INFORMATION ITEM**

**PSP**

**59.8/11      DATE OF NEXT MEETING**

**RESOLVED -      that the next meeting will be held on Tuesday  
23<sup>rd</sup> August 2011 at 10.00 a.m. and is likely to  
be a meeting of Sub-Committee B.**

(The meeting ended at 2.50 pm.)

CHAIR

**BRISTOL CITY COUNCIL**

**MINUTES OF MEETING  
OF THE PUBLIC SAFETY AND PROTECTION  
EMERGENCY SUB-COMMITTEE  
HELD ON 4<sup>th</sup> AUGUST 2011 AT 1.30 P.M.**

**PSP /11  
58.8/11**

**Agenda Item No: 6**

**Agenda title**

**APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE DRIVER'S  
LICENCE  
APPLICANT – MR**

**Finding of Facts**

- i. The applicant had been driving for eight years and had not experienced any incidents other than a conviction for speeding for which he had received a 3-point endorsement to his licence;**
- ii. the licence had been revoked due to a miss-communication with Bath Magistrates and the DVLA;**
- iii. the applicant had contested the revocation and his licence had been reinstated;**
- iv. the applicant was a 'fit and proper person' as he was considered a safe driver with good driving records and adequate experience.**

**Decision**

**That the Hackney Carriage Licence be granted and be time limited to a year.**

**Reasons for Decision**

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

The Committee was convinced that the applicant was a fit and proper person. There was strong evidence that the applicant had acted properly in dealing with the incident. There was no evidence to suggest that the injuries to the male were carried out by the applicant as there was no damage to the car and he had immediately called the Police as soon as he found the male lying in the road.

**Chair's Signature**