

Public Safety and Protection Sub-Committee B Agenda



Date: Tuesday, 14 November 2023

Time: 10.00 am

Venue: A Committee Room - City Hall, College Green,
Bristol, BS1 5TR

Distribution:

Councillors: Fi Hance (Chair), Jonathan Hucker, Brenda Massey and Guy Poultney

Copies to: Sarah Flower (Licensing Policy Advisor), Lynne Harvey (Legal Advisor), Kate Burnham-Davies, Abigail Holman (Licensing Policy Advisor), Jonathan Martin (Trading Standards and Private Housing Manager), Carl Knights (Licensing Policy Advisor), Dakota Delahunty and Alison Wright

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Date: 6th November 2023



Agenda

1. Welcome and Safety Information

(Pages 5 - 6)

2. Apologies for Absence

3. Declarations of Interest

4. Minutes of the Previous Meeting

To confirm as a correct record for signing by the Chair.

(Pages 7 - 13)

5. Public Forum

Up to 30 minutes is allowed for this item.

Any member of the public or Councillor may participate in Public Forum. The detailed arrangements for so doing are set out in the Public Information Sheet at the back of this agenda. Public Forum items should be emailed to democratic.services@bristol.gov.uk and please note that the following deadlines will apply in relation to this meeting:-

Questions - Written questions must be received 3 clear working days prior to the meeting. For this meeting, this means that your question(s) must be received in this office at the latest by 5 pm on Wednesday 8th November 2023.

Petitions and Statements - Petitions and statements must be received on the working day prior to the meeting. For this meeting this means that your submission must be received in this office at the latest by 12.00 noon on Monday



13th November 2023.

Please note, your time allocated to speak may have to be strictly limited if there are a lot of submissions. This may be as short as one minute

6. Suspension of Committee Procedure Rules CMR10 and CMR11 Relating to the Moving of Motions and Rules of Debate

Recommended – 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 (CMR10 and 11) be suspended for the duration of the meeting.

7. Exclusion of the Press and Public

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

8. To consider whether action should be taken against the holder of a Private Hire Driver Licence and Private Hire Vehicle Licence - ABY (10.00)

(Pages 14 - 39)

9. To consider whether action should be taken against the holder of a Hackney Carriage Driver Licence - JT (11.00)

(Pages 40 - 53)

10. Application for the Grant of a Private Hire driver Licence - HAK (11.45)

(Pages 54 - 96)

11. To consider whether action should be taken against the holder of a Private Hire Driver Licence and to determine an application for the Renewal of a Hackney Carriage Driver Licence - RH (13.15)

(Pages 97 - 113)

12. Application for the Grant of a Private Hire Driver Licence seeking departure from BCC Policy - KE (14.00)



(Pages 114 - 117)



Public Information Sheet

Inspection of Papers - Local Government (Access to Information) Act 1985

You can find papers for all our meetings on our website at <https://www.bristol.gov.uk/council-meetings>

Covid-19: changes to how we hold public meetings

Following changes to government rules, we'll use video conferencing to hold all public meetings, including Cabinet, Full Council, regulatory meetings (where planning and licensing decisions are made) and scrutiny.

Councillors will use Zoom or Skype for Business to take part in the meetings and vote on agenda items.

We'll stream the meetings live on YouTube.

You can submit statements, questions and petitions ahead of the meetings in the same way as usual. We will send all statements to participating Councillors in advance and respond to all questions and petitions in writing.

You will not be able to present a public submission at the meeting at the current time. We're looking into options for increasing public participation at meetings held using video conferencing, including being able to present a statement or ask supplementary questions using Zoom. We hope to have this in place in by late May 2020.

Email democratic.services@bristol.gov.uk if you have any questions.

Public Forum

Members of the public may make a written statement ask a question or present a petition to most meetings. Your statement or question will be sent to the Committee. Please submit it to democratic.services@bristol.gov.uk The following requirements apply:

- The statement is received no later than **12.00 noon on the working day before the meeting** and is about a matter which is the responsibility of the committee concerned.
- The question is received no later than **5pm three clear working days before the meeting**.
- Any statement submitted should be no longer than one side of A4 paper. For copyright reasons, we are unable to reproduce or publish newspaper or magazine articles that may be attached to statements.

By participating in public forum business, we will assume that you have consented to your name and the details of your submission being recorded and circulated to the Committee and published within the minutes. Your statement or question will also be made available to the public at the meeting to which it relates and may be provided upon request in response to Freedom of Information Act requests in the future.



We will try to remove personal and identifiable information. However, because of time constraints we cannot guarantee this, and you may therefore wish to consider if your statement contains information that you would prefer not to be in the public domain. Public Forum statements will not be posted on the council's website. Other committee papers may be placed on the council's website and information within them may be searchable on the internet.

During the meeting:

- Public Forum is normally one of the first items on the agenda, although statements and petitions that relate to specific items on the agenda may be taken just before the item concerned.
- There will be no debate on statements or petitions. Public Forum will be circulated to the Committee members prior to the meeting and then noted at the meeting.
- Please note that only written submissions can be considered at this time.

For further information about procedure rules please refer to our Constitution <https://www.bristol.gov.uk/how-council-decisions-are-made/constitution>

The privacy notice for Democratic Services can be viewed at www.bristol.gov.uk/about-our-website/privacy-and-processing-notice-for-resource-services

Webcasting/ Recording of meetings

Members of the public attending meetings or taking part in Public forum are advised that all Full Council and Cabinet meetings and some other committee meetings are now filmed for live or subsequent broadcast via the council's [webcasting pages](#). The whole of the meeting is filmed (except where there are confidential or exempt items).

Other formats and languages and assistance for those with hearing impairment

You can get committee papers in other formats (e.g. large print, audio tape, braille etc) or in community languages by contacting the Democratic Services Officer. Please give as much notice as possible. We cannot guarantee re-formatting or translation of papers before the date of a particular meeting.



Public Document Pack

Bristol City Council Minutes of the Public Safety and Protection Sub- Committee B



19th September 2023 at 10.00 am

Members Present:

Councillors Richard Eddy (for Brenda Massey), Fi Hance (Chair), Jonathan Hucker and Guy Poultney

Officers in Attendance:

Kate Burnham-Davies (Legal Services), Carl Knights (Licensing Team) (Presenting Officer), Dakota Ferrara (Licensing Team) (Policy Officer) and Norman Cornthwaite (Democratic Services)

1. Welcome and Safety Information

The Chair welcomed everyone to the meeting and drew attention to the safety information.

2. Apologies for Absence

Apologies were received from Cllr Brenda Massey, substitute Cllr Richard Eddy.

3. Declarations of Interest

Nothing was declared.

4. Minutes of Previous Meeting

Resolved – that the Minutes of the Meeting held on 25th July 2023 be agreed as a correct record.

5. Public Forum

Nothing was received.

6. Suspension of Committee Procedure Rules CMR10 and CMR11 Relating to the Moving of Motions and Rules of Debate



Resolved – that Committee procedure rules CMR10 and CMR11 be suspended relating to the moving of motions and rules of debate.

7. Exclusion of the Press and Public

Resolved – that that the press and public be excluded from the following items of business to allow consideration of items containing exempt information under Paragraph 1 of Part 1 of Schedule 12(A) of the Local Government Act 1972.

8. Application for the Renewal of a Private Hire Driver Licence - AMO'A

The Applicant was in attendance, accompanied by a colleague.

The Licensing Officer introduced the report and summarised it for everyone. He noted that the applicant had declared the points on his licence, but not when he should have declared them. If someone does not respond to who was driving the vehicle it will be assumed by the court that it was a failure to identify the driver.

AMO'A's colleague put the case for him highlighting the following:

- He explained the situation concerning the points on the licence
- He had accepted the points and sent his licence for the points to be added to it
- Letters were tabled concerning AMO'A including his home to school transport work
- The offence was as a result of a camera; he was not stopped by the Police
- The Members noted the warning letter sent by Licensing on 29th August 2020

The Applicant and the Licensing Officer left the room whilst the Committee made its decision and later returned to hear the decision announced.

Decision and reasons

The Committee considered very carefully all the written and verbal evidence that it had received.

The Committee noted their Policy in relation to this case.

The Committee decided that AMO'A had not intended to deceive Bristol City Council and agreed to grant him the renewal of his licence.

It was therefore

Resolved (unanimously) – that the application for the renewal of a Private Hire Driver Licence applied for by AMO'A be granted.

9. Application for the Grant of 3 Hackney Carriage Vehicle Licences Seeking Departure from Bristol City Council Policy - Magans Taxis Ltd



A representative of the applicant was in attendance.

The Licensing Officer introduced the three reports and summarised them for everyone. He explained that the 3 vehicles were identical and the issue was the tinted glass fitted in all of them. He added that there are actually 4 identical vehicles and that should the Committee grant an exemption to the 3 being considered at this Meeting, and allow them to be licensed, he would ask that Officers be delegated to also grant the fourth vehicle a licence.

The representative of the applicant put his case highlighting the following:

- These are all replacement vehicles
- Nobody can supply the glass that complies with the BCC Policy
- They need these vehicles to be licensed so that the company can continue to run its business
- The cost of vehicles is increasing
- They have made attempts to get the glass replaced but without success

The Licensing Officer advised the Committee that there are only 342 Licensed Hackney Carriages operating in the City. Most requests for licences are for Private Hire Vehicles.

The representative of the applicant and the Licensing Officer left the room whilst the Committee made its decision and later returned to hear the decision announced.

Decision and reasons

The Committee considered very carefully all the written and verbal evidence that it had received.

The Committee noted their Policy in relation to this case.

The Members noted that the applicant had done everything that they could do to get vehicles with glass that met the BCC Policy but it had not been possible. They noted that most new cars come fitted with tinted glass that does not meet the BCC Policy.

The Committee therefore decided to set aside its Policy in this case and grant licences to each of the 3 vehicles in question as well delegating Officers to issue a licence to the fourth vehicle.

It was therefore

Resolved (unanimously) – that the applications for the 3 Hackney Carriage Vehicle Licences made by Magans Taxis Limited be granted; and that Officers be delegated to grant the application for the fourth Hackney Carriage Vehicle Licence.

10. Application for the Renewal of a Hackney Carriage Vehicle Licence Seeking Departure from Bristol City Council Policy - AGA

AGA was in attendance.

The Licensing Officer introduced the report and summarised it for everyone. The vehicle is over 10 years old and AGA is requesting that it be licensed for 6 months.



AGA put his case and answered questions highlighting the following:

- He has not been able to acquire a replacement vehicle mainly for financial reasons
- Finance is very tight at present and he is doing his best to acquire a replacement vehicle
- He would prefer if a licence could be issued for a year but he understands the BCC Policy
- He has tried to purchase a vehicle from a few companies but without success
- If he could find a suitable vehicle he would purchase it using finance

AGA and the Licensing Officer left the room whilst the Committee made its decision and returned later to hear the decision.

Decision and reasons

The Committee considered very carefully all the written and verbal evidence that it had received.

The Committee noted their Policy in relation to this case.

The Members noted that AGA has been trying to acquire a replacement vehicle, but without success. They noted that whilst he would ideally like a licence for a year he would settle for a licence for 6 months. They agreed to make an exception to their Policy and grant a licence for 6 months.

It was therefore

Resolved (unanimously) – that the application by AGA for a Hackney Carriage Vehicle Licence be granted for a period of 6 months.

11. Application for the Grant of a Private Hire Vehicle Licence Seeking Departure from Bristol City Council Policy - KA

KA was in attendance accompanied by a colleague.

The Licensing Officer introduced the report and summarised it for everyone. The issue is that the vehicle is fitted with tinted glass that does not comply with the BCC Policy.

KA put his case highlighting the following:

- He drew attention to the statement that had submitted which is attached to the report
- Most manufacturers now produce cars with tinted glass
- It is very difficult to get a new car without tinted glass

KA, his colleague and the Licensing Officer left the room whilst the Committee made its decision and returned later to hear the decision.

Decision and reasons

The Committee considered very carefully all the written and verbal evidence that it had received.

The Members noted their Policy.



They noted that KA had tried to ensure that the vehicle complied with the BCC Policy relating to tinted glass, but had not been able to. They therefore agreed that they would make an exception to their Policy and grant him a licence.

It was therefore

Resolved (unanimously) – that the application made by KA for a Private Hire Vehicle Licence be granted.

12. Application for the Grant of a Private Hire Vehicle Licence Seeking Departure from Bristol City Council Policy – CO

CO was in attendance accompanied by his partner.

The Licensing Officer introduced the report and summarised it for everyone. The issue relates to the tinted glass fitted to the vehicle.

CO put his case and answered questions highlighting the following:

- He had applied for the vehicle licence after acquiring the car
- The response took a long time and the application was refused
- He has received confirmation from Lexus that the windows fitted to the car are to the manufacturer's specification
- It would cost thousands of pounds for the tinted windows to be replaced
- He wants the licence to be granted as soon as possible as he is not able to work without it
- Changing the glass is not an option

It was noted that no manufacturers offer non tinted glass with this sort of car.

CO, his partner and the Licensing Officer left the room whilst the Committee made its decision and returned later to hear the decision.

Decision and reasons

The Committee considered very carefully all the written and verbal evidence that it had received.

The Members noted their Policy.

They noted that CO had tried to get the BCC Policy specified windows fitted to the car but that this had not been possible. They therefore agreed that they would make an exception to their Policy and grant him a licence.

It was therefore

Resolved (unanimously) – that the application made by CO for a Private Hire Vehicle Licence be granted.

13. Application for the Grant of a Hackney Carriage Vehicle Licence Seeking Departure from Bristol City Council Policy – FA



FA was in attendance accompanied by 2 colleagues.

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

FA put his case and answered questions highlighting the following:

- He had provided details of the vehicle with a request to make it an exception to the BCC Policy
- The vehicle comes with tinted glass fitted as standard
- It is a petrol engine car
- It was bought as a replacement vehicle
- Vehicles without tinted glass are very difficult to obtain

FA, his colleagues and the Licensing Officer left the room whilst the Committee made its decision and returned later to hear the decision.

Decision and reasons

The Committee considered very carefully all the written and verbal evidence that it had received.

The Members noted their Policy.

They noted the cost of replacing the tinted glass and how difficult it is to get the work carried. They also noted how difficult it is to acquire a suitable vehicle without tinted glass.

They therefore agreed that they would make an exception to their Policy and grant him a licence.

It was therefore

Resolved (unanimously) – that the application made by FA for a Hackney Carriage Vehicle Licence be granted.

14. Application for the Grant of a Private Hire Vehicle Licence Seeking Departure from Bristol City Council Policy - Yellow Cars UK Limited

Representatives of Yellow Cabs – RT and AK - were in attendance.

The Licensing Officer introduced the report and summarised it for everyone. This is a replacement vehicle but the owner is different.

RT confirmed that the original car was written off a few months ago. He was the owner of the car.

AK explained that the replacement car is owned by Yellow Cabs and he only recently became aware that this could be a problem.

It was noted that the Policy relating to replacement vehicles only applies when the ownership is unchanged.

It was also noted that the car is over 3.5 years old and has tinted glass.

RT, AK and the Licensing Officer left the room whilst the Committee made its decision and returned



later to hear the decision.

Decision and reasons

The Committee considered very carefully all the written and verbal evidence that it had received.

The Members noted their Policy.

They noted that the vehicle is over 3.5 years old, the ownership has changed, and has tinted glass. The vehicle is not therefore Policy compliant as the ownership has changed. Members had not heard any compelling evidence to persuade them to set aside their Policy and make an exception in this case. They therefore agreed that the application be refused.

It was therefore

Resolved (unanimously) – that the application made by Yellow Cabs Limited for a Private Hire Vehicle Licence be refused.

The meeting ended at 3.00 pm.

Chair _____



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of the Local Government Act 1972.

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