

# Public Safety and Protection Sub-Committee B Agenda



**Date:** Tuesday, 30 April 2024

**Time:** 10.00 am

**Venue:** 1P05: Beira Room - City Hall, College Green,  
Bristol, BS1 5TR

## **Distribution:**

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

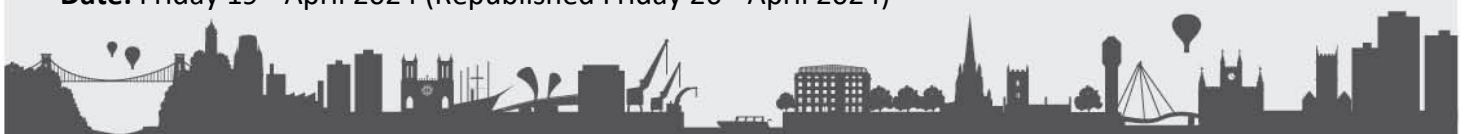
**Copies to:** Sarah Flower (Licensing Policy Advisor), Lynne Harvey (Legal Advisor), Kate Burnham-Davies, Abigail Holman (Licensing Policy Advisor), Jonathan Martin (Trading Standards and Private Housing Manager), Faria Jadoon, Wayne Jones, Dakota Delahunty, Carl Knights (Licensing Policy Advisor) and Allison Taylor (Democratic Services Officer)

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**Date:** Friday 19<sup>th</sup> April 2024 (Republished Friday 26<sup>th</sup> April 2024)



# Agenda

## 1. Welcome and Safety Information

(Pages 4 - 6)

## 2. Apologies for Absence

## 3. Declarations of Interest

## 4. Minutes of the Previous Meeting held on 5th March 2024

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](mailto: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 5pm on Wednesday 26<sup>th</sup> April 2024.**

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 Noon on Monday 29<sup>th</sup> April 2024.**

**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**

Members of the press and public who plan to attend a public meeting at City Hall are advised that you will be **required to sign in** when you arrive and you will be issued with a visitor pass which you will **need to display at all times.**



**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.

- |  |  |
|--|--|
| <b>8. Report of an Application for the Grant of Private Hire Driver -<br/>DK</b>             | <b>10.00 am</b><br><br><b>(Pages 14 - 16)</b>                          |
| <b>9. Report of an Application for the Renewal of a Private Hire<br/>Driver Licence - SA</b> | <b>10.30 am</b><br><br><b>(Pages 17 - 21)</b>                          |
| <b>10. Report of an Application For the Grant of a Private Hire Driver<br/>Licence - HO</b>  | <b>12.00 pm (May<br/>be 11.15am TBC)</b><br><br><b>(Pages 22 - 33)</b> |



# 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 [www.bristol.gov.uk](http://www.bristol.gov.uk).

## Attendance at Public meetings

Public meetings including Cabinet, Full Council, regulatory meetings (where planning and licensing decisions are made) and scrutiny are held at City Hall.

Members of the press and public who plan to attend a public meeting at City Hall are advised that you will be **required to sign in** when you arrive and you will be issued with a visitor pass which you will **need to display at all times**.

Please be advised that you may be asked to watch the meeting on a screen in another room should the numbers attending exceed the maximum occupancy of the meeting venue.

## COVID-19 Safety Measures

We request that no one attends a Council Meeting if they:

- are suffering from symptoms of COVID-19 or
- have tested positive for COVID-19

## 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.

Committee rooms are fitted with induction loops to assist people with hearing impairment. If you require any assistance with this please speak to the Democratic Services Officer.

## 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 Members and will be published on the Council's website before the meeting. Please send it to [democratic.services@bristol.gov.uk](mailto: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. If the statement is longer than this, then for reasons of cost, it may be that only the first sheet will be copied and made available at the meeting. 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 via publication on the Council's website 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. 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.
- The Chair will call each submission in turn. When you are invited to speak, please make sure that your presentation focuses on the key issues that you would like Members to consider. This will have the greatest impact.
- Your time allocation may have to be strictly limited if there are a lot of submissions. **This may be as short as one minute.**
- If there are a large number of submissions on one matter a representative may be requested to speak on the groups behalf.
- If you do not attend or speak at the meeting at which your public forum submission is being taken your statement will be noted by Members.
- Under our security arrangements, please note that members of the public (and bags) may be searched. This may apply in the interests of helping to ensure a safe meeting environment for all attending.
- As part of the drive to reduce single-use plastics in council-owned buildings, please bring your own water bottle in order to fill up from the water dispenser.

For further information about procedure rules please refer to our Constitution

<https://www.bristol.gov.uk/how-council-decisions-are-made/constitution>



## 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). If you ask a question or make a representation, then you are likely to be filmed and will be deemed to have given your consent to this. If you do not wish to be filmed you need to make yourself known to the webcasting staff. However, the Openness of Local Government Bodies Regulations 2014 now means that persons attending meetings may take photographs, film and audio record the proceedings and report on the meeting (Oral commentary is not permitted during the meeting as it would be disruptive). Members of the public should therefore be aware that they may be filmed by others attending and that is not within the council's control.

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



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



5 March 2024 at 10.00 am

### **Members Present:-**

**Councillors:** Fi Hance (Chair), Jonathan Hucker, Brenda Massey

### **Officers in Attendance:-**

Hannah Pring - Legal Advisor, Dakota Delahunty - Licensing Policy Advisor, Carl Knights – Licensing Presenting Officer, Allison Taylor – 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 received from Councillor Poultney.

### **3. Declarations of Interest**

None received.

### **4. Minutes of the Previous Meeting**

**RESOLVED** that the minutes of the previous meeting held on 16 January 2024 be agreed as a correct record.

### **5. Public Forum**

None 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 relating to the moving of motions and rules of debate be suspended.

**7. Exclusion of the Press and Public**

**RESOLVED:** 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 grant of a Private Hire Driver Licence – JH

The PHDL holder was present along with the proprietor of the company he worked for.

The Licensing Presenting Officer summarised the report for the benefit of the Sub-Committee and the Sub-Committee then heard from the Licence Holder & Company Proprietor as follows:-

1. He had requested exemption from the knowledge and gold standard as he would be only doing long distance driving primarily out of Bristol. He was very familiar with Bristol roads nevertheless;
2. He would be driving luxury cars for high end management, business class airport pick-ups. The routes were pre-planned and the driver planned the route 24 hours before the journey. All journeys were long distance.

The following points arose from questions :-

1. The airports would be primarily Heathrow, Gatwick, Manchester and Birmingham;
2. The Licensing Presenting Officer confirmed that he would still be required to undertake the Safeguarding Course;
3. The two speeding offences could only be put down to a momentary distraction.

**Resolved – (Unanimous) That the exemption from the knowledge and gold standard be granted subject to a condition as set out in reasons below.**

### Reasons.

1. The Licence Holder would only be carrying out long distance, chauffeur type work and would not be making drop-offs in Bristol;
2. A condition would be added to the licence requiring that it was long distance, chauffeur type work only;
3. The Licence Holder would be required to undertake the Safeguarding Course
4. Exemptions for this type of work had previously been granted.

## 9. Report of an Application for the renewal of a Hackney Carriage Driver Licence & to determine whether action should be taken against the holder of a Hackney Carriage Driver Licence – SA

The Licence Holder was in attendance along with his legal representative and a member of the public in support.



The Licensing Presenting Officer summarised the report for the benefit of the Sub-Committee. The Sub-Committee then heard from the legal representative as follows:-

1. The Licence Holder had been driving a taxi for 25 years and was part of the Bangladeshi community;
2. There were a number of character references submitted. These references confirmed he was an honest, trustworthy and reliable man and these characteristics indicated a fit and proper person;
3. He had carried out 40,000 trips in his time as Licence Holder and had received only two complaints in 2010 & 2018 and no action was taken for either of them. They should be disregarded for this reason and as they were historic;
4. He took his professional responsibilities very seriously;
5. An email to the Licensing Authority dated 18 November 22 provided evidence that he had disclosed the penalty points incurred on 6 April 22. This had taken some months due to the paperwork going to and forth;
6. On both 16 June 21 & 6 April 22 he had been found speeding on the motorway. He had set the car to cruise control of 70mph and had forgotten to adjust it when the speed limit changed to 50mph;
7. On 11 September 21 he was stopped at the front of red lights and he moved over the line for a Police car to pass and was caught by camera. He should have appealed but did not;
8. These incidents did not represent his driving. There had never been a complaint regarding the nature of his driving. The nine points on his licence was sufficient warning. One more strike and he could no longer drive and he was now driving more carefully than ever. To take away his licence would significantly impact on his livelihood and his family.

The Sub-Committee then heard from the member of the public attending in support of the Licence Holder. It was noted that the Licence Holder had 2 sons with special needs and his wife had health issues. Being a taxi driver gave him the flexibility to support his family. He was a very kind person who had made a mistake. This was an exceptional situation and the application should be considered with sympathy.

The following points arose from questions :-

1. The Licence Holder although experienced accepted that it was a momentary lapse that he forgot to adjust the cruise control early enough;
2. There was concern from a member that there could have been an accident as he was going faster than the traffic in front of him.

**Resolved – (Unanimously) That the renewal of the Hackney Carriage Driver Licence be granted and no action taken.**

**Reasons.**

1. The historic complaints were discounted;



2. It was disappointing to note that there had been 2 SP50 offences in similar circumstances;
3. The Licence Holder had been off the road for some weeks and had a significant loss of earnings which was believed to be of sufficient deterrent not to do again;
4. The decision to grant was made on balance and it was hoped not to see the Licence Holder again.

**10. Report of an application for the renewal of a Hackney Carriage Driver Licence & to determine whether action should be taken against the holder of a Hackney Carriage Driver Licence – CB**

The Licence Holder and his employer were in attendance.

The Licensing Presenting Officer summarised the report for the benefit of the Sub-Committee and the Sub-Committee then heard from the Licence Holder as follows:-

1. The Licence Holder had been a HCD for 27 years and had never had an incident. There was a wall all along Clifton Down Road which limited a view. He stopped at the junction and saw a gap in the traffic and pulled out and on doing so he collided with two pedestrians. He would be summoned to court for the offence of not driving without due care and attention. It was a momentary lapse and he could not justify that loss of concentration. He was extremely remorseful;
2. He had hoped to do a few more years driving and then retire. He enjoyed his job and being active and out of the house. He had helped the trade with a disability awareness course.

The following points arose from questions:-

1. He had not notified the Licensing Authority immediately as he had been in shock and could not think what to do;
2. He had not seen the pedestrians waiting there and as he waited for a gap in the traffic they had walked around the side of his car. He had two passengers in his taxi.

The Sub-Committee then heard from his employer who confirmed that the Licence Holder had worked for him since 2011 and had never had a complaint. He had not worked since the incident and it would be a great loss not to get his badge back. He was thought highly of.

**Resolved – (Unanimously) That the renewal of a HCDL be granted and no action taken.**

**Reasons.**

1. His unblemished record over 20 years was taken into account;
2. He was sincerely remorseful and had not attempted to excuse the fact that it was his fault;
3. The severity of the incident was acknowledged but it was agreed that public safety was not compromised.



## **11. Application for the grant of a Private Hire Driver Licence – MD**

The Licence Holder was in attendance.

The Licensing Presenting Officer summarised the report for the benefit of the Sub-Committee and the Sub-Committee then heard from the Licence Holder as follows:-

1. He had previously been a PHD from 1992 to 1997.;
2. His first offence was for driving at 50mph in a 50mph area. The second offence was for driving 35mph in a 30mph area. On the third offence his licence was taken away but was reinstated on appeal;
3. He was currently a business development manager and travelled around the UK but his wife's health was not good so he wanted to be around Bristol to be near to her.

The following points arose from questions:-

1. His employment responsibilities were taking their toll and taxi driving would give him freedom;
2. It was not in his nature to put the public at risk and had not intended to speed. The nine points would be removed this year and he had no intention of jeopardising his employment and income by speeding again;
3. It was confirmed that the court had given him 6 points for failure to do the speed awareness course which he had intended to do but had been called away for work that day;
4. It was confirmed that one set of points would not prevent the licence being granted but multiple points would;
5. He was a very responsible person in life and would not put passengers at risk. There had been no intention to speed and the speeds for the offence had not been excessive.

**Resolved – (Unanimously) That the PHDL be granted.**

**Reasons.**

1. The application was granted on balance. There was concern that three offences had taken place in such a short period of time and it was emphasised that the Sub-Committee did not wish to see him before them again.

## **12. Report to consider whether any action should be taken on both a Private Hire Vehicle and Private Hire Driver License – MR.**

This item had been added to the agenda late due to its urgent nature. The Sub-Committee heard that the driver's legal representative had requested an adjournment so that legal representation could be prepared. The Sub-Committee carefully considered the request and agreed that consideration of the



matter be delegated to senior officers of the Licensing Authority and in the presence of the driver's legal representative which would take place on 6 March 2024.

Meeting ended at 2.15 pm

**CHAIR** \_\_\_\_\_



By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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