

Public Safety and Protection Committee Agenda



Date: Tuesday, 15 November 2016

Time: 10.00 am

Venue: Lord Mayor's Reception Room, City Hall,
College Green, Bristol, BS1 5TR

Distribution:

Councillors: Donald Alexander, Chris Davies, Richard Eddy, Anna Keen, Sultan Khan, Mike Langley, Paula O'Rourke, Ruth Pickersgill and Chris Windows

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Date: Monday, 7 November 2016



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Agenda

1. Welcome, Introductions and Safety Information

(Pages 5 - 6)

2. Apologies for Absence and Substitutions

3. Declarations of Interest

To note any declarations of interest from the Councillors. They are asked to indicate the relevant agenda item, the nature of the interest and in particular whether it is a **disclosable pecuniary interest**.

Please note that the Register of Interests is available at <https://www.bristol.gov.uk/councillors/members-interests-gifts-and-hospitality-register>

Any declarations of interest made at the meeting which is not on the register of interests should be notified to the Monitoring Officer for inclusion.

4. Minutes of Previous Meeting

To agree the minutes of the previous PSP Sub-Committee B held on Tuesday 20th September 2016 as a correct record. (Pages 7 - 10)

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 9th November 2016**

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 14th November 2016**.



6. Suspension of Committee Rules CMR10 and 11

It is 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 Press and Public

That under s.100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item(s) of business on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in paragraph(s) 1 (respectively) of Part 1 of schedule 12A of the Act.

8. Report of an Application for the Grant of a Private Hire Vehicle Seeking Departure From Bristol City Council Policy - MR 10.00 am

Please find attached a report concerning the above Application. (Pages 11 - 18)

9. Report Of An Application For the Grant Of A Hackney Carriage Driver Licence Seeking Departure From Council Policy - HZ 10.45 am

Please find attached a report concerning the above application. (Pages 19 - 38)

10. Report of an Application For The Grant Of A Private Hire Driver Licence Seeking Departure From Council Policy - ZK 11.30 am

Please find attached a report for the above application. (Pages 39 - 44)

11. Lunch 12.15 pm

Lunch is scheduled for 12.15pm to 12.45pm

12. Report of An Application For Renewal Of A Hackney Carriage Driver Licence Seeking Departure From Council Policy - MB 12.45 pm

Please find attached a report for the above application. (Pages 45 - 119)



**13. Report Of An Application For The Renewal of A Hackney
Carriage Driver Licence - AN**

1.30 pm

Please find attached a report for the above application.

(Pages 120 - 135)

14. Date of Next Meeting

Please note that the next meeting of the PSP Sub-Committee B is scheduled for
10am on Tuesday 24th January 2017.



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.

You can also inspect papers at the City Hall Reception, College Green, Bristol, BS1 5TR.

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 and be available in the meeting room one hour before the meeting. Please submit it to democratic.services@bristol.gov.uk or Democratic Services Section, City Hall, College Green, Bristol BS1 5UY. 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 **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, 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. This information will also be made available at the meeting to which it relates and placed in the official minute book as a public record (available from Democratic Services).

We will try to remove personal information such as contact details. 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 in them may be searchable on the internet.

Process 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.

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) and the footage will be available for two years. 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.

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



20th September 2016 at 10.00 am

Members Present

Councillors: Donald Alexander, Richard Eddy (for Cllr Windows) and Paula O'Rourke

Officers in Attendance: Ashley Clark (Regulatory Lawyer), Sarah Flower (Senior Licensing Officer), Norman Cornthwaite (Democratic Services Officer)

1. Election of Chair

In the absence of Councillor Khan, Councillor Alexander was elected Chair for the duration of the Meeting.

2. Apologies for Absence and Substitutions

Apologies were received from Councillor Windows and his substitute was Councillor Eddy.

3. Declarations of Interest

There were none.

4. Public Forum

Nothing was received.

5. Consideration of the Suspension of Committee Procedure Rules CMR10 and CMR11 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 Procedure Rules relating to the moving of motions and the rules of debate (CMR10 and 11) be suspended for the duration of the meeting).

6. Application for the Grant of Street Trading Consent at Pavement Area Outside Of Car Park, Redcliff Street, Bristol

Applicant: Bayram Demiroglu

Proposed trading name: Kitchen of Anatolia – Redcliffe

The Chair outlined the procedure that would be followed and introductions were made.

The applicant was present.

The Senior Licensing Officer summarised the report and drew attention to the key issues set out in detail. She recommended that the application be refused.

The applicant then summarised his case and answered questions highlighting the following:

- Business is very good at his current unit and his customers are very happy; most work in the area
- He offers food that is not offered at other local outlets
- He wants to open a second outlet as he does not want people to have to wait and cause congestion in the area
- He is aware of the Condition requiring him to remove the current trailer from site each evening but he is unable to comply with this Condition due to the difficulties of moving the unit
- He currently only operates during the lunchtime period, but if he is granted a Consent for a second unit he will trade for longer hours

The Senior Licensing Officer summarised the details of the current consent for Members.

The Senior Licensing Officer and the applicant left the room while the Committee made its decision.

The Committee noted the Policy and decided that the Consent should be refused on the grounds of lack of commercial need and congestion on the footway in the vicinity of the unit caused by its presence causing a public nuisance.

The Senior Licensing Officer and the applicant returned to the room to hear the decision.

Resolved – that the Consent be refused on the grounds of lack of commercial need and congestion on the footway causing a public nuisance.

7. Exclusion of Press and Public

Resolved – that under Section 11A (4) of the Local Government Act 1072, the public be excluded for the following item 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.

8. Application for the Grant of a Private Hire Driver Licence Seeking Departure from Council Policy – TL

The Chair outlined the procedure that would be followed and introductions were made.

The applicant was present, accompanied by two colleagues.

The Senior Licensing Officer summarised the report and drew attention to the key issues set out in detail. She confirmed TL had passed the other parts of the fit and proper person test.

The applicant then summarised his case and answered questions highlighting the following:

- He is reluctant to take the Gold Standard Test for reasons of time and money; he has been a taxi driver for a number of years without any complaints; he feels that his experience as a taxi driver should allow the Committee to make an exemption to the Policy in his case
- He claimed that the Policy was changed in 2012 without consultation with the trade
- He considers that the information concerning the Policy on the BCC website is unclear and the Policy is not being applied consistently which has implications for the trade
- He considers that he has lost an opportunity to work at Bristol Airport

The Senior Licensing Officer and the applicant left the room while the Committee made its decision.

The Committee noted the following:

- Their Policy and was satisfied that granting an exemption in this case would not undermine the purpose of this part of the policy
- The years of experience that the applicant has of driving a taxi without any complaints against him

After considering all of the written and verbal evidence presented to it the Committee decided that the application by TL for a request to be exempt from the requirement to complete the Bristol Gold Standard Course be granted.

The Senior Licensing Officer and the applicant returned to the room to hear the decision.

Resolved – that the request by TL to be exempt from the requirement to complete the Bristol Gold Standard Course in respect of an application for a Private Hire Driver’s Licence be granted.

(The Committee requested that Legal Services and the Licensing Authority consider if the information concerning the Policy on the BCC website is unclear and whether or not the Policy is being applied consistently. If necessary a report should be brought to the Full Committee at a future Meeting.)

9. Application for the Grant of a Private Hire Driver’s Licence – RH

The Senior Licensing Officer advised the Committee that a request for an adjournment had been received from the applicant. It was noted that this was the second request for an adjournment.

Resolved – that consideration of this Application be adjourned until the Meeting of the Committee on 18th October 2016 and that no further deferment will be granted.

10. Application for Renewal of a Private Hire Driver’s Licence Seeking Departure from Council Policy – MB

The Senior Licensing Officer advised the Committee that a request for an adjournment had been received from the applicant.

Resolved – that consideration of this Application be adjourned until the Meeting of the Committee on 15th November 2016.

11. Application for the Grant of a Private Hire Driver's Licence Seeking Departure from Council Policy – CB

The Chair outlined the procedure that would be followed and introductions were made.

The applicant was present.

The Senior Licensing Officer summarised the report and drew attention to the key issues set out in detail.

The applicant then summarised his case and answered questions highlighting the following:

- He did the Gold Standard Test in 2010
- He has been a taxi driver for a number of years and decided to take a break from the work for family reasons
- He was working at a special school but an injury means that he can no longer do this type of work
- He has a thorough knowledge of Bristol and the surrounding areas
- He passed the Knowledge Test previously

It was noted that Gold Standard Refresher Tests are offered to those who have passed the Test previously.

The Senior Licensing Officer and the applicant left the room while the Committee made its decision.

The Committee noted the following:

- Their Policy and was satisfied that granting an exemption in this case would not undermine the purpose of this part of the policy
- The length of time that CB was a taxi driver and the experience, and knowledge that he has gained in that time

After considering all of the written and verbal evidence presented to them the Committee decided the following – that CB should be required to take the Gold Standard Refresher Test, that CB should be required to take the Knowledge Test, but that CB should be exempt from being required to take the DVLA Test.

The Senior Licensing Officer and the applicant returned to the room to hear the decision.

Resolved – that in relation to his application for the Private Hire Driver's Licence CB is required to take the Gold Standard Refresher Test; CB is required to take the Knowledge Test, but CB is exempt from being required to take the DVLA Test.

Meeting ended at 12.30 pm

CHAIR _____

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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