

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



23 January 2018 at 10.00 am

Members Present:-

Councillors: Chris Windows, Fi Hance, Ruth Pickersgill (Chair) and Lucy Whittle

Officers in Attendance:-

Ashley Clark (Legal Advisor), Abigail Holman (Licensing Policy Advisor) and Norman Cornthwaite

1. Election of Chair for the remainder of the Municipal Year 2017-2018

Councillor Pickersgill moved that Councillor Hance be elected Chair. Councillor Windows seconded this motion.

Resolved – that the Councillor Fi Hance be elected Chair of the Sub Committee for the remainder of the 2017/18 Municipal Year.

(It was agreed that Councillor Pickersgill would retain the Chair the duration of this Meeting.)

2. Apologies

There were none.

3. Declaration of Interest

None were received.

4. Public Forum

Nothing was received.



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

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. Exclusion of the Press and Public

Resolved – that under Section 11A (4) of the Local Government Act 1972, the press and 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.

7. Application for the Grant of a Private Hire Driver Licence and the Grant of a Hackney Carriage Driver Licence - SS

SS was in attendance.

The Chair explained the procedure that would be followed and everyone introduced themselves.

The Licensing Officer introduced the report and summarised it for everyone. She also apologised to SS for the delay in determining the application. This was caused by the Licensing Officer dealing with the application and processing the Gold Standard recently passed by SS, not being aware of the historic issues relating to this application. He/she would not have had sight of the DBS Check results on SS (these are confidential), showing previous convictions. SS may therefore have been given incorrect advice.

SS put his case and answered questions highlighting the following:

- He tabled a written statement (which is attached to these Minutes)
 - He summarised the delay in determining his application
 - He had not included details of his previous convictions as they were a long time ago; he acknowledged that this was a mistake
 - His last conviction relating to Illegally Plying for Hire related to a Saturday night when he had been busy, it was late and he had felt pressurised by the two BCC employees who approached him into taking them in his taxi
 - He would work shorter hours in future and would be less likely to make a mistake such as Illegally Plying for Hire
 - He considers that he is a fit and proper person to hold the licences he has applied for
- SS summed up the case.

The Legal Advisor confirmed that details of his convictions were included in the report.



The Licensing Officer and SS left the room whilst the Committee made its decision.

Decision

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

With reference to their Policy, Members noted that the last offence committed by SS was nearly 5 years ago and that by December of this year he will have been free from conviction for 5 years. Members also noted that SS had recently passed the Gold Standard. Members did not consider SS to be a danger to the public.

Therefore they agreed to grant the two licences applied for subject to him passing all the parts of the fit and proper person tests.

Everyone returned to the room to hear the decision announced.

Resolved – that Officers be authorised to grant SS a Private Hire Driver’s Licence and a Hackney Carriage Driver’s Licence, subject to SS passing all the parts of the fit and proper tests including the Knowledge Test for Hackney Carriage Drivers.

8. Exemption Request - MA

Members were advised that MA had mixed up the date of the Meeting and was not therefore in attendance.

Resolved – that consideration of this item be deferred until a future Meeting of the Committee.

9. Report Of An Application For The Grant Of A Private Hire Driver Licence - JH

It was noted that this item had been removed from the Agenda.

Meeting ended at 11.30 am

CHAIR _____

